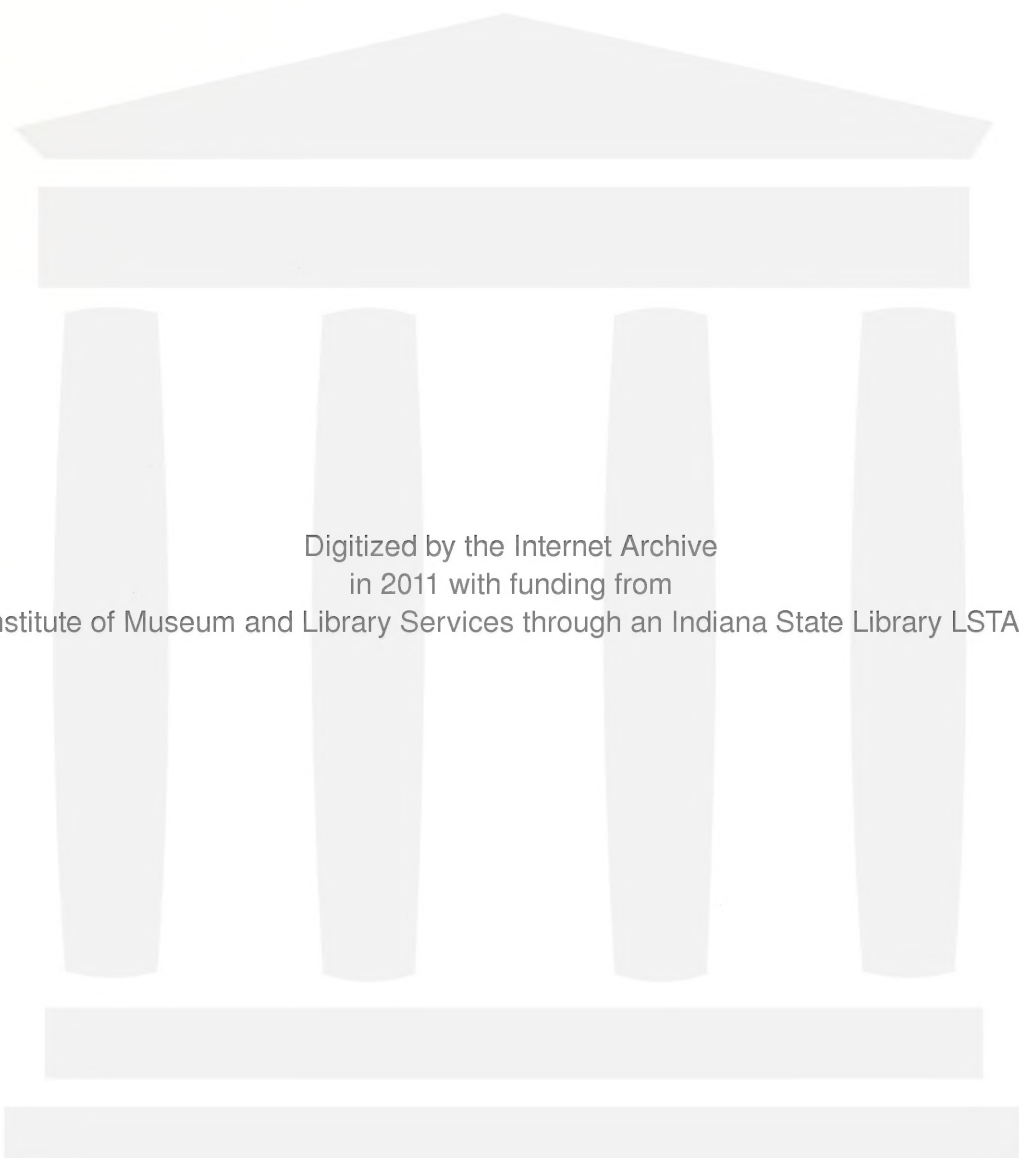


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U. S. Grant

LIEUT. GEN. U. S. GRANT.

THE
AMERICAN
ANNUAL CYCLOPÆDIA
AND
REGISTER OF IMPORTANT EVENTS
OF THE YEAR
1864.

EMBRACING POLITICAL, CIVIL, MILITARY, AND SOCIAL AFFAIRS; PUBLIC DOCUMENTS; BIOGRAPHY, STATISTICS, COMMERCE, FINANCE, LITERATURE, SCIENCE. AGRICULTURE, AND MECHANICAL INDUSTRY.

NEW YORK:
D. APPLETON & COMPANY, 443 & 445 BROADWAY.
1865.

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In the Clerk's Office of the District Court of the United States for the Southern District
of New York.

P R E F A C E .

THE flattering reception by the public of the previous volumes of this work, with the numerous testimonials of eminent individuals, has been such as to induce the publishers to believe that they have been successful in furnishing a truthful and valuable record of the great events of each year of the work. The same efforts have been made as heretofore, with increased earnestness, to secure the completeness and accuracy of the *ANNUAL CYCLOPÆDIA*, and to preserve it free from every mark of partisanship.

The events of the year 1864 have been more varied than those of any previous one during the war. The contest was carried on with an earnest purpose to make it, at once, decisive and final; and the reconstruction of States was commenced in the most thorough manner. Emancipation became a subject of State action, and was incorporated as a principle in the fundamental law of several of the States. In other parts of the world, although no extensive war has been waged, the discussions of principles and the agitation of the minds of men have been no less intense than in former years.

Among the numerous questions discussed in the United States were those respecting the relations of the insurrectionary States to the Union; the principles on which the reconstruction should be effected; the powers of the Federal Government; the amendment to the Constitution; the equality and rights of the colored men; the encroachments of military authority; the terms of peace; the exciting topics involved in a Presidential election; and the relations of foreign governments arising upon numerous international questions.

A detailed statement of the vast military and naval operations in this country is continued, which presents the movements of the armies day by day, and step by step, illustrated with complete topographical maps of the field, and the objects of those movements and their consequences; also the efforts of the humane through the Sanitary, Christian and Union Commissions to relieve the hardships of the soldiers and to aid refugees from the South.

The details of the internal affairs of the country embrace the replenishing of the armies North and South; the number and condition of the troops;

the important measures and debates in Congress ; the acts of State Legislatures and results of elections ; the finances of the Federal Government and of that of the insurrectionary States, and the important public measures of the latter ; the discussions relative to peace, and the efforts to obtain it ; the commerce of the country and the regulations for commercial intercourse with the South—and all these important occurrences comprised in the history of the nation.

The interesting events relating to foreign nations in all parts of the world are presented ; also the famous encyclical letter of the Pope, the manner of its reception, and the questions raised thereby.

In mechanical industry considerable progress has been made, especially in the department of military implements ; and inventions and improvements have been numerous also in other departments.

The applications of science to useful purposes have been pursued with much diligence, and interesting results are described.

Geographical explorations have been very actively continued in all quarters of the globe, and the discoveries which have followed are very carefully and fully presented.


The unusual enterprise which has been awakened by successfully refining and converting to various uses the article of Petroleum, has caused not less astonishment than the unbounded wealth which it is likely to yield to the country. The history of this branch of industry, including an investigation of all the scientific questions relating to Petroleum, has not been overlooked.

The record of Literature is not less important than in any previous year. By a reference to that title its most interesting features may be seen.

A notice of the principal religious denominations of the country states their branches, membership, views on civil affairs, and the progress of their distinctive opinions.

In no year has the number of distinguished men who closed their career been so large. A brief tribute has been paid to their memory.

All important documents, messages, orders, despatches, and letters from official persons, have been inserted entire.

 State officers, committees of legislative and other public bodies, principals of public institutions, whether benevolent, educational, reformatory, scientific, etc., will confer a favor by sending their printed reports and documents to the Publishers.

THE
ANNUAL CYCLOPÆDIA.

A

AFRICA. The whole of North Africa was, during some months of the year 1864, in an extraordinary fermentation, which was supposed to spring, in part, from the fanatical preaching and the influence of the Mohammedan priests. On the 8th of April an insurrection broke out among the Arabian tribes in Algeria against the French, which assumed very large dimensions. The natives were unable to obtain any lasting successes, but at the close of the year quiet was not wholly restored. (See FRANCE.) Simultaneously, a violent outbreak occurred in Tunis. A body of cavalry, which, under the command of Gen. Si-Far-Hat, was sent out to collect taxes, was murdered by the discontented tribes. The insurrection spread rapidly over a large portion of the Tunisian territory. The cause of the discontent was the doubling of the highly unpopular personal tax which at the beginning of the year 1864 was raised from 36 to 72 piastres, and the unpopularity of the courts which had been introduced in 1860. The insurgents, numbering from 15,000 to 20,000, took possession of the towns Kef-Kadgia, Kairvan, and others, and threatened the coast towns Monastir and Susa. The Bey of Tunis, Sidi-Mohammed El Sadak, on May 1, consented to the demanded abolition of the courts, but the insurgents, whose chief leader was Ali Ben Gahum, insisted on more concessions, especially on the dismissal of the Kasnadar (Minister), Sidi Mustafa. This, however, the Bey steadily refused to grant, and the insurrection continued. In July the Arabs marched again in force upon Tunis, and when they arrived within two leagues the army of the Bey surrendered. On the 28th of July the minister of the Bey officially informed the French consul-general of the pacification of the regency under the following conditions: The granting of an amnesty without reserve,

the reduction of the personal tax from 72 to 20 piastres, and the nomination, in the provinces, of Caid (native governors), instead of Mamelukes. The insurrection was, however, far from being completely subdued. While fourteen of the tribes were stated to have made their submission, forty others were said to continue in insurrection. One chief who signed the conditions of peace, was obliged to take refuge in Tunis, and several other chiefs who had manifested a wish for peace were killed. Most of the tribes demanded the dismissal of the Kasnadar. The French and Italian admirals despatched ships of war to watch the coast and to protect French and Italian subjects. The French admiral having learned that the Turkish flag had been substituted for that of Tunis, wrote a circular note, on the 26th of June, protesting against manifestations disavowed even by the Ottoman Government, and declaring that France would countenance no intervention in the established order of the regency. Toward the close of the year the insurrection began again to extend. The Arabs, who had submitted, threw off their allegiance to the Bey and surrounded the camp of Gen. Ruthen. On the 15th of December, Prince Alij set out with a body of troops for his relief.

The Government of Morocco seems to be disposed to favor reforms. Sir Moses Montefiore, who paid a visit to the Sultan of Morocco for the purpose of obtaining toleration and protection for the persecuted Jews of the empire, was entirely successful. A threatening difficulty with France, arising out of the assassination of a French subject, was promptly adjusted. The four principals charged with the deed were arrested, and the governor who assisted the flight of the criminals, was dismissed and also arrested.

Of all the native governments of Africa

Egypt is by far the most progressive. The commerce of Alexandria is increasing immensely, and the Viceroy says he hopes to see the time when the commerce of that city will demand of him his palace at Ras-el-tin for the purpose of building docks and warehouses. The difficulty between the Pasha and the Suez Canal Company was submitted to the arbitration of the Emperor of France, whose decision was adopted by both parties. At the annual general meeting of the shareholders of the Suez Canal Company it was stated by M. de Lesseps, the President of the Company, that the principal canal would be completed in 1867. The Egyptian Government also took vigorous measures for the prevention of the extensive slave trading expeditions on the White Nile. A slight misunderstanding between the American consul and the Egyptian Government was soon removed.

King Theodore of Abyssinia, who was formerly looked upon as a patron of Protestant missions, treated some of the missionaries with the most severe cruelties. The king, also, through the British consul at Massoowah, the port of Abyssinia on the African coast, sent proposals of marriage to Queen Victoria of England, and when the consul declined to transmit this offer to England he was imprisoned at Guada, King Theodore's capital. At the close of the year the English had not yet succeeded in obtaining the release of the imprisoned consul.

The doubts concerning the death of King Radama of Madagascar continued in the Island, and manifestations and movements in his favor were several times renewed. On the 18th of May an attack was made upon the palace, but repulsed, and eighteen of the ringleaders put to death. The prime minister having, while intoxicated, insulted the queen, was deposed from his office. His successor ordered the expulsion of several foreigners who for fifteen years had been in the service of the Government. The progress of the Christian missions in the capital and the surrounding country was, however, uninterrupted.

On the Gold Coast the English were again engaged in a war with the King of Ashantee, in which the British troops suffered very severely from the climate.

The King of Dahomey made war upon Abbeokuta, but was repulsed with immense losses in killed and prisoners.

In the English colonies a considerable sensation was produced by the deposition of Bishop Colenso of Natal, at a synod of the Anglican bishops of South Africa. (See *ANGLICAN CHURCH*.)

AGRICULTURE. While the war has interfered with production in some of the border States, and notably in Kentucky, Missouri, Maryland, and Virginia, and has rendered it impossible to obtain any full statistics from the States in insurrection, the year has been one of agricultural prosperity in most of the

States of the North and Northwest. The long drought of June and July, which it was at one time supposed would greatly diminish and perhaps destroy the corn and potato crops, proved less injurious than was feared. The corn crop was everywhere much larger than in 1863, when it was about three-fourths an average crop, but was not quite equal to that of 1862, though much nearer to it than was at first expected. Maine, New Hampshire, New Jersey, Maryland, Kentucky, Michigan, Indiana, Missouri, Kansas, and Nebraska Territory, reported materially reduced crops of corn as compared with the crop of 1862, while Rhode Island, Iowa, Minnesota, and West Virginia were largely beyond even that year of plenty in their production, and Connecticut, Delaware, Illinois and Wisconsin were fully equal to it. In potatoes there was a diminution of about 2,700,000 bushels from the crop of 1863, and of about 16,320,000 bushels from the crop of 1862. The heaviest reduction was in the Northwestern States, Michigan, Indiana, Illinois, Missouri, Wisconsin, Iowa, Kansas, and Nebraska reporting not over three-fourths of a crop, as compared with 1862. Maine, New Hampshire, New York, and Ohio yielded nearly as large quantities as in 1862; and Vermont, Massachusetts, Connecticut, and West Virginia exceeded the production of that year.

The wheat crop was less in quantity by 17,262,000 bushels than that of 1862, and by about 13,000,000 than that of 1863, but its quality is greatly superior to that of 1863. The rye crop varied but a few thousand bushels from that of 1863, but was about 700,000 bushels less than in 1862. Oats were 6,500,000 bushels in excess of 1862, and 7,000,000 bushels in excess of 1863. Barley was about 2,500,000 bushels less than the crops of 1862 and 1863, which were nearly alike in amount. Buckwheat was fully up to the production of 1862, and 3,000,000 of bushels in excess of that of 1863. Potatoes, as we have already stated, were below the amount produced in 1863, fully one-seventh less than the crop of 1862. The hay crop was slightly below the crop of 1863, and about 3,000,000 of tons below that of 1862. The tobacco crop was materially less than in 1863, the principal falling off being in Kentucky, Missouri, and Maryland, and being due to the disturbed condition of those States, and partly perhaps also to the drought. The hop crop, which is confined mainly to a section of central New York, and a portion of New England, was materially less than in previous years, owing to the "blight" which entirely destroyed the product of many yards and deteriorated the quality of others. In 1862 the crop was about 80,000 bales of 200 pounds each; in 1863, 65,000 bales, a considerable portion of it inferior in quality; and in 1864 only 45,000 bales, much of it of poor quality. The crop of flax and flaxseed is nearly 25 per cent. in advance of that of the previous year, and is mainly the result of the

greater breadth sown. Sorghum has also increased in quantity in Illinois, the crop being one-quarter more than in 1862. The amount of cotton raised in the States north of the Ohio River is nearly 40 per cent. greater than in 1862. There has been a serious falling off in the quantity of root crops in all the States except Vermont, Connecticut, Delaware, Illinois, and West Virginia. The entire diminution of these crops is about 15 per cent. In the Eastern and Middle States the yield of apples, peaches, and pears was large, the markets being for a time glutted with peaches; but in the Western and Northwestern States the great frosts of the winter of 1863-'4 destroyed a large proportion of the fruit trees, and there was a scarcity of peaches and apples. The stock of apples in the market was so greatly reduced by exportation and the shortness of the crop, that in January, 1865, apples of ordinary quality brought from \$5.50 to \$8 per barrel at wholesale. The grape crop was fully up to the average, and larger quantities than usual were absorbed in the manufacture of wine. This has become a speciality at several points on the Hudson River, on the islands in and near Sandusky Bay, Lake Erie, in the vicinity of Cincinnati, Ohio, along the Missouri and Osage Rivers in Missouri, and in California. The production of wine in California has reached an extent and excellence which enables the wine-growers of that State to enter into successful competition with the great vineyards of Europe, and it is rapidly increasing.

There has been a heavy reduction in the number of swine fattened for market during the year, owing mainly to the scarcity of corn in 1863-'4. This reduction amounts probably to nearly 40 per cent. The receipt of live hogs in New York in 1862 was 1,098,712; in 1863, 1,096,773; in 1864, only 657,092. The falling off in the exports of pork from New York as compared with those of 1863, was 60,000 barrels, or one-third; of cut meats, 88,000,000 pounds, or very nearly one-half; and of lard, 77,000,000 pounds, or about two-thirds. In Cincinnati and Chicago the amount of pork packed was larger than in 1863, but this was at the expense of the smaller packing points. The number of hogs packed in the packing season of 1863-'4 was 3,389,427. The season of 1864-'5 is not yet (January, 1865) closed, but it is estimated that the number packed will be not far from 2,500,000. The number of swine in stock in 1864 in the loyal States, is estimated by the Commissioner of Agriculture to have been 16,140,712, a reduction of nearly a million since 1859. Of other farm stock, the number, according to his careful and reliable estimates, were as follows: Horses, 4,049,142; mules, 280,847; bulls and working cattle, 7,965,439; cows, 6,066,748; sheep, 24,346,391. The only considerable increase in live stock since 1859 (the year reported in the Census of 1860) is in sheep. The number of

horses, mules, and swine has slightly decreased from the great demand of the war; the number of working cattle and cows has remained nearly stationary from the same cause, but the number of sheep has increased 9,242,119. The clip of wool for the year, it is thought, will not fall much short of 100,000,000 pounds, while the consumption is about 150,000,000 pounds. The climate of California is found well adapted to wool growing, and the sheep are sheared twice a year there. The fall clip, the growth of the summer months, is short, dry, and brittle, and of inferior quality, answering to the low-priced India wools. Kansas and Nebraska, Central Illinois, and Texas are also excellent climates for wool growing, and the present price of wool has greatly developed the production of that staple.

The production of molasses and sugar from the sorghum has increased during the year. The syrup or molasses is now refined on a large scale at Chicago and Cincinnati, and the result is very satisfactory; the unpleasant taste which had proved a serious objection to its use being removed by the refining process, and a syrup resulting which differs but little from the best sugar-house syrups of Stuarts, Woolsey, and other refiners. There seems to be a difficulty in making sugar from most of the sorghum molasses, probably from the fact that the cane is seldom perfectly matured when crushed. Small quantities of fair sugar have been produced, but for the most part it is used only in the form of molasses or syrup. Within the past two years the attempt has been made on a large scale in Illinois to cultivate the sugar-beet for the production of sugar. It is yet too early to pronounce definitely on the success of the enterprise, but it promises fairly. Four hundred and eighty thousand tons, one-sixth of all the sugar used in the world, is now produced from the sugar-beet, mainly in France and its colonies, and there seems no good reason why we should not produce it as successfully as other nations. The amount of sugar produced from the maple shows a considerable increase over previous years, the season having been a favorable one, and the high prices of sugars creating an unusual demand for it.

Of leguminous plants (peas and beans) the crop is somewhat less than in 1863, the falling off being mainly in peas, the bean crop being nearly or quite an average one. This crop has greatly increased in importance from the large army demand for it. The production of butter and cheese is nearly identical with that of 1863, but owing to the increased export demand and the depreciation of the currency, remarkably high prices have ruled for all dairy products.

The following tables give the production of the principal staple agricultural products in each of the loyal States and Territories in 1864, as compared with the returns of 1862 and 1863. They are from the valuable bi-monthly reports of the Agricultural Department:

TABLE SHOWING THE AMOUNTS OF THE PRINCIPAL CROPS OF 1864, IN BUSHELS &c., AS ESTIMATED FROM THE RETURNS OF CORRESPONDENTS, COMPARED WITH THE CROPS OF 1862 AND 1863.

STATES.	WHEAT.			RYE.			BARLEY.			OATS.		
	1862.	1863.	1864.	1862.	1863.	1864.	1862.	1863.	1864.	1862.	1863.	1864.
	350,815 318,954 502,981 129,765 1,413 59,901 13,021,650 1,808,128 15,654,255 6,538,480 1,217,254 5,546,108 30,796,032 14,963,735 20,292,160 32,213,500 8,170,690 20,765,781 10,541,506 2,927,749 202,232 150,000	215,734 255,163 452,683 129,765 1,413 59,901 13,021,650 1,808,128 15,654,255 7,208,828 1,217,254 5,546,108 28,742,968 13,966,133 20,292,160 32,213,500 8,140,816 20,842,359 12,649,807 2,634,975 262,938 180,600	167,194 251,518 497,951 128,143 1,413 71,881 10,918,615 1,522,113 12,523,404 6,487,946 1,054,954 3,882,275 20,407,503 13,966,153 22,321,376 33,371,173 3,251,514 14,168,317 12,649,807 2,634,975 201,598 126,000	184,389 162,083 130,976 388,085 33,911 618,762 5,856,268 1,499,497 6,843,427 608,901 34,011 791,447 1,079,040 494,197 444,695 981,322 393,262 1,066,241 111,266 155,323 4,713 2,000	165,951 145,830 130,976 388,085 33,911 618,762 5,856,268 1,499,497 6,843,427 548,011 37,412 791,447 863,232 494,197 411,343 883,190 219,947 1,012,929 122,392 179,791 5,184 2,000	123,612 109,373 140,798 143,957 37,302 721,889 5,205,759 1,424,523 6,843,427 529,744 41,153 554,014 704,974 484,894 397,632 850,071 237,542 810,343 119,333 161,974 4,061 1,600	668,424 96,278 94,102 149,584 41,506 18,732 3,710,911 29,098 630,491 26,591 4,595 256,713 1,555,630 338,388 339,198 1,144,790 162,809 674,919 584,446 148,592 5,901 4,630	1,002,636 141,287 94,102 168,613 46,117 20,813 4,882,778 29,098 573,174 19,099 5,105 302,014 1,399,086 407,885 311,191 1,205,042 171,377 950,589 599,432 156,412 5,448 5,446	8,738,423 1,405,365 4,359,506 1,475,094 253,990 1,603,936 43,968,916 5,446,958 84,233,936 4,524,912 1,308,637 3,562,772 10,930,935 5,430,797 5,531,630 17,592,200 2,660,653 13,271,124 14,598,236 7,761,141 2,053,848 96,892 159,954	3,364,581 1,345,829 3,950,556 1,327,585 203,192 1,764,329 43,968,916 4,902,263 34,233,936 4,072,421 1,570,364 8,562,772 12,024,028 8,480,797 6,084,793 19,681,420 2,128,522 12,043,538 14,598,236 7,761,141 2,053,848 116,270 267,939	2,102,994 1,095,891 3,611,938 1,194,827 182,573 2,011,334 35,724,746 5,735,647 87,657,329 5,429,894 1,884,437 4,346,326 14,428,833 4,810,136 6,084,793 24,273,751 2,128,522 12,043,538 14,598,236 7,761,141 2,053,848 146,500 223,284	
Total.....	181,188,089	179,404,036	160,695,823	21,239,451	20,732,782	19,873,975	12,488,922	11,467,155	10,716,328	171,463,405	173,800,575	176,690,064

STATES.	CORN.			TOBACCO.			BUCKWHEAT.			POTATOES.		
	1862.	1863.	1864.	1862.	1863.	1864.	1862.	1863.	1864.	1862.	1863.	1864.
	1,855,285 1,668,285 1,585,020 2,465,215 458,912 2,059,835 24,073,257 10,023,336 30,721,821 14,444,922 3,892,337 48,032,725 71,792,253 15,190,137 12,855,454 193,856,135 54,679,118 10,087,053 49,340,393 3,983,426 8,614,601 1,846,785	1,855,285 1,836,113 1,743,522 2,465,215 413,021 2,059,835 24,073,257 11,025,669 30,721,821 14,444,922 3,892,337 52,835,997 57,433,802 10,633,097 54,602,273 83,013,081 43,743,295 8,069,642 34,538,276 2,756,898 8,518,251 1,292,750	1,410,017 1,334,628 1,585,020 2,230,324 474,203 2,059,835 22,628,862 8,464,262 28,381,685 10,509,243 3,892,337 42,828,706 68,202,641 11,088,801 74,234,363 138,356,135 36,635,011 10,087,053 55,261,240 4,673,329 4,614,081 1,366,622	..... ..... ..... 4,041,497 7,550,166 7,205,727 8,976,982 40,001,179 12,123 25,528,972 160,825 9,057,665 9,432,307 28,630,948 169,493 875,502 48,137 21,223	7,000 56,000 40,000 5,200,000 1,680 7,500,166 10,088,017 194,330 5,567,774 48,721,415 15,618 118,912,988 28,081,869 207,061 10,416,314 20,397,337 26,340,501 153,159 300,402 43,324 26,881 1,900	..... 64,000 59,000 6,760,000 1,848 9,900,218 12,912,662 179,755 6,124,551 33,292,968 14,057 56,956,469 29,017,931 248,437 8,767,065 18,867,722 13,697,063 148,083 890,522 22,043 1,140	350,837 87,447 210,516 110,972 3,097 987,477 5,677,490 921,256 7,577,955 189,285 15,641 14,187 1,300,141 823,453 272,171 280,370 72,461 73,258 276,524 31,714 24,288	407,424 98,995 233,906 123,302 3,871 300,629 5,378,675 947,377 5,794,907 218,405 18,399 14,187 827,364 630,453 188,898 258,802 95,703 59,170 155,914 27,966 6,146	7,437,053 4,137,704 5,148,531 8,201,901 543,855 83,059,235 4,693,151 14,609,385 1,517,134 302,345 1,131,739 5,128,756 5,264,733 4,357,271 6,444,404 1,493,519 4,840,631 8,600,686 2,703,926 169,762	6,693,348 3,310,163 3,603,972 2,881,711 435,084 1,833,148 29,753,393 4,693,151 14,609,385 1,213,707 302,345 1,449,138 4,103,005 4,738,260 3,485,617 5,155,323 1,493,519 4,356,568 2,880,549 2,163,141 425,952 124,334	7,189,151 3,842,154 5,990,810 3,884,878 525,727 1,833,148 29,753,393 8,989,179 12,661,424 1,061,994 327,540 1,255,921 4,615,881 3,422,078 2,904,847 4,511,083 776,630 3,552,068 2,520,481 184,480 106,102	
Total.....	586,226,305	451,967,959	530,581,403	136,751,746	267,267,920	197,463,329	18,708,145	15,806,455	13,700,540	113,234,644	100,158,670	96,256,888

STATES.	HAY—TONS.		
	1862.	1863.	1864.
Maine	1,170,859	1,170,859	1,085,705
New Hampshire....	771,289	771,289	694,161
Vermont.....	985,654	985,654	850,127
Massachusetts.....	908,289	908,289	760,517
Rhode Island.....	82,725	82,725	62,044
Connecticut.....	562,445	562,445	449,956
New York.....	4,455,982	4,901,580	3,921,264
New Jersey.....	529,729	423,783	436,496
Pennsylvania.....	2,245,420	1,796,336	1,796,336
Maryland.....	195,244	156,195	167,909
Delaware.....	40,054	32,043	33,111
Kentucky.....	118,863	106,977	112,325
Ohio.....	2,073,398	1,347,711	1,415,096
Michigan.....	1,135,362	1,059,671	847,737
Indiana.....	847,096	931,505	962,805
Illinois.....	2,292,831	2,063,548	2,166,725
Missouri.....	467,915	327,541	399,599
Wisconsin.....	1,067,248	1,067,248	789,765
Iowa.....	848,712	678,970	814,764
Minnesota.....	366,603	256,621	249,289
Kansas.....	63,515	82,569	82,569
Nebraska Territory.	28,735	22,988	18,391
Total.....	20,257,968	19,736,847	18,116,751

GRAPE CULTURE.—The culture of the grape, both for wine-making and for table purposes, has come to be one of the largest agricultural interests in some sections of the country, and is proceeding with rapid strides. The grape is cultivated in almost every township of the Northern States for table use, and there has been for several years past an extraordinary rivalry in regard to the varieties best adapted for cultivation for this purpose. It seems to be very generally conceded that the Isabella, a favorite table-grape in Southern New York, Pennsylvania, and elsewhere, is more subject to the blight, and is a less fruitful bearer than some other varieties. The Catawba, a favorite wine-grape in some sections, is liable to rot, and is hardly equal for the table to other varieties. The Hartford Prolific, which is earlier by two weeks than any other of the popular grapes, is an abundant bearer, but is thick-skinned and not particularly fine flavored. The Concord, an admirable grape, is not very prolific, and does not succeed very well north of latitude 46°. The Delaware, also an excellent grape and more hardy, is not usually a free bearer; and, owing to attempts to propagate it from immature buds, has fallen into undeserved disrepute. The Iona, a seedling produced by C. W. Grant, a vine-grower at Iona Island on the Hudson, has been adjudged, during the past year, the premium offered by Hon. Horace Greeley for the best table-grape in all respects. Dr. Grant claims for it, and his claim seems to be maintained, that it is early, a good bearer, not subject to blight or rot, of fine flavor and thin skin. This grape can hardly fail to have an extensive introduction. Of other varieties having a local reputation, are the Adirondac of Northern New York, the Maxatawney, a favorite in Pennsylvania, the Cuyahoga, Lydia, and Mottled, originating in Northern Ohio, and much liked there; the Clinton, a hardy

but not very palatable variety; the Diana, which has not maintained its first reputation, and the Israella, a new seedling of Dr. Grant's, which may prove valuable. Of the strictly wine-grapes, the Norton's Virginia seedling and the Herbemont are highly prized.

The culture of the grape for wine-making is now extensively prosecuted in five localities, and a sixth is about entering very largely upon its production. These are: 1st. Iona Island and Croton Point on the Hudson, where Dr. Grant and Mr. Underhill have extensive vineyards; the Isabella, Catawba, and Iona being the principal varieties cultivated for wine. 2d. The Cincinnati Wine district, extending fifteen or twenty miles around that city, in which the Catawba is almost exclusively raised. 3d. The Northern Ohio Wine district, embracing two distinct sections: one from five to twenty miles east and west of Cleveland along the lake shore, and raising the Cuyahoga, Catawba, Norton's Virginia, and other wine-grapes; and the Island Vineyards in Ottawa County, embracing Danbury and Catawba Island townships on the mainland, and Put-in-Bay township, including the three islands of South, Middle, and North Bass in Lake Erie. Here the Catawba grape stands preëminent, though some others are cultivated. 4th. The Missouri Wine district, of which Hermann on the Missouri River is the centre, and which extends for fifteen or twenty miles around it. Here the Norton's Virginia seedling is preferred, though many are cultivating the Herbemont and some the Catawba and the Delaware. 5th, and *par excellence* the Wine region of America, California. The largest wine-producing counties are Los Angeles, Anaheim, Santa Clara and Sonoma, but there are considerable vineyards in other counties.

There have been more than twelve millions of vines set in the State, and eleven-twelfths of them within the past seven years. The Mission grape, an old and perhaps indigenous variety, is as yet the most abundant of the bearing vines; but all the European and Eastern varieties have been set, and most of them are doing well in the fine deep soil of the State. One million five hundred thousand gallons of wine were sent to market in 1864, and it is believed that the product of 1865 will not fall short of two and a half million gallons. The wines of the State are of excellent quality, and improve with age.

A sixth wine district is about coming into notice in Central Illinois; some of the prairie lands proving well adapted to grape-culture. These various wine districts, like those in Europe, not only require different varieties of the grape, but make wine of different qualities, and adopt different modes of cultivation, and different processes in the manufacture of the wine. The northernmost wine districts usually dwarf their vines; and whether cultivating the Catawba, the Cuyahoga, the Delaware, or the Iona, train them to short posts, giving them

the benefit of as much sun as possible. The wines produced in these districts are generally light in body or in the per cent. of alcohol they contain, and somewhat acidulous, resembling the Rhenish wines and clarets in strength. In the Missouri district the vines are trained on trellis, and the Norton's Virginia and Herbemont grapes are preferred. The wine is stronger, and resembles Port in color, astringency, and percentage of alcohol. In California wines of all grades are made; most of their best wines, however, have considerable body, and some of them a decided astringency. The California Port and Sherry are not inferior in quality to their European congeners. The *Muscatel* and *Angelica* seem to be rather cordials than wines, containing from 22 to 30 per cent. of alcohol, and, it is said, are made by adding brandy to the unfermented must, and clarifying. They contain about 16 per cent. of grape-sugar.

Careful investigations have been made within the last year, to ascertain the aggregate number of degrees of heat requisite during the season or cycle of growth to perfecting our best known varieties of grapes, and the temperature necessary at the commencement of growth, the average mean of the summer, the mean temperature of the hottest month, and the mean temperature of September, required by each. These particulars are of great importance to vine-growers as a guide to the variety of grape best adapted to their purpose. They have been made the subject of an elaborate and able paper by Mr. James S. Lippencott, of Haddonfield, New Jersey, in the Government Agricultural Report for 1863. We can only briefly notice the conclusions at which he arrives. "Those places which have a summer temperature of 66.5°, a hot month of 70°, and a September of 60°, will ripen the Delaware, Clinton, Perkins, Logan, and some other very hardy varieties. The temperature of their growing season corresponds to a mean of 65° and upwards, and an aggregate of heat of about 8,000° F. This district includes many parts of New England and New York, Northern Pennsylvania, Northern Michigan, Wisconsin, and Iowa."

"Those places which have a summer of 70°, a hot month of 72°, and a September of 63°, will ripen the Concord, Hartford Prolific, Diana, Crevelling, &c. Their season of growth corresponds to a mean of 67°, and an aggregate of 8,500° and upwards. This district covers part of the southeast and south coast of New England, valleys of Hudson and Mohawk, neighborhood of the minor lakes in Western New York, southern border of Lake Ontario, Southern Michigan, Southern Wisconsin, etc."

"Those places which have a summer of 72°, a hot month of 73°, and a September of 65°, will ripen the Isabella and Rebecca. Their growing season corresponds to a mean of 70°, and an aggregate of 10,000° of heat. They are not found in the State of New York, except in

the southeast extremity, lower valley of the Hudson, and near some of the minor lakes, but appear on the southern border of Lake Erie, in Northern Indiana and Northern Illinois."

"Those places which enjoy a summer mean of 73°, a hot month of 75°, and a September of 65°, will ripen the Catawba and Anna. Their growing season corresponds to a mean of 72°, and an aggregate of 11,000°. They are not found north of New York City and vicinity, or the southeast counties of Pennsylvania, Middle New Jersey, or Southern Ohio, Indiana, Illinois, or Missouri. There is one exception to these localities, viz., the islands and peninsula near Sandusky, in Lake Erie, where the Catawba, owing to the effect of the water on the temperature, will ripen completely during most seasons."

"Those places which bask under a glowing summer of 74°, a hot month of 75°, and a September of 75°, like Los Angeles County and some other portions of California, other circumstances being favorable, may ripen the most tender European wine grapes to perfection."

In 1862, at Waterloo, N. Y., the Delaware grape and the Hartford Prolific were 122 days from leafing to ripening; the Union Village, 125; the Clinton, 127; the Diana and Concord, 133; the Rebecca, 138; the Isabella and Catawba, 142; the To Kalon, 144; while the Anna was still unripe at the end of 154 days. The average temperature from leafing to maturity, was about 64.6°, that from leafing to blooming about 59°, the hottest month about 69°, and from bloom to ripening about 67.5°.

There is, however, another element which must enter into the possibility of the successful cultivation of the vine, viz., the amount of humidity in the climate. If the period from leafing to blooming be sufficiently humid to develop favorably these processes, the vine will succeed in maturing its grapes perfectly with a very slight amount of rain thereafter, provided only the heat is sufficient. The dry, and during the summer almost rainless, climate of California is better adapted to the cultivation of the grape than the rainy districts of Southern Oregon, or the lower portion of the Apalachian chain in East Tennessee, Western North and South Carolina, and Northern Georgia. In these the grape matures with difficulty, and lacks sweetness. Yet, from the greater equability of its temperature, an inland climate is preferable for the lighter wine-grapes to the mainland, notwithstanding its greater humidity, but will hardly produce the strong wines of a dryer and more tropical latitude. There are many indications that portions of Louisiana, Arkansas, and Texas, will yet prove the finest wine regions of the Atlantic slope, possessing, as they do, the qualifications of rich soil, genial temperature, and moderate humidity.

The following table exhibits the exports of produce from New York for 355 days of 1863 and 1864, and the prices ruling in December, 1864, in New York and Chicago :

NAMES OF PRODUCTS.	1864.	1863.	1864, December 21.	
	From Jan. 1 to Dec. 1.	From Jan. 1 to Dec. 21.	Prices at New York.	Prices at Chicago.
Wheat flour.....barrels....	1,899,983	2,472,257	\$9 55 to \$12 00	
Rye flour.....do.....	2,840	5,441	9 00 to 9 45	
Corn meal.....do.....	103,446	138,470	8 80	
Wheat.....bushels....	12,165,343	15,098,012	2 23 to 2 60	\$1 52 to \$1 57
Corn.....do.....	841,297	7,530,931	1 90 to 1 91½	91 to 1 05
Rye.....do.....	588	416,369	.....	1 20 to 1 32
Barley.....do.....	150	52,439	2 00 to 2 04½	1 40 to 1 55
Oats.....do.....	41,775	126,451	1 05 to 1 06	65 to 66
Peas.....do.....	184,433	105,609		
Cotton.....bales....	26,744	13,877	1 23 to 1 25	
Hay.....do.....	39,257	19,916	1 40 to 1 70	1 00 to 1 10
Hops.....do.....	22,073	24,419	20 to 52½	33 to 55
Leaf tobacco.....hhds....	89,639	57,545	10½ to 35	
Leaf tobacco.....pkgs....	69,774	46,948		
Manuf'd do.....pounds....	4,948,476	3,412,748		
Petroleum.....gallons....	21,278,439	.....	75	
Pork.....barrels....	129,421	189,050	39 12½ to 42 25	35 00 to 40 00
Beef.....do.....	36,061	40,508	19 00 to 24 00	16 00 to 20 00
Beef.....tierces....	49,290	58,855	39 00	
Cut meats.....pounds....	93,573,155	181,584,756	16½ to 21	16½ to 18½
Butter.....do.....	14,151,375	22,324,757	38 to 60	30 to 44
Cheese.....do.....	49,490,531	39,818,485	15 to 24	13 to 25
Lard.....do.....	53,070,467	120,316,131	20½ to 25	22 to 23
Tallow.....do.....	31,938,576	42,441,949	17 to 18	15 to 16½

For the purpose of comparison, we give also the prices of the principal cereals, &c., in London on the 1st of December, for 5 years past. The English quarter is equivalent to 8 bushels:

	1864.	1863.	1862.	1861.	1860.
Wheat..per quarter	\$9 22	\$9 78	\$11 22	\$14 48	\$12 62
Barley.....do...	6 76	8 04	8 16	8 88	9 40
Oats.....do...	4 86	4 66	5 00	5 44	5 38
Rye.....do...	6 40	7 10	8 16	9 08	8 40
Beans.....do...	9 03	8 46	9 12	10 22	11 46
Peas.....do...	8 50	8 06	9 60	10 48	10 80

The subjoined is a general summary of the crops of 1862, 1863, and 1864, giving the prices and values of the crops of 1862 and 1863, but the amount only of that of 1864, as the prices and values are not yet determined. It is known, however, that they will not fall below \$1,500,000,000, and may reach \$1,600,000,000. California, Oregon, and Kentucky are excluded in 1862 and 1863, and California and Oregon in 1864:

THE CROPS OF 1862, 1863, AND 1864—GENERAL SUMMARY.

NAMES OF PRODUCTS.	1862.			1863.			1864.
	Amount.	Price.	Value.	Amount.	Price.	Value.	Amount.
Indian corn...bushels..	533,387,230	\$0 34 ⁸ / ₁₀	\$185,618,756	397,839,212	\$0 69 ⁸ / ₁₀	\$278,089,609	530,581,403
Wheat.....do....	177,957,172	93 ⁷ / ₁₀	166,745,870	173,677,923	1 14	197,992,837	160,695,823
Rye.....do....	20,577,971	70	14,404,579	19,959,335	1 03	20,589,015	19,872,975
Oats.....do....	169,681,113	36 ⁵ / ₁₀	62,103,287	170,129,864	62 ³ / ₁₀	105,990,905	176,690,064
Barley.....do....	12,385,647	86	10,651,656	12,158,895	1 11	13,496,373	10,716,328
Buckwheat...do....	18,763,756	56½	10,601,522	15,786,122	80½	12,660,469	18,700,540
Potatoes.....do....	112,577,482	39 ⁷ / ₁₀	44,693,260	98,965,198	55 ⁸ / ₁₀	55,024,650	96,256,888
Hay.....tons....	21,110,370	9 20	194,215,404	18,346,730	13 50	247,680,855	18,116,751
Tobacco.....pounds...	136,751,746	11 ⁹ / ₁₀	16,273,457	163,353,082	14 ⁹ / ₁₀	24,239,609	197,468,229
			705,307,791			955,764,322	

For the sake of future comparison, a table is added showing the number of acres in each crop in 1863, the value of the crop, the price per bushel, &c., and the yield per acre:

NAMES OF PRODUCTS.	Acres cultivat'd in 1863.	Value of crop in 1863.	Price in 1863.	Yield per acre in 1863.
Indian corn...acres	15,312,441	\$278,118,972	\$0 69 9-10	25 9-10
Wheat.....do...	13,098,936	198,249,103	1 14 0-10	13 3-10
Rye.....do...	1,439,607	20,651,117	1 03 0-10	13 9-10
Oats.....do...	6,686,174	107,116,893	62 3-10	25 4-10
Barley.....do...	557,299	13,674,465	1 11 0-10	21 8-10
Buckwheat...do...	1,054,060	12,654,301	82 2-10	15 0-10
Potatoes.....do...	1,129,804	54,961,290	55 6-10	99 6-10
Hay.....do...	15,641,504	248,677,122	13 50 0-10	1 17-100
Tobacco.....do...	216,423	24,385,744	14 9-10	754 6-10
Total.....	55,136,248	\$958,489,012		

The temperature and the average rain-fall in each State exert so much influence on the quantity and quality of the crops, that the following table, though not later than the close of 1863, cannot fail to be of great interest to all who are engaged in agricultural pursuits. The intelligent young farmer will find these tables an infallible guide in regard to the culture of some crops on which he might otherwise be disposed to venture. The cotton crop, which requires during the months of its growth a warm, moist climate, will not answer in California, because during those months the rain-fall is very scanty. Nor is that climate favorable to Indian corn, for the same reason. The tables for 1864 will appear in the next volume.

STATES AND TERRITORIES.	JANUARY.				FEBRUARY.				MARCH.				APRIL.				MAY.				JUNE.				
	Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		
	Mean temp.		Mean rain.		Mean temp.		Mean rain.		Mean temp.		Mean rain.		Mean temp.		Mean rain.		Mean temp.		Mean rain.		Mean temp.		Mean rain.		
	Deg.	In.	Deg.	In.	Deg.	In.	Deg.	In.	Deg.	In.	Deg.	In.	Deg.	In.	Deg.	In.	Deg.	In.	Deg.	In.	Deg.	In.			
Maine.....	5	17.8	4.74	25.0	5.05	19.4	4.57	22.2	3.51	28.2	4.48	23.7	4.68	39.7	4.66	40.8	4.83	51.1	4.1	54.5	2.99	61.7	4.4	60.57	2.29
New Hampshire....	4	18.6	3.64	26.4	3.24	21.1	2.71	25.3	3.32	29.8	3.47	23.0	3.50	40.7	3.76	42.3	3.16	52.9	3.5	55.8	4.50	62.8	3.3	60.93	2.70
Vermont.....	4	17.1	2.10	24.0	4.45	19.5	1.54	18.3	2.29	27.6	1.97	19.8	3.72	40.5	2.46	40.2	1.96	53.8	2.6	55.6	5.57	63.6	4.7	61.33	2.14
Massachusetts.....	12	24.1	4.68	30.5	5.34	25.1	2.57	26.9	5.34	32.1	2.71	27.7	5.78	43.7	4.44	44.8	4.22	54.5	4.5	57.6	3.21	62.8	4.1	61.67	1.80
Rhode Island.....	1	25.5	5.26	32.7	3.59	26.9	2.55	29.5	3.78	33.5	3.16	31.7	4.45	44.9	3.50	45.2	5.50	....	....	....	....	....	....	....	....
Connecticut.....	4	24.8	4.98	30.8	4.41	25.6	2.57	26.7	4.43	33.1	3.12	28.5	5.83	44.3	4.17	45.3	3.31	54.6	4.0	58.2	3.66	63.9	4.3	57.63	....
New York.....	19	23.2	3.00	30.6	3.95	25.5	3.50	25.3	3.46	31.8	2.42	27.7	3.45	44.0	3.86	43.8	3.28	56.0	3.6	58.0	3.66	65.5	4.7	62.46	1.85
New Jersey.....	5	28.3	4.10	35.1	4.27	29.1	2.37	32.6	4.25	37.3	2.90	34.1	5.25	47.6	4.07	48.2	5.84	58.0	4.2	61.3	2.73	69.6	4.5	66.16	10.45
Pennsylvania.....	19	26.8	2.72	32.5	4.37	28.2	2.06	31.3	4.05	36.1	2.39	34.5	4.67	47.8	3.81	46.3	6.91	59.9	4.4	60.8	2.46	69.7	5.3	63.49	3.56
Delaware.....	1	27.0	2.51	37.2	3.98	32.4	3.03	....	....	36.9	3.71	....	....	53.5	3.93	....	....	62.9	4.13	....	....	71.7	4.81	....	....
Maryland.....	5	30.1	3.22	37.2	3.93	31.5	1.74	35.2	4.33	39.8	2.66	37.6	3.64	51.3	3.26	47.7	5.13	62.2	4.5	63.5	4.30	72.3	4.9	67.61	2.70
District of Columbia	1	31.0	2.76	41.7	2.68	33.3	1.30	36.3	0.36	41.5	2.14	40.5	6.04	52.3	3.36	49.6	6.82	61.3	4.5	60.0	3.79	73.0	4.9	70.20	2.55
South Carolina.....	..	....	....	....	....	49.0	3.01	....	....	54.6	3.75	....	....	62.6	1.90	....	....	71.1	3.25	....	....	77.7	3.82	....	....
Tennessee.....	2	35.5	3.01	40.9	8.58	40.9	3.54	41.6	6.46	47.7	3.05	47.4	5.03	58.4	4.76	57.7	3.27	66.4	4.82	....	....	74.0	3.99	....	....
Kentucky.....	4	32.1	2.47	38.9	7.33	35.1	3.34	34.9	4.12	42.3	2.41	43.0	4.13	54.4	3.63	54.8	3.38	64.6	3.98	....	....	73.0	4.24	....	....
Ohio.....	19	26.7	1.99	33.4	5.60	29.0	2.53	31.7	3.23	36.6	2.32	34.4	2.97	49.6	3.49	48.3	1.74	60.4	4.3	62.6	2.34	69.7	5.14	61.51	1.94
Michigan.....	7	21.5	2.83	33.7	2.39	21.1	2.18	24.4	2.19	30.6	2.38	29.8	2.48	43.0	3.41	44.7	1.91	54.6	3.5	61.8	....	65.4	4.9	62.74	10.78
Indiana.....	4	28.5	2.28	33.8	4.57	31.3	2.66	32.9	2.24	39.6	2.47	38.7	3.79	51.9	3.66	53.2	2.63	62.3	4.4	64.5	3.03	71.3	4.5	66.55	2.62
Illinois.....	12	23.0	2.90	31.4	3.13	25.6	2.27	28.4	2.98	36.2	2.69	35.4	2.71	49.4	2.87	51.8	1.87	60.6	5.9	59.1	3.40	69.0	3.6	67.30	1.45
Wisconsin.....	9	17.4	3.11	25.1	2.72	18.7	1.35	21.6	1.81	29.9	1.85	30.2	2.04	42.0	3.22	45.0	1.21	54.9	4.5	56.7	3.94	64.3	4.6	61.41	1.22
Minnesota.....	3	7.9	1.69	19.3	1.18	11.0	1.33	15.5	1.18	26.7	1.73	28.9	0.63	39.5	2.53	47.2	0.75	55.5	3.8	57.3	1.94	65.2	4.2	61.90	.27
Iowa.....	7	18.7	1.39	27.5	2.57	20.9	2.38	25.0	2.30	33.5	2.20	33.1	1.91	45.7	3.16	50.2	1.07	59.8	5.3	62.7	3.55	69.7	4.1	66.64	1.54
Missouri.....	2	29.2	2.25	42.9	3.88	32.8	3.54	41.9	3.47	42.4	3.23	43.2	3.17	54.8	3.88	51.5	1.45	64.1	5.4	55.3	2.41	60.1	5.2	72.72	.65
Kansas.....	2	34.2	1.61	36.2	0.57	29.8	1.51	30.2	1.80	43.9	2.65	44.4	....	48.1	2.17	59.3	3.74	60.7	5.2	69.5	4.87	73.4	5.1	71.50	5.91
Nebraska Territory..	1	27.6	1.38	29.8	0.75	20.5	0.74	24.9	0.73	42.2	1.76	36.1	0.50	44.8	3.34	53.1	0.75	58.6	5.0	63.4	....	70.9	4.3	67.69	2.84
California.....	2	50.4	2.53	44.2	3.54	52.0	2.91	45.4	4.26	55.2	2.34	53.4	2.85	58.6	1.16	54.8	2.66	62.7	1.1	...	...	69.1	0.4	....	....

STATES AND TERRITORIES.	Av. number of places.	JULY.				AUGUST.				SEPTEMBER.				OCTOBER.				NOVEMBER.				DECEMBER.				
		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		Av. for five years.		Averages, 1863.		
		Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.	Mean temp.	Mean rain.			
Maine.....	6	Deg. 67.5	3.9	69.7	6.82	Deg. 64.2	4.9	66.8	3.31	Deg. 57.6	2.9	55.9	3.68	Deg. 46.6	5.1	48.2	4.74	Deg. 35.1	3.62	Deg. 39.4	6.35	In. 4.36	21.8	4.36	Deg. 21.7	3.88
New Hampshire....	4	69.6	3.4	62.2	7.77	64.3	4.0	66.4	4.83	56.9	3.1	54.9	2.34	46.2	5.3	46.2	3.74	34.6	2.89	35.9	2.45	21.7	4.03	17.3	2.51	
Vermont.....	4	69.1	4.2	69.2	7.77	64.8	4.7	67.6	4.63	57.8	3.7	56.3	3.42	45.4	3.8	49.5	3.86	33.9	2.37	38.1	2.51	20.9	2.70	21.5	4.16	
Massachusetts.....	12	70.2	3.9	70.8	9.43	66.4	5.8	69.8	4.56	62.6	3.3	58.5	2.38	49.2	4.2	52.3	3.13	39.1	2.96	42.8	5.19	28.4	4.80	26.9	4.44	
Rhode Island.....	1	70.7	3.65	69.6	9.42	68.0	4.9	70.3	4.59	61.5	2.9	57.8	1.74	50.9	2.8	51.4	2.97	40.9	2.56	43.3	7.51	30.5	4.80	28.5	5.66	
Connecticut.....	4	70.4	4.2	70.4	11.16	67.5	5.8	70.3	5.57	61.6	3.3	58.1	2.31	50.9	4.1	50.7	4.25	40.3	3.12	43.1	5.30	30.3	5.24	27.8	5.10	
New York.....	18	71.7	4.0	72.2	5.67	66.7	3.8	69.6	5.39	59.8	3.3	56.9	2.31	49.1	3.3	49.0	3.42	38.9	2.92	42.0	3.55	28.0	3.59	28.7	3.76	
New Jersey.....	4	74.6	4.0	75.8	5.97	70.7	4.5	76.6	4.13	64.3	3.5	60.0	1.30	52.5	2.8	54.1	4.52	42.7	3.22	44.1	2.68	33.1	4.52	31.4	4.43	
Pennsylvania.....	20	74.5	3.5	73.6	5.99	70.6	4.0	73.6	2.61	64.4	3.5	62.4	2.52	51.7	2.5	50.7	4.96	41.2	2.26	43.6	3.62	31.9	3.60	34.7	4.43	
Delaware.....	1	73.0	2.66	.....	.....	76.0	5.40	.....	.....	68.9	3.34	.....	.....	56.7	3.22	.....	.....	42.7	3.65	.....	.....	40.4	4.90	.....	.....
Maryland.....	5	76.4	3.3	76.7	8.05	72.4	4.4	78.5	0.51	66.5	4.7	61.1	.....	53.4	2.9	55.6	3.21	43.8	2.14	46.6	2.67	35.4	3.49	35.3	4.40
District of Columbia	1	77.4	4.0	76.4	8.37	74.0	5.1	78.2	0.86	67.8	3.0	63.3	3.09	54.7	2.5	54.1	5.02	44.8	2.14	47.0	1.73	35.8	4.62	35.4	3.71	
South Carolina.....	6	79.3	5.68	.....	.....	79.0	5.86	.....	.....	74.4	3.51	.....	.....	64.3	1.36	.....	.....	58.2	2.54	.....	.....	50.9	4.04	.....	.....
Tennessee.....	2	77.6	4.11	.....	.....	74.8	4.14	.....	.....	69.6	3.06	.....	.....	57.6	1.93	.....	.....	47.2	4.80	.....	.....	40.0	6.20	.....	.....
Kentucky.....	4	77.5	3.4	.....	.....	73.9	4.0	.....	.....	68.6	2.9	.....	.....	55.1	2.2	51.0	5.89	45.1	3.21	45.7	3.14	36.6	5.60	38.9	4.54
Ohio.....	18	75.1	3.9	73.3	3.20	70.6	3.6	72.8	2.66	65.3	2.9	62.1	2.18	51.0	2.9	48.0	3.18	40.5	4.46	42.4	3.21	31.1	3.98	35.0	4.23	
Michigan.....	8	72.7	3.6	65.6	2.83	67.7	3.0	70.3	5.57	61.6	3.6	56.5	1.98	47.5	2.8	45.6	2.34	35.9	3.77	38.3	1.89	25.6	2.61	31.9	1.13	
Indiana.....	4	77.3	2.4	73.8	3.94	73.1	4.0	73.6	2.64	66.7	3.3	64.5	2.05	53.0	2.3	46.9	3.70	42.1	3.96	41.3	3.61	32.8	3.64	34.9	3.78	
Illinois.....	13	76.2	3.9	72.6	3.87	71.9	3.4	72.9	2.37	65.4	2.9	63.2	3.07	51.9	1.6	44.5	3.79	37.1	3.16	38.7	1.35	26.4	2.76	29.9	5.50	
Wisconsin.....	9	70.3	3.2	68.6	2.65	68.1	2.5	69.3	3.10	60.4	3.8	58.3	1.27	47.1	2.6	43.0	2.75	38.0	2.66	35.4	4.00	20.6	2.29	27.6	4.58	
Minnesota.....	3	71.6	4.2	68.5	0.63	65.9	5.0	67.0	3.19	56.7	3.4	59.1	1.87	45.6	1.6	39.2	1.37	28.1	1.73	30.5	0.25	11.8	1.17	20.6	1.31	
Iowa.....	8	72.6	4.8	72.5	3.44	70.4	3.2	74.9	5.24	63.8	3.3	62.2	3.65	50.0	3.4	42.7	3.66	34.0	5.17	34.8	2.89	21.2	2.07	25.9	5.47	
Missouri.....	2	79.8	4.4	76.9	1.64	75.3	4.0	77.7	3.34	69.3	3.4	69.0	2.86	59.6	3.5	47.6	3.87	43.4	5.07	40.1	1.26	32.9	4.18	31.1	5.34	
Kansas.....	4	80.8	4.3	76.3	2.33	75.9	4.5	77.8	4.72	69.5	2.2	72.6	0.55	55.2	3.6	49.1	1.39	38.3	2.18	40.6	1.86	29.9	0.53	27.8	3.99	
Nebraska Territory..	2	77.1	6.4	71.8	2.25	73.7	4.4	72.5	2.70	67.7	2.4	65.6	1.75	54.1	3.7	39.6	0.75	33.4	1.19	39.3	2.00	22.6	0.72	21.9	3.37	
California.....	2	67.6	0.3	.....	.....	68.0	0.0	.....	.....	68.2	.....	.....	.....	61.4	0.9	.....	.....	54.9	2.48	.....	.....	46.2	2.64	.....	.....

AIKIN, Miss LUCY, an English author and poet, born at Warrington, Eng., Nov. 6, 1781; died at Hampstead, Eng., Jan. 29, 1864. Miss Aikin belonged to a gifted and highly intellectually family, her grandfather having been classical and afterwards Divinity tutor in the Warrington academy, her father, Dr. John Aikin, being the well-known author and poet, and, in conjunction with his sister, Mrs. Anna Lætitia Barbauld, the author of that excellent juvenile classic "*Evenings at Home*." Miss Aikin was educated under her father's direction, and her literary attainments were far beyond those of almost any woman of her time, embracing a very thorough familiarity with the principal French and Italian authors and the Latin classics, as well as a profound acquaintance with English history and literature. In 1810 she published her first poetical work, "*Epistles on Women*," though she had previously assisted her father and aunt in some of their books. The "*Epistles*" is characterized by a smooth and polished versification, and terseness and compactness of language, and her style is evidently formed on the model of that of Pope, the master-spirit of the latter part of the last century. In 1814 appeared "*Lorimer, a Tale*," a work of considerable ability; but Miss Aikin had been for some years preparing for a higher flight in literature. After years of study and critical reading and comparison, she published, in 1818, her "*Memoirs of the Court of Queen Elizabeth*," comprehending in it the private life of the queen and the domestic life of the period, anecdotes and biographies of the principal members of her court, and notices of the manners, opinions, and literature of the age. The work received, as it merited, the hearty approbation of Professor Smythe, Sir Henry Hallam, and other eminent historians. In 1822 this was followed by "*Memoirs of the Court of James I.*," a well-written work, but relating to a period inferior in interest to that of Elizabeth. In 1823 she published a memoir of her father, who had died the preceding year, and in 1825 one of her aunt, Mrs. Barbauld. She then resumed her historic studies, and in 1833 produced her "*Memoirs of the Court and Reign of Charles I.*," and ten years later, "*Memoirs of Addison*." This was her last important work. Her later years were spent in quiet enjoyment in the family of her niece at Wimbledon and Hampstead, where, amid a large circle of valued friends, she held a court of her own, her rare conversational powers and her high intellectual attainments making her the constant centre of attraction.

ALABAMA. The military operations of 1864 touched the State of Alabama only on its northern and southern border. On the north, these operations were confined to the line of railroad from Memphis to Chattanooga. On the south, the forts at the entrance of Mobile harbor were captured by the Navy—

(See NAVAL OPERATIONS)—and a raid was made by a Federal force from the neighborhood of Pensacola to Pollard. The force consisting of two thousand cavalry, started on December 13th, and reached Pollard on the morning of the 16th. The railroad depot, eight cars loaded chiefly with grain, the railroad and Quartermaster's store-houses, in which were tents, boxes of haversacks, canteens, knapsacks, harnesses, and Quartermaster's property in abundance, the Commissary's store-houses, filled with meal, corn, a number of barrels of soft soap, some flour, etc., and the ordnance building, with some two thousand stand of arms, and a large stock of accoutrements, were destroyed. A trestle bridge, three miles from the town, and small crossings of numerous streams, were burned. Some skirmishing took place on the return of the expedition, causing a loss of seventy-five in killed, wounded, and missing.

The two most important cities in the State are Selma and Mobile. The former is on the west bank of the Alabama River, fifty-six miles west of Montgomery, the capital, and three hundred and eight miles above Mobile by the river: as a shipping point for iron, coal, ammunition and Commissary stores, it is of the highest importance to the Confederacy. There are manufactories of shot, shell, torpedoes, cannon, powder, canteens, and clothing. Naval foundries are located there, and a navy yard, at which iron-clad batteries are constructed; also private establishments for the manufacture of cotton cards, wagons, ambulances, and nitre. It is the terminus of the Alabama and Tennessee Railroad, over which is brought immense quantities of coal and iron. Ten miles west are the saltworks of Alabama, which have furnished the largest portion of salt used in Alabama, Mississippi, and Western Georgia, during the last two years.

An extra session of the Legislature was called by the Governor, in September, to devise measures for the defence of the State. That body neither adopted the Governor's suggestions nor substituted any of their own. Some resolutions in favor of reconstruction on the plan proposed by the Chicago Convention, were introduced and discussed, but no public measure was adopted. After two weeks, an adjournment took place. At the regular session in November, the Governor, in his Message, discussed at much length the question of reconstruction through a convention, and denounced it as impracticable. With regard to reconstruction he said: "Who would desire a political union with those who have murdered our sons, outraged our women, and with demoniac malice wantonly destroyed our property, and now seek to make slaves of us? The voices from the graves of two hundred thousand fallen heroes would blanch the cheeks of the recreant who would propose it. The hoarse shout of four hundred thousand living heroes now with arms in their hands, fighting

for liberty and independence, would forbid it! If attempted by those at home, away from the danger and carnage of battle, the consequence would be fearful. A civil war in fact would be inaugurated, and the red stream of eternal strife, swelling like the molten lava from some volcanic crater through every avenue of these States, would flow, annihilating, deluging with its burning avalanche, every landmark of civilization." He stated that a convention of the Governors of North Carolina, Mississippi, Virginia, and Alabama was held at Augusta, Ga., on February 17th, at which several resolutions relating to public affairs were adopted. One urging the use of negroes in the army he recommended to the Legislature to repudiate, as a measure both unconstitutional and destructive to the interests of the States.

Other events besides the divided sentiment of the Legislature, and the arguments of the Governor, indicated not only a universal desire of the people for peace, but a disposition among a portion of them to return to the Union. Some public meetings were held in the northern part of the State early in the year, for this object, and addressed by distinguished citizens. But as the views of the authorities were opposed to such action, nothing could be accomplished.

Freedmen's camps were established on deserted plantations in the northern part of the State, and five thousand old men, women, and children collected in them. The able-bodied men were in the Federal army. About two thousand acres of land were thus put under cultivation.

AMERICA. The American continent continued throughout the year 1864 to be the scene of grand and stirring events.

In the United States, the civil war was prosecuted with unabated vigor. At the Presidential election, on the 8th of November, President Lincoln was reelected for another term of four years, receiving the electoral votes of twenty-two out of the twenty-five States in which a full vote was taken. The States of Louisiana and Maryland adopted new State Constitutions, by which slavery is abolished, and Missouri elected, on the 8th of November, a convention pledged to pass an ordinance of immediate emancipation early in January, 1865. A motion in Congress so to amend the Constitution of the United States as to prohibit slavery, received the required two-thirds' majority in the Senate, but failed the House.

In Mexico, the war between the Republican Government and the French and their allies likewise continued throughout the year. With many delays the Archduke Maximilian finally accepted the proffered crown, abandoned his reversionary interests in the Empire of Austria, and sailed for Mexico in the month of April. President Juarez retired before the overwhelming numbers of his adversaries, who advanced in the northeast to the Rio Grande. Juarez found a refuge in the mountains of Chihuahua, while Gens. Perfirio Diaz and

Arteaga, at the close of the year, were still in command of considerable armies in the Pacific States of Central Mexico. Maximilian was recognized by most of the European States, but the House of Representatives of the United States Congress by a unanimous vote reasserted the Monroe doctrine. Maximilian appeared to be very anxious to conciliate the Liberal party, and toward the close of the year announced his intention to ratify the past sales of church property. (*See MEXICO.*)

A highly important project of federation was started in British America. A sectional conflict between Upper and Lower Canada was terminated by a coalition of parties under a ministry which undertook to form a great colonial federation. A scheme for the New Constitution was framed by a convention of delegates from all the provinces, and it was commonly expected that it would be acceptable to the people of the several provinces, and be ratified by the Home Government. The confederation is to embrace at first the two Canadas, New Brunswick, New Foundland, Nova Scotia, and Prince Edward's Island, and gradually to take in the rest of the British dominions of North America. (*See CANADA.*)

In South America, upon the invitation of Peru, a congress of plenipotentiaries of the South American Republics assembled at Lima on the 14th of November. The congress, on opening, was composed of the plenipotentiaries of Chili, Peru, Bolivia, the Argentine Republic, Ecuador, the United States of Colombia, and Venezuela. Later a plenipotentiary for Guatemala was added. The object of this congress is to effect a close alliance between all the republics of Spanish America; especially for the purpose of resisting the encroachments of European powers upon this continent. (*See PERU.*)

A new act of lawless aggression was committed by Spain, in seizing the Peruvian Chincha Islands. The alleged cause was the failure of the Peruvian Government to give full satisfaction for a wrong done to a citizen of Spain upon Peruvian territory. The aggressive act of Spain produced throughout South America the greatest excitement. The Governments and people of most of the republics declared their determination to aid Peru in case of a war. When the South American congress met its first resolution was to make the cause of Peru the common cause of all the republics. Before, however, declaring war against Spain, it was resolved first to try again the effect of negotiations. (*See PERU.*)

The people of San Domingo heroically continued their war against Spain, to which power the republic had been treacherously sold in 1861 by the late President Santana. The Spaniards made hardly any progress in the subjugation of the Island, and the murderous climate decimated the ranks of the Spanish army to a fearful extent. At the same time the drain of the war upon the Spanish finances was so heavy that at the close of the year the

cabinet of Marshal Narvaez insisted upon abandoning San Domingo. (See SPAIN and SAN DOMINGO.)

The war which existed at the beginning of the year between the United States of Colombia and Ecuador was soon after terminated by a compromise. A revolution in Ecuador against the Conservative Government of Gen. Moreno was promptly suppressed and the leaders executed. In Venezuela the civil war was brought to a close.

The civil war in the republic of Uruguay continued throughout the whole year. Toward the close of the year the Government of Brazil, on the ground that the Government of Uruguay refused to give satisfaction for some grievances, threatened the latter republic with a declaration of war and even with annexation to Brazil. These reported intentions of Brazil produced a great excitement in the upper provinces of the Argentine Republic and in Paraguay, both of which feel deeply interested in withholding from Brazil the control of the mouth of the river La Plata. Both seemed to be determined to aid Uruguay. (See BRAZIL and URUGUAY.)

Chili, the Argentine Republic, Bolivia, and the republics of Central America, enjoyed an undisturbed peace, and made considerable progress in material prosperity. The cultivation of cotton, in particular, is increasing in all the republics of Central and South America, and largely adding to their exports and their wealth.

In all parts of the American continent the question of Inter-Oceanic Railroads, connecting the Pacific with the Atlantic, is exciting a great interest. The most important of these roads, the Union Pacific Railway, in the United States, is rapidly approaching completion.

In British America, the plan of an inter-oceanic railway, connecting the Atlantic and the Pacific provinces of the British dominions, has gained new importance in view of the projected confederation of all the provinces. In Chili, a passage through the Andes was discovered, which will greatly facilitate a connection, by railway, of the two oceans. The Imperial Government of Mexico is again inviting the attention of capitalists to the importance of the transit of Tehuantepec. It was also found that the Amazon is navigable nearly as far as its source, thus affording another transit route between the two oceans.

President Geffrard, of Hayti, in December, issued a proclamation to his people in which he tells them that though three insurrections had broken out within the past six months, they were all quelled and order completely restored. The condition of this republic, both politically and materially, is favorable. A treaty of amity, commerce, navigation, and extradition, was concluded between the United States and Hayti on the 3d of November. A similar treaty was concluded between Hayti and Liberia, which provides that slave trade shall be assimilated to piracy, and the vessels of the two States which may be engaged in the traffic

shall be judged and punished according to the laws in force in their respective countries against piracy.

AMPERE, JEAN JACQUES ANTOINE, a French author, born in Lyons, Aug. 12th, 1800; died March 27, 1864. He was the son of the celebrated mathematician André Marie Ampère, under whose direction his education was conducted, and who permitted, if he did not encourage him, to gratify an ardent taste for belles lettres and poetry, to which his own studies and inclinations were rather hostile. Of a natural independence of character, young Ampère early left the beaten tracks of literature, and associated himself with those new ideas about philosophy, literature, and history, which formed so remarkable a feature in the intellectual history of the early part of the 19th century. He evinced, in particular, a lively enthusiasm for the master-pieces of foreign literature, and before the age of 20 had acquired a considerable knowledge of the English, German, and Italian languages, beside acquainting himself with the best productions of French authors. Thrown from boyhood into the companionship of the scholars and men of letters who frequented his father's house, he gained the esteem of Balzac and Chateaubriand, by whom he was introduced to the polished circle which assembled at the saloon of Madame Recamier. To the influence which this association produced may be traced the refined judgment and artistic spirit which characterize the productions of his pen.

He commenced his literary career as a writer in the *Globe* and the *Revue Française*, established by Guizot to oppose the reactionary ministry of Charles X., and in 1830 commenced a course of lectures on literary history at the Athenæum in Marseilles. The first of these discourses appeared in 1831, under the title of "Essay on the History of Poetry." After the July revolution of 1830 he returned to Paris, lectured for a year or two at the Sorbonne, and in 1833 succeeded Andrieux in the chair of History and French Literature at the College of France, which he filled with great reputation for many years. Among the fruits of his labors in this field are his "Literary History of France previous to the 12th Century" (3 vols., 1839-40), an introduction to the "History of French Literature in the Middle Ages" (1841), and "Formation of the French Language" (3 vols., 1841). He was also a frequent contributor to the *Revue des Deux-Mondes* and the *National*. In 1842 he succeeded Gérando at the Academy of Inscriptions, and in 1847 Guiraud at the French Academy. An irresistible love of travel led him at various times to visit many parts of the Old and of the New World, of which accounts appeared from time to time in the columns of the *Revue des Deux-Mondes*. Archæologist, philosopher, and poet, as well as tourist, he endeavored, whether in Scandinavia, Germany, Italy, Egypt, Nubia, or North America, to see

things for himself, to accept no statements on trust, and, as far as possible, to bring the conclusions of science under the test of personal observation. Many of his papers on these subjects have been published under the title of "Literature and Travels," a book abounding in sprightly descriptions characterized alike by grace, wit, and erudition.

It was while reading De Tocqueville's "Democracy in America," during a trip up the Rhine, that Ampère conceived the desire and purpose to visit the United States, which he carried into effect in 1852-'53. His *Promenade en Amérique*, recording his tour, says a recent critic, "is singularly unpretending. It resembles in tone and method the best conversation. The style is pure and animated, and the thoughts naturally suggested. He describes what he sees with candor and geniality, criticizes without the slightest acrimony, and commends with graceful zeal. And yet, simple and unambitious as is the narrative, it affords a most agreeable, authentic, and suggestive illustration of De Tocqueville's theories." His remaining works comprise "Greece, Rome, and Dante." "Literary Studies after Nature" (1848), "Roman History at Rome" (1856), a novel and remarkably liberal application of archæology to literature and politics, "Cæsar; Historic Scenes" (1859), etc., beside eulogies on Ballanche and Chateaubriand read before the Academy. His own eulogy was pronounced by Guizot, who bore testimony to his scholarly attainments, critical abilities, and a rare amenity of manners.

ANÆSTHETICS, if the term be taken in its original and broadest sense, are those agents of whatever sort which, upon administration or application to the living body, suspend or greatly diminish for a time the common sensibility, *i. e.*, the power of feeling. Since the development, however, of the modern and most successful methods to this end—and hence, mainly within the past twenty years—this term has acquired a new importance and in a manner a new signification, being now employed to designate specifically those agents which are in greater or less degree available for the relief or prevention of pain, as incident to surgical or dental operations, or as met with in general medical or in obstetrical practice. The condition of insensibility which such agents induce, and which, when perfect, precludes the feeling of *pain*, is termed *anæsthesia*. Illustrations of it are witnessed in the insensibility of fainting, of stupor from narcotics or other cause, and of one form of paralysis, and in the numbness caused by a blow or by severe cold. But since the common sensibility depends on the activity of a certain set of nerves and of nervous centres—hence called the "sensory," or those of sensation—we may say, more precisely, that *anæsthesia* is that state of a living body or of some part of it, in which the action of its sensory nervous apparatus is for the time suspended; and whatever can produce such condition,

without destroying the nervous apparatus itself, is so far an *anæsthetic*.

Under the title, ANÆSTHETICS, in the *NEW AMERICAN CYCLOPÆDIA*, will be found a concise history of the practice (to about the year 1858), together with an account of the mode of action of anæsthetic agents, and their effects, a summary of their applications in medicine, surgery, and obstetrics, &c.

Among the earliest recorded instances of anæsthetic practice collected by MM. Perrin and Lallemand ("Treatise upon Surgical Anæsthesia," Paris, 1863), and in which the end aimed at was precisely that sought in the practice of the present day, are those of the resort, among the Assyrians, to the stupor caused by compressing the arteries (it would appear) of the neck, preparatory to performing circumcision in childhood; of the local application in certain minor surgical operations, among the early Greeks and Romans, of the powdered "Memphis stone"—probably a species of marble—mixed with vinegar, to parts to be benumbed, and which the authors conjecture to have acted by means of the carbonic acid set free by the mixture; and of the anæsthetic employment in China of the Indian hemp (*Cannabis Indica*)—the plant, closely allied to our common hemp, from which the celebrated "hashish," well known as possessing inebriating and stupefying properties, is still extracted; as also of both the hemp and the mandrake (*Atropa mandragora*) in India and some other oriental countries. The medical school of Bologna, in the 13th century, brought into vogue in surgery a set of stupefying preparations some of them believed to have been imitated from the ancients, and some, at least, of a highly complex character; of the latter class, one is known to have been a mixture of extracts with which a sponge was saturated; and when to be used, the sponge was wet in warm water, and the emanations were *inhaled* until stupor followed. But, in western and southern Europe, all the modes of producing anæsthesia thus far considered—imperfect as they were—would appear by the beginning of the 18th century to have passed wholly out of use. The stupor of intoxication, and that produced by opium, were still resorted to, at times, in severe operations; and in minor ones, the practice of diverting the patient's attention by a blow or by some agitation of the feelings was much in vogue. The 18th century was strongly marked, however, by a tendency to seek for anæsthetic effects through agencies of a physical or biological character.

The modern anæsthetic practice may be in a manner traced to the founding of Dr. Beddoes' "Medical Pneumatic Institution," in 1798, near Bristol, England, and which was designed for the treatment of pulmonary diseases by inhalation of ether, and of carbonic acid and other gases. It was here that Humphry Davy, then young, acquired his interest in the subjects of gases and their inhalation; and his discovery,

soon after, of *nitrous oxide* (protoxide of nitrogen), or "laughing gas," and of its effects on the human system—first published in the year 1800—created for some time a sort of *furor* in regard to its inhalation, for amusement, and as a restorative and curative agent. Davy himself predicted the use of this gas for anæsthetic purposes, when he wrote: "As nitrous oxide in its extreme operation [deeper stages of its effect] seems capable of destroying physical pain, it will probably be used with advantage during surgical operations in which no great effusion of blood takes place." Still, this remained a mere prediction until, many years after, the use of agents capable of anæsthetic effects was taken up and successfully reduced to practice in this country, by three physicians of the cities of Hartford and Boston. For, although nitrous oxide was in the outset experimented with by European chemists and surgeons, it was by them pronounced unsafe and laid aside; and ether, to which attention was thereupon turned as a substitute, was not at the time brought into practice. As early as 1828, Dr. Hickman, of London, in particular, addressed the French Academy on the subject of anæsthesia by inhalation, and especially of *carbonic acid*; but that body did not favorably entertain the subject, and it was dropped.

Without here entering into a discussion of the vexed question of priority in the discovery of the modern anæsthetic methods, it will be proper, at least, to name what appear to be the facts in the case. Recent evidence goes to show that the first painless operations (and also quite numerous) in the development of the new method, were performed by Dr. Horace Wells, a dentist of Hartford, Conn., during the close of the year 1844 and the early part of 1845; and that the agent which he employed in these cases was *nitrous oxide*, the operations being the extraction of teeth. This conclusion has been confirmed by the report and action of at least two important medical bodies in this country within the past two years. While, however, it is by some asserted that Dr. Wells was led to try the nitrous oxide by his reading of the views of Davy and other early authorities on the subject, Dr. G. Q. Colton states that Dr. Wells' attention was called to the agent by an observation made by the latter of the painlessness, for the time, of a wound which a person inhaling the gas at one of Dr. Colton's exhibitions of it had inflicted upon himself. Dr. Wells laid aside the use of the nitrous oxide, after its failure on the occasion of an attempted public demonstration with it, in Boston. It would further appear, that it was the application of Dr. Wells' process that Dr. W. T. G. Morton, of Boston, was proposing to imitate, with a person for whom he was about to extract a tooth, when Dr. C. T. Jackson, a chemist, also of Boston, and who had previously had experience in his own person of the insensibility produced by ether, suggested to Dr. Morton the real and superior value of the latter agent.

This was in September, 1846. Dr. Morton's first private administration of ether occurred on the 30th of that month, and his first public demonstration of the method, in the Massachusetts General Hospital, on the 16th of October following; while the first *capital* operation upon an etherized patient was performed on the 7th of the succeeding November, by Prof. George Hayward, also of Boston: the result in all these cases was, as desired, a complete freedom, on the part of the subjects operated on, from pain. The news of the remarkable success obtained with ether having reached Europe, certain physicians and chemists there made trial of several other volatile liquids, in the hope of obtaining one still more suited to the end in view than ether. In the following year, 1847, Dr. Simpson, of Edinburgh, announced his discovery of the applicability of chloroform—a material which has since closely contested the ground with the prior agent, and has even in some degree supplanted it.

The fact, soon rendered evident in practice, that neither ether nor chloroform was wholly free from danger or from other inconveniences of application, led to the trial of still other agents, with a view, if possible, to find some one that should be entirely safe and devoid of disagreeable effects—conditions which, however, no substance has yet been found fully to satisfy.

The following list presents—not altogether in the order of time—the more important of the substances, possessing anæsthetic powers in some degree, which have been experimented with for the purposes now indicated:

1. *Nitrous oxide*. (Davy, 1800; Dr. Horace Wells, 1844; Dr. G. Q. Colton, 1863.)
2. *Carbonic acid*. (Dr. Hickman, 1828; Dr. Ozanam, about 1862; and others.)
3. *Sulphuric ether*. (Drs. Jackson and Morton, 1846.)
4. *Chloroform*. (Dr. Simpson, 1847.)
5. *Hydrochloric ether*. (M. Flourens, 1847; M. Sédillot.)
6. *Acetic ether*. (M. Figuier, 1848; M. Flourens.)
7. *Nitrous ether*. (M. Flourens.)
8. *Nitric ether*. (Dr. Simpson—tried on animals.)
9. *Aldehyde*. (M. Poggiale.)
10. *Olefiant gas*. (M. Tourdes.)
11. *Chloride of hydrocarbon*; or, *Dutch liquid*. (Dr. Nunneley; M. Aran.)
12. *Benzine*. (Drs. Simpson and Snow.)
13. *Formomethylal*. (M. Bouisson.)
14. *Bisulphide of Carbon*. (1848.)
15. *Carbonic oxide*. (MM. Ozanam and Tourdes.)
16. *Kerosolene*. (Drs. Jackson and Bigelow.)
17. *Amylene*. (Drs. Snow and Fergusson, about 1856.)
18. *Oil of turpentine*. (Successfully, on shipboard, by John Wilmhurst, naval surgeon.)

Iodoform, the teriodide of formyle, and thus the analogue of chloroform, as well as, of course, many other substances which do not appear to have been especially subjected to trial, possesses in degree anæsthetic powers. The anticipations awakened by the earlier success of amylene, in the hands of Dr. Snow and others, were soon disappointed, through the detection of disagreeable consequences, and finally by the occurrence in two cases of death, under its use;

and the agent was thereupon abandoned. Dr. Ozanam, in his recent revival of inhalation of *carbonic acid* to produce insensibility, administered it along with common air, 3 parts to 1. He found this mixture safe; and it produced complete anæsthesia, from which the patient recovered without difficulty; but it does not appear that the use of this agent has yet become in any manner general. The condition of *trance*, *somnambulism*, or *artificial sleep*, as induced in connection with the agencies or methods of influence passing under the names of "Mesmerism," "animal magnetism," "Braidism" or "hypnotism," "psychometric impression," "spiritualism," &c., has been of late years often resorted to, and in some of these forms for a time much vaunted; but though in exceptional cases, or in the hands of particular persons, painless surgical operations have been doubtless secured under some or all of the influences named, yet their effect is far from uniform, or even certain; and at the present day, none of them are relied on as suitable to take the place of the material anæsthetics.

Dr. Valentine Mott, in his monograph upon "Pain and Anæsthetics," prepared at the request of the U. S. Sanitary Commission (Washington, 1863), in considering the philosophy of of anæsthetics, and their value to the surgeon, justly remarks, not only that pain is *useless*, but also that it is *positively injurious to the pained*; and he cites from different authorities the expression of a truth which is stated by Gooch, in the words, "Mere pain can destroy the powers of life." But when complete insensibility exists, both pain and nervous shock are, so far as the operation is concerned, avoided. "The most severe operation during anæsthesia," says Dr. Mott, "produces little or no effect upon the pulse, because the nervous centres receive little or no impression." But again, except where the conscious coöperation of the patient with the surgeon is required, and in all cases in which the locality or peculiar nature of the operation may not forbid the administration of anæsthetics, the unconsciousness, helplessness, and complete relaxation which those agents can produce, is often a matter of the highest convenience and advantage. The use of anæsthetics thus allows the surgeon to undertake cases in which, without them, he could not safely think of operating; and it also allows him to take more time. Considerations such as these show that their employment practically extends the domain of surgery; and moreover that, *primâ facie*, it should lessen the danger and the mortality of operations.

Dr. Detmold, in 1847, M. Ozanam later, and some other medical authorities, have argued that in the inhalation of ether, chloroform, or other anæsthetics, the insensibility obtained is due to action of *carbonic acid* resulting from the decomposition of such substance within the system. M. Ozanam went so far as to say that *carbon* is in all cases the true anæsthetic; and that so-called anæsthetic agents possess their

power just in the proportion that they are more largely composed of carbon. But if this were true, amylene should be a more potent anæsthetic than ether, and ether itself than chloroform; whereas the reverse is true in both cases. Again, the experiments and observations of Flourens and Longet go to show that the specific anæsthetic agents, not less than morphine, strychnine, alcohol, &c., produce their effects by a direct and positive depressing action upon the nervous centres. Thus, they are all (save, perhaps, nitrous oxide—and even on this point there is room for question) positive poisons; and in undue quantity they produce death in that mode (naturally, and usually in fact) in which we say it begins in the nervous system.

Nitrous oxide, by freely yielding oxygen, is, like common air, only in still higher degree, a supporter of combustion. Of course, in the outset of its inhalation, it is in proportionate degree a supporter and quickener of the functions of life. By hurrying on decomposition in the system, it rapidly generates carbonic acid, and loads the blood with this product. Ether is not a supporter of combustion, but is combustible; and its decomposition may to some extent increase the proportion of carbonic acid naturally contained in the blood. But chloroform is neither a supporter of combustion nor combustible; and it is doubtful whether it undergoes decomposition in the system at all. All anæsthetics, however, after a preliminary stage of excitement, longer or shorter, then forthwith begin, by inducing a torpor or inactivity in the nervous centres, to depress and to lower the respiration, if not also the heart's action; and as a consequence, they occasion the retaining for the time in the blood of much of the carbonic acid, naturally forming in the system, which would under a normal respiration be continually expelled. Still further, wherever gaseous anæsthetics are administered by means of a containing reservoir or bag, so that the patient breathes the same material over and over, even the carbonic acid which is expelled, for the time, mingles with the anæsthetic, increasing in quantity, and being reinhaled. These facts would show, that with chloroform, there is a *single* source of increase of carbonic acid in the blood—this being, however, not the cause, but the consequence, of the anæsthetic action; that with ether, there are *two* such sources; while with nitrous oxide, there are *three* sources of increase of carbonic acid. And unquestionably the retained carbonic acid will contribute its share to the depth of the stupor that results; if, indeed, in the case of nitrous oxide alone, it may not be in a large degree the really effective agent. At all events, it is probable that the action of carbonic acid, generated or retained in the blood during anæsthetic inhalation, may in some cases modify materially the symptoms attending or following upon their use.

The stages of anæsthesia are strictly comparable to those of intoxication (carried to

stupor), only that they are passed through much more rapidly. They may be conveniently considered as four in number: the *first*, that of action on the cerebral hemispheres, marked first by mental excitement, and then by loss of intelligence and of power of will; the *second*, that in which the anæsthetic acts on the cerebellum, destroying the power—if the common theory of the use of this organ be correct—of combining the muscular actions, when the body becomes fully relaxed and helpless; the *third*, that in which the effect extends to the ganglia of the base of the brain and probably to the exterior parts of the medulla oblongata, as well as in some degree to the spinal cord; so that the senses are obliterated, the capacity of feeling pain lost, and the reflex actions to some extent arrested; the *fourth*, that in which it attacks the “vital centre” within the medulla oblongata, from which arise the nerves that maintain the function of respiration, and so, indirectly, that of the circulation. When this last degree of action is fully established, the breathing and the heart’s action cease, and death is already taking place.

It is, accordingly, the third stage of anæsthesia, as here divided, that the surgical or dental operator seeks to produce, and to maintain. The quantity of chloroform used to such end may vary from one to four drachms, or an ounce. A sponge or napkin wet with the liquid is brought near to the mouth and nostrils, so that the patient inhales the vapor mingled with air. The time required for the full effect is thirty or sixty seconds, or even more. Of the many forms of apparatus that have been devised for inhalation of anæsthetics, none have been received with general favor. The greater power, and consequently (unless under judicious management) danger, of chloroform over sulphuric ether, is shown in that the quantity of the latter required is much greater, as from two to four ounces, and in some instances even a quart or more; and the time required to produce insensibility is usually from three to five minutes. Generally, it is preferred that the patient shall be in the recumbent position. When the anæsthesia is complete, as indicated by sonorous or stertorous breathing, and other signs, the inhalation is discontinued, to be renewed from time to time if the patient show signs of passing back into the preceding or semi-conscious stages.

The fact that several cases of death under chloroform, and one or more under ether, have been directly traceable to the circumstances that the stomach was at the time loaded with food, is one that, where practicable, should never be lost sight of in fixing the period for operating. The most suitable time is some three or four hours after a meal, when, although the system is not yet weakened for want of food, the organs of digestion are in the main relieved and in a quiescent state. It is always desirable, if possible, to guard against vomiting under the influence of an anæsthetic, and almost always

unfortunate in some way where it occurs. According to Dr. Mott’s observations, if vomiting occurs, one result that is quite certain is that the anæsthetic effect will immediately pass off.

Of seventy-seven immediately fatal cases under chloroform, collected by Perrin and Lallemand, and of which they present a very full analysis in tabular form, in sixty-seven the posture of the patient is noted; and of the latter, in forty-eight cases the posture was recumbent, in nineteen that of sitting. Those authors, however, agree with the usage of practitioners generally, in favoring the horizontal posture, unless the nature of the operation requires some other; and it is certain that an upright position of the body increases the likelihood of fainting. The horizontal posture favors the entrance of the vapor of chloroform especially—its density being about four times that of air—into the lungs. This extreme density of the vapor of so powerful an agent is, however, in itself, and in several ways, a source of danger. The too sudden and rapid introduction of the vapor into the lungs may at once occasion asphyxia (suffocation), or it may cause a sudden arrest of the heart’s action, besides that it is apt to induce coughing, and perhaps may tend in some cases to cause vomiting. Dr. Mott regards it as a further recommendation of the recumbent posture, in case of chloroform, that if for any reason it should become desirable to free the lungs suddenly of the vapor they may at the moment contain, the result is readily aided by turning the body upon the side (or, we may suppose, inclining the face partly downward), while the proper measures for resuscitation are employed. And this consideration is the more important, since, as implied by another authority, when alarming symptoms do arise, the deadly power of the vapor already in the lungs may suffice to complete the fatal effect of the drug. Both with ether and chloroform, while the administration of the vapor should not be so slow in the outset as to prolong inconveniently the preliminary stages of the effect, it is yet, on the other hand, very important that it be not commenced too abruptly and too strongly in the outset, lest the dangers already indicated be incurred. Dr. Mott adduces the reckless and heedless manner in which he has seen ether and chloroform administered, and without evil results, in Paris and New York, as a proof of the comparative safety of the practice; but he insists none the less upon the necessity of such cautions as have here been indicated. It is always important, especially so with chloroform, that the sponge or handkerchief wet with the liquid should be approached cautiously toward the mouth at the first; and that it shall at no time be brought so near but that the percentage of air inhaled shall largely exceed that of the vapor at the same time entering the lungs.

Dr. Mott states that, although preferring chloroform for use alone, he is in the habit of employing often the two usual anæsthetics in

the same case, beginning with ether, and resorting to chloroform if insensibility is not thus readily induced. He mentions Dr. Simpson's recent method of administering these agents, with a view to securing the due admixture of air—that of spreading a handkerchief single-fold over the face of the patient, and allowing the liquid to drop at intervals upon this, near to the mouth and nose. He fears, however, that this method might give rise to irritation of the skin, a result he usually guards against in his own practice, by previously applying a little olive oil about the mouth and nostrils.

Prof. Samuel D. Gross, in the recent edition of his "System of Surgery" (Phila., 1864), treats at some length of the choice and application of anæsthetics. He prefers chloroform to ether, as having a less objectionable odor, and as being less liable to occasion vomiting and other unpleasant symptoms. Instead of the mixture of ether and chloroform, 3 parts of the former to 1 of the latter, employed by some practitioners, he favors—if any mixture be used—that proposed by Dr. Snow, of equal parts of chloroform and alcohol. He has administered chloroform in several thousands of cases: no death from its use has occurred in his hands, and only two threatening cases that could be traced to an injudicious mode of use. He regards age as being no bar to the employment of anæsthetics; as he has given chloroform with success to children—even to infants under two months, and also to very old persons—in one case, to a lady of 92. As to danger from disease of the heart or brain, he says: "For my own part, I have never allowed any affection whatever to stand in my way;" and considering the tranquillizing effects of the anæsthetics, he finds no physiological reason for doing so. Some difference of practice appears to exist among surgeons in respect to operations about the mouth, jaws, and nose. Dr. Mott recommends in these, that, generally, anæsthetics should not be used, but reliance placed on narcotics. Prof. Gross advises that in such cases usually the patient should be under anæsthetic influence only at the beginning of the operation; but he states that he has repeatedly performed excision of the tonsils, excision of the jaw, etc., while the patient was perfectly unconscious and incapable of resisting.

It has been seen that in anæsthesia the use of the special senses is commonly lost, along with or before the disappearance (in most parts of the system) of the general sensibility and susceptibility to pain. A remarkable exception to this rule is named by Dr. H. B. Montgomery: a boy undergoing amputation of the leg under the influence of chloroform, in the Stevens Hospital, Dublin, opened his eyes as if from sleep, when a finger was placed upon the neck over the carotid artery, remarked that there was nothing the matter with his neck, but that the surgeons were *setting* his leg, and

remained thereafter with his eyes open, and noticing such objects as came before them throughout the operation; but after recovering from the anæsthetic, he declared that he had felt no pain, and did not know that amputation was being performed. In this case, consciousness was retained, and sight, and to some extent touch, were active, though the common sensibility—at least in the lower limbs—must have been in abeyance.

M. Simonin ("*Revue des Sociétés Savantes*," June 26, 1863) states that the two most important points for the surgeon to observe, in the deeper stages of anæsthesia, in order to be forewarned in time of the near approach of collapse of the respiration and circulation, are, the condition (as to its sensibility, or the opposite) of the region of the temples, and the continued contraction of the muscles holding up the lower jaw, or their narcotism, allowing it to fall. The disappearance of sensibility of the temples marks a definite and deep degree of anæsthesia, but, alone, does not show immediate danger. The sensory nervous filaments to the temples, and the motor filaments to the masseter muscles, are alike furnished by the *fifth pair*, some roots of which arise from portions of the medulla oblongata not far from the "vital centre." The masseters, the contraction of which holds out last in the entire voluntary muscular system, may even relax, and life still not be immediately threatened; but the symptom is usually one of danger, showing as it does that the torpor induced by the anæsthetic has spread well-nigh to the nervous centre of respiration, on the action of which life itself depends. Dr. B. W. Richardson ("*Brit. & For. Med.-Chirurg. Review*," April, 1864), confirming the importance of Simonin's observations, explains by the principle he has brought forward the fact, remarked by himself, of more dangerous symptoms arising during the profound anæsthesia induced for operations *within the mouth*, than under any other circumstances. Dr. Wm. Marcet is led to believe that chloroform absorbed into the blood sometimes produces death, not by its anæsthetic or directly depressing action, but by exciting a spasmodic closure of the glottis—this, at the time, being likely to pass unobserved; and in case of complete suspension of the respiration under chloroform, as the chances of recovery are then small, he advises immediate tracheotomy, and artificial respiration. Dr. G. W. Balfour has called attention to the danger of the filling of the trachea with vomited matters—at least one death having been known by him to occur from that cause, and even though the patient appeared to recover properly from the anæsthetic.

Prof. Gross states the phenomena which indicate danger, in anæsthesia, as being stertorous respiration (very marked, of course), small and feeble pulse, lividity of the features, dilatation of the pupils, relaxation of the sphincters and rapid diminution of the temperature of the

body. The remedies to be employed in case of threatened death, are those in a general way suitable to cases of suspended animation. Among the measures that may be resorted to are those of placing the body, if it be not already so, in a horizontal position; dashing cold water in the face; opening windows, and admitting air freely—if not too cold—to the person; employing frictions of the surface or extremities; stimulating respiration by applying ammonia, etc., to the nostrils; turning the patient on the side, to favor exhalation of the anæsthetic; and performing artificial respiration, or else “insufflation”—*i. e.*, blowing air into the lungs, either from the mouth of another person placed directly upon that of the patient, or through a tube opening in the pharynx or passed within the trachea, and blown into by the mouth or with bellows. To favor or allow of respiration, it is sometimes necessary to draw the tongue forward, and to clear the fauces of obstructing liquids, as may be done with the finger; and where the means are at hand, the action of the so-called “Faradization” current, to excite a sort of natural respiration, is advised—the current to be applied, preferably, over the phrenic nerve and diaphragm, and not, as formerly, to the heart. Dr. J. Smith urges that, in dental operations under chloroform, it is not as a rule advisable to keep the tongue forward with forceps or tenaculum during the operation, since thus the spontaneous efforts at clearing the throat by swallowing may be prevented, and fluids in consequence pass into the glottis. Dr. Mott remarks that in operations in which the mouth becomes filled with blood, he formerly feared the occurrence of strangling, but his later observation has shown that deglutition, taking place—like the uterine contractions—by means of reflex nervous action, can occur notwithstanding the anæsthetic influence.

Dr. Maddin, of Nashville, quoted by Prof. Gross, and Dr. Chas. Kidd, find by their researches that a very large proportion of the fatal cases, under the use of anæsthetics, have occurred in minor operations, especially in dentistry, and generally in private practice or in small institutions. Prof. Gross suggests in explanation, both that the severe operations appear to establish a sort of “chloroform tolerance,” and that the administration of anæsthetics has, in private hands, been frequently less judicious, and in some way in fault. At Guy’s Hospital, London, chloroform was given in upwards of 12,000 cases, before any serious accident occurred from its use; and M. Flourens declares that in the Crimean war it was administered 25,000 times without a single death traceable to its use.

Dr. Arnott and others have argued that chloroform has increased, and Dr. Simpson that it has diminished, the rate of mortality, in the great surgical operations. The average of about 1,600 cases of amputation of the thigh, before the introduction of anæsthetics,

collected from several European hospitals, shows 45 deaths in every 100, 36 in 100 being the lowest rate in any of them; while in 145 such amputations, under anæsthetics, the fatal cases were only 25 to 100. The statistics of a large number of amputations performed in the cities of Boston, New York, and Philadelphia, show a greater rate of mortality in the cases under anæsthetics than in those in which they were not used; though it has been suggested that the number of cases was still not large enough to warrant a final conclusion. The question of the actual influence of anæsthetic practice on the mortality of operations is, in fact, yet undecided; though even an apparent increase of mortality may consist with no such increase in reality, in view of the extension of the practice of operating, as before intimated, to a large number of cases, and mainly serious and doubtful ones, in which, but for his reliance on anæsthetic aid, the surgeon would not operate at all. From their analysis of the 77 cases already referred to, Perrin and Lallemand conclude that the mortality from *chloroform* diminished greatly (the year 1859 excepted) from 1847–’8 to within a few years past—most especially since 1854; and that for a few years now the mortality appears nearly stationary, although the use of the agent is continually on the increase. Dr. Kidd collected the accounts of deaths apparently from anæsthetics, in Europe, up to May, 1860; of these, 125 were from chloroform, 25 from ether, and several (it is stated) from amylene; and he remarks that the mortality had been more than twice as great among males as among females.

In regard to the employment of anæsthetics in obstetrical practice, our space will permit of no more than referring the reader to the works, journals, etc., in which the subject is treated of; and among which may be especially named Prof. G. S. Bedford’s “Principles and Practice of Obstetrics,” New York, 1861; the work of Perrin and Lallemand; and the papers by Profs. Barker and Elliot, with the discussion following, in the “Bulletin of the New York Academy of Medicine,” vol. I.

The committee some time since appointed by the Boston Society for Medical Improvement, to inquire into the alleged danger of ether inhalation, state in their report their conclusion that all anæsthetics, as shown both by their symptoms and by the results of experiments, “are *depressing agents*.” In relation to the point specially considered by them, they say: “There is no recorded case of death known to the committee, attributed to sulphuric ether, which cannot be explained on some other ground equally plausible, or in which, if it were possible to repeat the experiment, insensibility could not have been produced and death avoided.” A “Chloroform Committee,” appointed by the Royal Medico-Chirurgical Society, London, after more than

two years devoted to examination and experiment in connection with the anæsthetics in use, reported during July, 1864 ("Lancet," July 16; "Amer. Jour. of the Med. Sciences," Oct., 1864). This committee urge the dangers attending the deeper degrees of the effect of chloroform, and they concede much in favor of ether, as that in the outset it is not so purely depressing, and that at the same degree of insensibility it does not to the same degree depress the heart's action, as chloroform. Regarding chloroform as in a degree hazardous, and ether as inconvenient, they suggest that some more eligible anæsthetic is still to be desired. In chloroform inhalation, they think that $4\frac{1}{2}$ per cent. of vapor, with $95\frac{1}{2}$ per cent. of air, is the maximum that can be required; $3\frac{1}{2}$ per cent. of vapor being a suitable average. They do not find that anæsthetics have increased the rate of mortality.

Painful dental operations, especially the extraction of teeth, occupy in reference to the use of anæsthetics a sort of middle ground, as admitting of resort either to general or to local anæsthesia. In any case, owing to the extreme sensitiveness of the dental nerves, and the excruciating pain the extraction (at least) of the teeth occasions, the anæsthetic action requires to be very decided, and the state of insensibility profound; and it is certainly supposable that this circumstance constitutes an explanation in part of the comparatively greater mortality (already referred to) from chloroform and ether in dental practice. During the past fifteen years or more, resort has been had, unavailingly, to mesmerism; to the congelation or freezing of the gums, which however was found liable to be followed by rheumatic pains in the part, or other difficulties; and to the passage of an electrical current through the nerve at the moment of seizing and extracting the tooth: but these methods have in succession been laid aside; and though the two last named have been revived from time to time, almost or quite to the present date, by individual practitioners, they find no favor with the profession at large.

In the early part of the year 1863, Dr. G. Q. Colton revived the use of nitrous oxide as an anæsthetic in dental operations. He states (Dec., 1864) that he has successfully administered the gas to more than 3,000 patients, and that in no instance has he known any ill effects to attend the operation. He prepares the gas by heating nitrate of ammonia in a retort, and collects it in a barrel, from which it displaces water previously contained—its purification being completed by letting it stand for some hours over a remaining portion of the water. It is of the utmost importance that this gas should be perfectly pure; and it is presumed to be so when a little of it inhaled by way of test does not excite cough. The gas is inhaled through a tube from a rubber bag, the contents of which only the patient respires for the time,

the nostrils and the corners of the mouth being closed. About six gallons are used for one inhalation; the anæsthesia is usually induced in about one minute's time, and passes off in a like or less period. Two or more teeth may in the mean time be extracted; and after waiting a few minutes for the bleeding to subside, the dose may be repeated; and so on, several times in succession, if required. The rubber bag should in every case be emptied and cleansed before receiving a new charge. If not in all respects, still, a wholly desirable anæsthetic, it would nevertheless appear that nitrous oxide is at once the most agreeable to the patient, and the most safe (at least for the brief operations in which it has been employed) of the general anæsthetic agents now in use. Dr. A. C. Castle ("Boston Med. and Surg. Journal," March 3, 1864) mentions three cases in which its employment was followed by decidedly unpleasant symptoms, in the head, the chest, and the nervous system, respectively, and in persons previously in good health; but the general testimony of those acquainted with its use appears to show that such results are rare. The agent is already employed by many dentists in New York and New England, if not also in other parts of the country.

Various forms of local application of chloroform or ether, or of their vapors, have been resorted to for the purpose of securing local anæsthesia, but usually with *uncertain*, and often with very incomplete, success. Perhaps the most efficient of all these has been M. Richet's modification of M. Guérard's process—in its simplest form—merely letting ether fall, drop by drop, on any external part to be benumbed, and playing on it at the same time with the current of air from a common bellows. M. Fournier's "chloracetization"—application of chloroform and glacial acetic acid—has been found often to occasion too much irritation and smarting to allow of its use. Chloroform applied on lint or in test-tubes for ten or fifteen minutes sometimes produces total insensibility. The process of congelation, by applying a freezing mixture of pounded ice and salt, and which is familiar to medical men, is still earnestly recommended by many authorities, for superficial operations; though in this confidence Prof. Gross does not share. Dr. Arnott ("Med. Times and Gazette," quoted in the "Boston Med. and Surg. Journal," Oct. 1, 1863) has recently repeated his recommendation of artificial cold, both as an anæsthetic, and for the relief of inflammations; and he proposes a new method—that of cooling in a freezing mixture, and to below 0° Fahr., an iron, brass, or copper instrument of suitable form, or two such to be used alternately, and applying on the part to be benumbed. The local application of carbonic acid for the relief of pain has not been attended with success. As to passing an electric current through the nerve of a tooth at the time of extraction—effected by placing one pole of a battery of

small power in the hand of the patient, and making the forceps the other pole, insulating them at the same time from the operator's hand—the opinion finally reached by medical authorities appears to be, that pain is not in this way prevented, but that, while sometimes the patient's mind is diverted from it at the moment by the electric shock, at other times the latter in reality adds to the suffering the operation alone would occasion.

The reader may further consult Dr. C. T. Jackson's "Manual of Etherization," Boston, 1861; MM. Perrin and Lallemand's "*Traité D'Anesthésie Chirurgicale*," of which use has been to some extent made in the preparation of this article; and "A Treatise on Military Surgery and Hygiene," by F. H. Hamilton, M.D., New York, 1865.

ANGLICAN CHURCHES. The "Churchman's Calendar" for 1865 gives the following view of the bishops of this Church:

England.....	Archbishops, 2	Bishops, 26
Ireland.....	" 2	" 10
Scotland.....	"	" 8
Mediterranean.....	"	" 1
America—United States.....	"	" 38
" British America.....	"	" 9
" West Indies.....	"	" 6
Asia.....	"	" 8
Africa.....	"	" 8
Oceania.....	"	" 14
Bishops, demissionary.....	"	" 7

139

Total 139, an increase over the past year of 3.

The statistics of the Protestant Episcopal Church of the United States in 1864 were, according to the "Church Almanac" for 1865, as follows:

DIOCESES AND MISSIONS.	Clergy.	Parishes.	COMMUNICANTS.		SUNDAY SCHOOLS.		Missionary and Charitable Contributions.
			Added.	Present Number.	Teachers.	Scholars.	
Maine.....	20	18	166	1,340	188	1,332	\$10,581 41
New Hampshire.....	20	21	119	1,045	115	808	5,114 13
Vermont.....	33	37	23	2,106	160	1,255	7,548 26
Massachusetts.....	113	83	814	9,319	674	8,001	117,167 25
Rhode Island.....	36	30	247	3,718	534	4,140	37,070 43
Connecticut.....	141	124	901	11,870	1,301	8,014	100,187 85
New York.....	383	307	2,219	30,318	3,519	34,062	677,898 13
Western New York.....	154	157	1,198	13,092	1,621	12,280	253,233 56
New Jersey.....	109	100	558	6,889	1,187	9,675	169,342 40
Pennsylvania.....	228	210	1,779	18,196	2,723	27,403	395,508 87
Delaware.....	15	25	130	1,105	242	2,363	12,598 21
Maryland.....	160	134	464	9,103	841	6,537	75,577 44
Virginia.....							
North Carolina.....							
South Carolina.....							
Ohio.....	104	96	516	6,405	931	6,039	109,737 03
Georgia.....							
Kentucky.....	32	34	204	2,146	267	2,054	46,171 66
Tennessee.....							
Mississippi.....							
Louisiana.....	13						
Michigan.....	61	67	617	4,111	650	4,786	57,339 74
Alabama.....							
Illinois.....	81	76	239	3,632	615	4,095	121,235 00
Florida.....							
Indiana.....	29	37	142	1,492	278	1,811	23,566 21
Missouri.....	22	32	124	1,213	107	983	17,615 26
Wisconsin.....	60	46	488	3,137	424	3,198	36,090 80
Texas.....							
Iowa.....	32	43	186	1,151	231	1,847	27,010 82
California.....	22	26	164	1,240	153	1,369	61,893 42
Minnesota.....	27	24	145	1,226	128	1,389	18,482 08
Kansas.....	10	14					
Arkansas Mission.....	7	9					
Oregon and Washington Mission.....	7	9					
Northwestern Mission.....	17	6					
Western Africa Mission.....	11	21		316			
China, Greek, and Japan Missions.....	8						

The 29th annual meeting of the Board of Missions was held at Cleveland, Ohio, Oct. 4th. The receipts of the Domestic Committee were reported to have been \$66,581, against \$37,458 in 1863, and 35,223 in 1862. The receipts this year were larger than in any previous year. The receipts of the foreign committee (including \$5,448 from the American Church Missionary Society) were \$76,847, an increase of \$22,586 over last year, and only \$8,542 less than in 1860, when contributions came in from every diocese of the land.

The American Church Missionary Society held its 5th annual meeting in Boston, Oct.

19th. The Society employed forty missionaries, and its receipts were \$24,864.

The receipts of the English Society for the Propagation of the Gospel in Foreign Parts for the year ending December 31st, 1863, were £87,832, or about \$439,000. The total income of the English Church Missionary Society was £134,247, or about \$670,000. The number of clergymen employed by this society was 269; native and country born catechists and teachers of all classes not sent from home, 1,983; number of stations, 140; of communicants, 18,110.

The Mission of the Protestant Episcopal Church in Hayti is making progress, and the

existence of Trinity Parish, Port-au-Prince, was duly proclaimed by an official document from the Presiding Bishop of the United States, dated July 22, 1863. The Haytian Government extended a cordial reception to Bishop Lee, of Delaware, who in October, 1863, made an Episcopal visitation of the mission.

The movement for opening communication with the Russian Church actively continued, both in England and in the United States. The Rev. J. F. Young, the secretary of the Russo-Greek Committee, appointed by the General Convention of the P. E. Church of the United States, paid a visit to Russia, and conferred on this subject with the authorities of the Russian Church, who manifested the greatest interest in the objects and success of the movement. (*See GREEK CHURCH.*) In England the friends of the movement formed an "Eastern Church Association," the objects of which were stated to be—

1. To inform the English public as to the state and position of the Eastern Christians, in order gradually to better their condition through the influence of public opinion in England.

2. To make known the doctrines and principles of the Anglican Church to our Christian brethren of the East.

3. To take advantage of all opportunities which the providence of God shall afford us, for intercommunion with the Orthodox Church, and also for friendly intercourse with the other ancient churches of the East.

4. To assist, so far as our pecuniary means will permit, the bishops of the Orthodox Church, in their efforts to promote the spiritual welfare of their flocks.

Among the committee of this association are the Rev. T. T. Carter, the Rev. W. Denton, Prebendary Ford, the Rev. H. P. Liddon, the Rev. Dr. J. M. Neale, the Rev. George Williams, Dr. Wordsworth, the Rev. Eugene Popoff, the Archimandrite Constantine Strattula, and Mr. H. T. Parker, of Boston.

The "Christian Union Society," which was organized in New York on March 31, has a somewhat wider scope, and aims, in general, a bringing about a union of all churches holding to the doctrine of the apostolical succession of bishops. Similar societies were established in other cities of the United States, and joined by members of the Protestant Episcopal and Moravian Churches. The reports, made at the successive meetings of this society, state that a Danish periodical favors more intimate relations between the Anglican and Scandinavian Churches; that in France, two periodicals, *Observateur Catholique*, and *Union Chrétien*, edited by Abbé Quettée, advocate this same movement; that in Northern Italy, the *Examiner*, a paper conducted by Count Tasca, the poet laureate of Piedmont, and receiving contributions from several bishops and priests, recommend the largest circulation of the Bible in the vulgar tongue, and similar reforms;

that reformatory movements, looking toward a severance of the national Catholic Churches from Rome, were progressing in Mexico, South America, and Portugal. In England, an "Association for Promoting the Unity of Christendom," having the same object in view, has been at work for seven years. It appears from the preface to a work recently published for some members of this Society, and entitled "Sermons on the Reunion of Christendom," that it numbers seven thousand members, that of these one thousand are Roman Catholics, three hundred are Orientals, and the remainder (five thousand seven hundred) members of the Church of England. A prayer for the union of Christendom is recited daily by each member, and those who are priests bind themselves "to offer the Holy Sacrifice once in three months with intention of the same." The volume is dedicated "To the most blessed and holy father in Christ, Pius IX., by Divine Providence, Pope, Bishop of the holy Apostolic See; also to the most blessed and holy father in Christ, Sophronius, Archbishop of Constantinople, Œcumenical Patriarch of New Rome; also to the right honorable and right reverend father in Christ, Charles Thomas, Archbishop of Canterbury, Primate of All England, &c." The Pope has addressed a letter to the Roman Catholic bishops of England condemning the Association, and forbidden Roman Catholics to have any connection with it.

The excitement produced by the works of Bishop Colenso, and the Essays and Reviews not only in the Anglican Churches but in the whole civilized world, continued throughout the year 1864. The interest in the case of Bishop Colenso was especially revived by his trial before a Synod of South African Bishops, commencing at Capetown, on November 17, 1863. The tribunal consisted of Dr. Gray, Bishop of Capetown and Metropolitan of South Africa, as President, and the Bishops of Grahamstown and Orange Free Town. The Bishops of St. Helena and Zambesi were absent. On the part of the accused bishop, Dr. Bleek, curator of the Grey Library, attended to protest against the proceedings, or to speak more correctly, against the jurisdiction of the court. The court found Colenso guilty of heresy on nine counts, and the Metropolitan consequently pronounced sentence, depriving Colenso of his Episcopal see, unless on or before the 4th of March, 1864, he (Colenso) should file a full, unconditional, and absolute retraction in writing of all the objectionable extracts in London, or a like retraction by April 16th in Capetown. The Bishop of Capetown proceeded to Natal, and read the decree of deposition in the cathedral. The same decree was read in all the other churches of the diocese of Natal. Nearly all the clergy of the diocese accepted the sentence as valid, and signed a declaration by which they pledged themselves not to recognize Colenso any longer as their bishop. On May 31st, Bishop Co-

lenso was served in England with a copy of the decree of deposition. He had already issued a letter to his diocese, in which he disputes the power claimed by the bishops of South Africa to depose him from office. His friends in England collected a fund to enable him to plead his cause before the English courts. The first proceedings were commenced before the judicial committee of the Privy Council on June 23d. On December 14, the appeal of Bishop Colenso came on for a hearing, the judges being the Lord Chancellor, Sir Stephen Lushington, the Master of the Rolls, Lord Kingsdown, and Lord Cranworth. At the end of the year the sentence had not yet been delivered.*

The famous case of the "Essays and Reviews" was ultimately decided by the judicial committee of the Privy Council. The case came up upon an appeal of Dr. Williams and Mr. Wilson, two of the writers of the "Essays and Reviews," from the sentence of the Court of Arches, by which they had been deprived for one year of their benefices. The Privy Council, the highest judicial court of the country, declared the holding and publishing of the views contained in the essays of Dr. Williams and Mr. Wilson not to be inconsistent with the rule of faith in the Church of England, and therefore reversed the sentence of the Court of Arches. The judgment was delivered by the Lord Chancellor, who stated that the Archbishops of Canterbury and York differed from the rest of the committee as to the charge with reference to the inspiration of Scripture. In order to neutralize the decision of the Privy Council, on the 25th of February a committee of leading theologians of both the High and Low Church parties issued the "Oxford Declaration," declaring their belief that the Church of England teaches that the Bible not only contains but is the Word of God, and that the punishment of the wicked is, equally with the life of the righteous, everlasting. The declaration was signed by more than 11,000 clergymen of the Established Church, and called forth similar declarations from the bishops and clergy of the Anglican churches in the British provinces of North America and the United States.

The latter is as follows :

We, the undersigned, Bishops and Clergymen of the Protestant Episcopal Church in the United States of America, hold it to be our bounden duty to the Church of England and Ireland, and to the souls of men, to declare our firm belief that the said Church, in common with our own and the whole Catholic Church, maintains, without reserve or qualification, the Inspiration and Divine Authority of the whole Canonical Scriptures, as not only containing but being the Word of God; and further teaches, in the words of our Blessed Lord, that the "punishment" of the "cursed," equally with the "life" of the "righteous," is everlasting.

This declaration was signed by the Bishops of Connecticut, Vermont, Kentucky, Ohio,

Wisconsin, Michigan, Western New York, Delaware, Massachusetts, New Hampshire, Maine, Indiana, Illinois, Iowa, New York, New Jersey, Minnesota, the Northwest, the Assistant Bishops of Connecticut and Ohio, and Bishop Southgate, demissionary Bishop.

The Convocation of Canterbury, in the session commencing on the 21st of June, passed a "synodical" condemnation of the volume of the "Essays and Reviews," as containing teachings contrary to the doctrine received by the united Church of England and Ireland, in common with the whole Catholic Church of Christ. The resolution was adopted in the House of Bishops by all votes against two, and in the lower house by 39 to 19.

This act of "synodical" condemnation called forth a very interesting debate in the English Parliament, in the course of which the Lord Chancellor was very severe upon rights of the Convocation. He called the synodical condemnation a violation of the law of England, according to which "the crown is the fountain of all jurisdiction, ecclesiastical and spiritual as well as temporal, and he warned the bishop not to trespass in future upon the prerogatives of the crown."

In December, an address signed by 137,000 lay members of the Church of England, was presented to the Archbishops of Canterbury and York, for their pastoral letters in support of the doctrines involved in the decision of the judicial committee of the Privy Council.

The attempted establishment of the Benedictine Order in the Church of England, by Brother Ignatius,* continued to produce great excitement. Brother Ignatius during the year preached and lectured in London, York, Leeds, Newcastle, and other large cities, and found in all these places a great deal of sympathy. He also made his appearance at the Church Congress of Bristol, where it required, however, an appeal from the President to the Congress to secure him a hearing. The practices of this new Anglican Order are entirely in conformity with those of Roman Catholic monasteries. The holy water is used at the entrance into the church: the entire mass is reestablished; the the veneration of the Virgin Mary, including the doctrine of the Immaculate Conception, is adopted; and pilgrimages are revived. The number of monks has not considerably increased, and most of the bishops have forbidden the clergy of their dioceses to admit brother Ignatius to their pulpits. Toward the close of the year another attempt of establishing a monastic order was made at Leeds.

Annual "Church Congresses" may now be regarded as permanent institutions in the Church of England, like the German and Scandinavian Church Diets, and the Catholic Congresses of Germany, Switzerland and Belgium. That of 1864 was held at Bristol, and it seems to have rivalled the success of the preceding meetings

* See Annual Cyclopædia for 1863, p. 12.

* See Annual Cyclopædia for 1863, p. 13.

at Cambridge, Oxford, and Manchester. The Bishop of Gloucester and Bristol was the president; and among the distinguished members who attended, were the Bishops of Chichester, Ely, Bath and Wells, Kilmore, Guyana, the Earl of Harrowby, Lord Lyttleton, Mr. Beresford Hope, Archdeacon Denison, Dr. Pusey, Canon M'Neile. All parties were again represented, though the High Church party was obviously in the ascendancy. On several important topics, as the increase of the episcopate and the restoration of church synods, all the speakers were agreed, thus indicating clearly the current of public opinion in the Church of England.

ANILINE, OR COAL-TAR COLORS. Purchasers of textile fabrics, and especially of silks, have within a very few years past found the market supplied with such goods dyed in a variety of unusually brilliant and beautiful colors and hues of color (violets, crimsons, blues, &c.), some of them unlike any before obtained in dyed fabrics, and in regard to all of which very little has been generally known, further than that the new dyes were produced from coal-tar. It was, in fact, only so late as the year 1856 that a product capable of yielding a permanent color, and so of being used as a dye, was obtained from coal-tar; this was the discovery of Mr. H. W. Perkin, and the color produced was known at the first as *mauve*, or *Perkin's purple*. In the brief period intervening since that time, however, the production and application of the new dyes have given rise to large and important branches of industry; and the history of the subject, traced from its two starting-points, in the discovery of *benzole* by Faraday, in 1825, and of the so-called "*crystalline*" by Unverdorben in 1826, affords, as has been well said, "a remarkable instance of the manner in which abstract scientific research becomes, in the course of time, of the most important practical service."

Brief references to the aniline colors occur in the two preceding volumes of this *CYCLOPÆDIA*, under the head of *CHEMISTRY*. The reader may profitably consult, in connection with the subject, the articles *COAL PRODUCTS*, *NAPHTHA*, *BENZOLE*, and *ANILINE*, in the *NEW AMERICAN CYCLOPÆDIA*. The chemical processes requisite for producing the aniline dyes, and other related substances to be mentioned, will not here be given in detail; the reader is referred for such information to the works upon practical chemistry, and upon dyeing.

Aniline was first obtained in separate form by Unverdorben, in 1826. He isolated it from among other products of the distillation of animal matters, as a heavy but volatile oily liquid, which he named *crystalline*. Later it was produced by Fritsche, of St. Petersburg, by the action of caustic potash on indigo. After this, Zinin, of St. Petersburg, by a process consisting essentially in acting upon nitro-benzole with sulphide of ammonium, produced the same body, which he named "*benzidum*." And still

later an oily liquid was at different times separated from among the products of the distillation of coal-tar, by M. Runge, Prof. A. W. Hofmann, and others, and which was observed, when brought in contact with bleaching powder (chloride or hypochlorite of lime), to develop a beautiful violet blue, that, however, soon disappeared. Among the names which different experimenters gave to this body were also those of *kyanol*, *phenylamine*, and *phenamide*. To Hofmann, it appears, is due the credit of proving the identity of the substance, as thus obtained from different sources by so many different chemists. This he was enabled to do, and at the same time to determine the composition of the body, by his study of it as obtained from *isatine* (oxidized indigo-blue), heated in mixture with potash. As thus obtainable from indigo (Spanish, *añil*), Hofmann gave to this substance the name of *aniline*; and this name, as being most convenient for the formation of the compound terms needed for the many derivatives of the substance itself, has since become generally adopted. Besides the sources already named, aniline can be obtained by certain reactions from many other bodies, most of them in fact derivatives from coal-tar, as salicylamide, nitrotoluole, &c.; but of the methods and sources thus far named, by far the greater number are as yet of interest to the theoretical chemist only. Indeed, during all the period now considered, and up to the time of Mr. Perkin's discovery of *mauve*, aniline still remained a subject of scientific interest and curiosity only; and even at the time when this important discovery was made, both aniline and the nitro-benzole from which its manufacture on the large scale is now carried on, were as yet to be met with only in small quantities in the laboratory.

In the early part of 1856, Mr. Perkin was experimenting on a compound of toluidine, in the hope of forming quinine artificially. Failing in this, he tried the action of bichromate of potash, acidulated with sulphuric acid, on the sulphate of aniline. The result was a black precipitate of unpromising appearance, but which, on examination, was found to yield the dye already mentioned. This, known as *mauve*, *phenamine*, *indisine*, &c., is more correctly termed *aniline purple*, or, as some dealers prefer to say, *aniline violet*. The interest created by the introduction of this new color naturally directed the attention of chemists again to its source. Prof. Hofmann, in a note to the Royal Society, June, 1858, mentioned the formation of a crystalline derivative from aniline, by action on the latter of bi-chloride of carbon, the reaction being accompanied by the appearance of a magnificent crimson color. This appears to have been the first notice of the *aniline crimson* (*aniline red*), subsequently named by its discoverer *rosaniline*; although it is also stated that Natanson had observed this coloring matter, as formed from aniline, in 1856. As, however, very little of the pigment was obtained

by Hofmann, and the products of the reaction were very complex, the examination was at the time discontinued. But practical men seized and acted on the hint; and M. Verguin, of Lyons, first succeeded in preparing the crimson dye on a large scale, by acting on aniline with bi-chloride of tin. Its manufacture and application in dyeing were rapidly developed in France, among others by Verguin and the Rénard brothers, and in England especially by the house of Simpson, Maule & Nicholson. To this color, or to particular hues of it, have been given by different manufacturers a variety of names, such as *magenta*, *roseine*, *fuchsine* (now somewhat commonly, but improperly, changed to *fuchsia*, and by Prof. Dussauce to *futschine*), &c.

From the first discovery of a brilliant dye from aniline, it became of course a matter of interest to be able to produce the latter material in large quantities, and more cheaply than could before be done; and as these objects were presently accomplished by operating on benzole, it will be important here briefly to trace the relations and show the nature of this substance.

When bituminous coal, placed in gas-retorts, is distilled by application of a high heat, some 40 per cent. of it is volatilized and driven out of the retorts, the remaining 60 per cent. constituting the *coke*; and the volatilized portion being made to pass through the "hydraulic main" and a succession of other condensers, its condensible or liquid and solid matters are chiefly arrested in these, while the mixed illuminating gases and some impurities pass on to the proper reservoir. The condensed portions altogether constitute the *coal-tar*. This consists mainly of bodies which, when isolated, have the form of oils (the coal-oils), and of a tarry or pitchy residue, from which many solids, crystallizable or otherwise, can be separated. From the entire coal-tar some forty or more distinct chemical substances (solids, liquids, and gases) have, upon analysis of it, been obtained.

When coal-tar is by itself placed in a retort, and redistilled, the temperature being slowly and gradually raised, the products that are first for a time obtained are oils, those which pass over at temperatures successively higher being of different composition, and more and more dense or heavy. The oils which thus volatilize at temperatures reaching to about 212° F., and which are usually collected together, constitute the "light oil" or "crude coal-naphtha." This, in commerce, is more commonly known as *benzole* or *benzine*, although the single oil which (when pure) properly takes these names, forms only a certain percentage of its whole bulk. Among the many products which the entire coal-tar, upon analysis, yields, are the *solid*, as naphthaline, paranaphthaline, cumidine, paraffine, &c.; the *liquid bases*, as methylamine, aniline, chinoline, toluidine, &c.; the *liquid acids*, as the rosolic, brunolic, phenic or carbolic,

&c.; the *liquid neutral bodies*, as water, benzole, toluole, cumole, &c.; and *gases*, as ammonia, &c. The quantity of aniline thus directly separable from coal-tar is, however, small, and the process is not remunerative.

The light coal-oil or naphtha is a yellow or brownish liquid, and when purified, has a specific gravity of from .70 to .85. The amount of benzole proper contained in the naphtha varies in different samples, being in some very small. Benzole, first separated by Faraday from oil-gas, was so named by Mitscherlich (1834), as being procured by him from benzoic acid, distilled with baryta. The fact of its forming a considerable portion of coal-naphtha was later shown by Mansfield, an English chemist; though the practical method of procuring it was brought out on the continent, about 1850. French chemists named the substance *benzine*; and under this name, and that of "benzine-collas," it became familiarly known as useful for removing grease from cloth, &c. Benzole, as obtained from naphtha, is not usually entirely free from mixture with oils homologous with it, as toluole, &c. At ordinary temperatures it is a colorless, highly mobile liquid, of an aromatic odor, and at 59° F. has a specific gravity of about .85. Its composition is represented by $C_{12}H_6$.

Mitscherlich found that the strongest nitric acid readily attacks benzole, one equivalent of its hydrogen becoming replaced by one of hyponitric acid, and a new compound—a heavy, yellowish oily liquid—being produced, the composition of which is, therefore, $C_{12}H_5NO_4$. This he termed nitro-benzole. In preparing it, the reaction just stated is secured by simply allowing a fine stream of benzole and another of concentrated nitric acid to run together in a worm or long glass tube, kept well cooled, the resulting product being then treated with water and carbonate of soda. Nitro-benzole has the odor of oil of bitter almonds, and has hence become much used, under the name of "essence of mirbane," for scenting soaps and for other like uses. Zinin's mode of procuring aniline from this oil by sulphide of ammonium has been already referred to; but as it was not economical, many other methods were tried, among these being that by means of nascent hydrogen, set free by zinc and an acid, and that with acetate of iron. By a modification of the last-named reagent, introduced by M. Béchamp, the process being distinguished as that with "ferrous acetate," it is, that aniline can be cheaply prepared by the ton, and that all the aniline of commerce is now obtained. In this process, 2 parts of nitro-benzole, 2 of concentrated acetic acid, and 3 of iron filings, are placed together in a retort: the application of heat is unnecessary, the chemical reaction giving rise to sufficient heat to distill over a mixture which is found to contain aniline, its acetate, and some nitro-benzole. Redistilling, and treating the distillate with fused caustic potash, the aniline separates as an oily layer.

A further portion of it can be obtained from the residue in the retort; and the entire quantity is finally to be distilled again and rectified.

The aniline of commerce is never pure. As benzole ($C_{12}H_6$), in the ordinary modes of separation, always holds and carries with it some portion of—at the least—toluole ($C_{14}H_8$), so, when nitro-benzole is prepared, there is formed at the same time with it nitro-toluole; and finally, in the change in which, as commonly stated, nitro-benzole is converted into *aniline*, the nitro-toluole mixed with the former is in the mean time and by a like reaction converted into *toluidine* ($C_{14}H_9N$). The commercial aniline is always a mixture of at least these two substances, and very probably contains minute quantities of still other homologues of aniline proper. This very impurity of aniline, it will presently be seen, is essential to the production of the coloring matters. Dr. Phipson gives the boiling-point of pure aniline as $359^{\circ}.6$, and that of toluidine as $388^{\circ}.4$ F.; and he states that the anilines sought for the manufacture of the dyes are those having their boiling-points between about 365° and 410° F., and which are necessarily, therefore, mixtures.

As met with in commerce, aniline is a colorless, oily liquid, which sinks in water, and has a vinous odor, and an acid, burning taste. It is very slightly soluble in water, but readily so in alcohol or ether. These qualities, also, in much the same degree, belong to pure aniline; this, however, being lighter, and having a lower boiling-point. Its specific gravity is 1.028. The formation of aniline from nitro-benzole takes place by substitution of an equivalent of amide in the former for that of hyp-nitric acid; so that its formula is $C_{12}H_7N$. It is a powerful organic base, having a resemblance to certain vegetable alkaloids, and combining with many acids to form salts. A characteristic quality of this base, that of striking a fine purple blue with bleaching powder and other oxidizing agents, and the observation of which finally led to the development of the aniline dyes, has been already mentioned.

Some other derivatives of coal-tar besides aniline have been made to yield dyes; as, certain homologues of aniline, and also chinoline, naphthaline, carbolic acid, &c. The "coal-tar colors" are thus much more numerous than the "aniline colors," strictly so called; although the latter expression appears sometimes to be used as equivalent to the former.

Since the time when Verguin and the Ré-nard brothers brought out the aniline crimson, by action of a chloride of tin on aniline, other chemists and manufacturers in different European countries have produced the crimson or particular hues of it by the employment of a variety of other oxidizing agents, among these being chlorides of lime, carbon, mercury, iron, and perhaps others of the metals, and also nitrate of mercury, nitric acid, bichromate of potash, ozone, arsenic acid, &c. The hues obtained

usually vary with the nature of the oxidizer employed; and the consequence has been the issuing of a proportionately large number of patents, and also much litigation between different claimants.

Perkin's aniline purple is a material quite unlike in composition to the crimson or rosaniline of Hofmann, with its derivatives. The former appears, according to a late statement of its discoverer, to consist essentially of *mauveine* ($C_{54}H_{24}N_5$), which plays with acids the part of a powerful base. The aniline crimson was at first never obtained pure, and accounts of its composition varied. Mr. Nicholson first procured it in the pure state, by acting on the boiling solution of the compound formed by the crimson dye with acetic acid (a form in which the material is quite generally used in dyeing), by means of ammonia. The basic substance is deposited from the liquid, on cooling, in the form of needles and plates, which, so far as entirely pure, are perfectly white or colorless. Dr. Phipson, however, cites M. Preisser as having shown, some years ago, that most coloring matters in the pure state have no more color than white sugar. For the name, *roseine*, which Nicholson gave to this pure crimson dye, *i. e.*, magenta, but which is now appropriated to another of these dyes, Hofmann, who analyzed the former, substituted *rosaniline*. This body, in the white crystalline, *i. e.*, pure form, is in reality a hydrate of the true base; and in Hofmann's latest expressions of it would be represented by $C_{10}H_{19}N_3 \cdot H_2O$, equivalent to $C_{10}H_{21}N_3O$. It forms with acids numerous perfectly crystallizable salts, which possess the vivid crimson color of the dye; and as it enters into these it contains no oxygen, and is represented by $C_{10}H_{19}N_3$. The magenta dyes in practical use are always some one or more of such salts; in the latter of which the color seems to be developed. When the pure white crystals, however, of rosaniline are exposed to the atmosphere, they rapidly turn pink, and ultimately dark red, no perceptible alteration of weight attending this change; and when dissolved in alcohol, they impart to the liquid a deep-red color. Heated to 212° F. the base loses a minute quantity of water; and at temperatures above 266° it is decomposed, leaving a quantity of carbon and an oily liquid containing much aniline. The rosaniline base appears capable of forming three classes of salts, containing respectively one, two, and three equivalents of acid; the monacid salts are stable, and the dyes belong to this class. The crystals of these salts, red when seen in thin plates by transmitted light, are by reflected light of a rich greenish metallic lustre. Being very hygroscopic, they require to be kept from the air.

After Prof. Hofmann had been for some time engaged in the investigation of rosaniline, he discovered that during the oxidation of aniline there was formed another base, also a coloring matter, and of a beautiful yellow color, which

in fact accompanies rosaniline in all the usual modes of production, and can be obtained from the residue that remains after the extraction of the latter, by passing through it a current of steam, condensing, and adding nitric acid. The nitrate of the base is thus formed, and being extremely insoluble in water, is at once precipitated. The base, isolated, is in form of a yellow powder, and from its color the discoverer named it *chrysaniline*. It is very soluble in alcohol and ether. Its composition is $C_{40}H_{17}N_3$; *i. e.*, rosaniline—2 H. Again, rosaniline acted on by nascent hydrogen (the dye being dissolved in hydrochloric acid, and zinc added), gives rise to a third base, and to this, as being perfectly colorless both in itself and in its salts, Hofmann gave the name of *leucaniline*. Its composition is $C_{40}H_{21}N_3$; *i. e.*, rosaniline + 2 H. This substance, however, when long exposed to the air becomes slightly red, and still more so when heated.

It long passed as a fact that the magenta or crimson dye was a product of the oxidation of the aniline proper contained in the impure aniline of commerce. More recently, however, Hofmann tried upon pure aniline the usual reaction, and found that the crimson dye could not be obtained from it. As was natural, he next tried pure toluidine, but still no rosaniline was produced. But upon mixing the two materials, both pure, the reaction of a suitable oxidizer at once gave the coloring matter. He infers that to the formation of rosaniline both toluidine and aniline proper must contribute, a portion of their hydrogen being meantime given up to the oxygen of the reagent used: the result may be thus represented— $2(C_{14}H_9N) + (C_{12}H_7N) - 7H = C_{40}H_{19}N_3$. Quite recently, also, MM. Laurent and Casthelez have succeeded in converting nitro-benzole by a single operation into aniline crimson. This they effect by mixing the former with iron and hydrochloric acid, or with protochloride of iron, and then heating. At first, aniline and perchloride of iron result; and when the mixture is heated, the perchloride reacts on the aniline, producing rosaniline.

Some of the facts here stated in relation to rosaniline and the related substances were given in the preceding volume of this CYCLOPÆDIA: such are here repeated only so far as is requisite to a sufficiently connected and clear view of the entire subject. In the same place will be found a brief account of the *aniline blue*, with a reference to the analogous colors in which the phenyle-radical of that substance is replaced by ethyle, methyle, and amyle, respectively, and also to the *cyanine*, obtained from chinoline. Aniline yields other dyes than those yet named, as the green, or *emeraldine*, &c.; and several dyes are in use which are procured from certain other derivatives of coal-tar; among the latter being *picric acid*, and (it would appear) *azuline*, &c. As might be expected, however, in the beginning of a branch of industry of such extent, a considerable variety of usage and even

much confusion still exist among manufacturers and dealers in reference to the very names of the various colors obtained from coal-tar products. In such a state of things, a systematic and complete classification of the new dyes is as yet scarcely practicable. Some of the more important of the coal-tar dyes, however, whether yet practically in use or not so, require further and special notice: of such a list is here given:

1. *Aniline purple* (*Perkin's purple*, *mauve*, common *aniline violet*, *imperial violet*, *pensée*, &c.).—Obtained as a black precipitate, by mixing equivalents of solutions of sulphate of aniline and bichromate of potash, and allowing to stand; the precipitate washed with water, and dried, digested in naphtha till this ceases to be colored brown, then repeatedly boiled in alcohol to extract the coloring matter; the latter left upon distilling off the alcohol: thus prepared it is not pure. When purified, and dried, it is obtained as a brittle substance, having a beautiful bronze-colored surface. As one test, a little of the alcoholic solution being evaporated on a glass plate, and viewed by transmitted light, appears of a beautiful bluish-violet color. Many characteristic reactions are given; but of these, or those of the dyes yet to be named, space does not here allow. The color imparted by this dye is a bluish or deep violet. The name *mauve* (French, for mallow,) was given from a resemblance (supposed, at least) of the color to that of the petals of the plant in question. It is stated that much of the *mauve* now seen is an imitation, with a dye obtained by a new process from *archil*. While there are two unlike colors which pass among dealers and dyers as *solferino*, one of them is a purple or violet, of different shades, and is stated to the writer to be identical with Perkin's purple.

2. *Violine*.—A product of the oxidation of aniline, first obtained by Dr. David Price, by means of the action of bin oxide of lead on a solution of two equivalents of sulphuric acid and one of aniline in water. Dried from alcoholic solution at the close of the process (not here given in full), it resembles the aniline purple dye, but has a more coppery appearance. Very soluble in alcohol, insoluble in ether.

3. *Roseine*.—First noticed by Mr. C. G. Williams, afterwards by Dr. Price. The latter obtained it by acting on a boiling solution of sulphate of aniline with bin oxide of lead, filtering, &c. Dried, a dark, brittle substance, of slightly metallic lustre; dissolved in alcohol, gives a fine crimson. The three coloring matters thus far named are closely allied.

4. *Aniline crimson* (*aniline red*, *aniline pink*, *rosaniline*, *magenta*, *fuchsine*, *roseine*, &c.).—The history of its discovery, as well as an account of its composition, has been given, and the sorts of reagents that produce it from aniline have been named. Béchamp considers the formula of anhydrous fuchsine as $C_{12}H_{10}N_2$, this, when the base is free, being associated with H_2O , giving $C_{12}H_{12}N_2O$. Perkin, and after him Dussauce, give quite fully the modes of preparing the dye with bichloride of tin, and with nitrate of mercury. As met with in commerce, the coloring matter, when not pulverized, is in small irregular masses or lumps, having a golden-green semi-metallic lustre, but which, in thin plates and by transmitted light, are red. A light and slightly bluish magenta is the other color to which the name of *solferino* is sometimes given. This, however, is not a proper violet or purple, but a distinct and bright crimson.

5. *Chrysaniline* (*phosphine*).—As already stated, a residual product, formed at the same time with rosaniline, and removed from the residue left in preparing that dye, by passing through it a current of steam. It dyes a golden yellow, as its two names—from *χρυσος*, *gold*, and *phosphorus*—respectively indicate.

6. *Aniline blue* (*bleu de Paris*, *bleu de Lyon*, *opal*

blue).—A dye produced under circumstances somewhat similar to those giving the crimson: as described by MM. Persoz, De Luynes, and Salvétat, it is formed by heating in sealed tubes, for 30 hours, 9 parts bichloride of tin with 16 parts aniline, to about 356° F. It crystallizes from its alcoholic solution in fine needles somewhat resembling the ammoniacal sulphate of copper. It is soluble in water, wood-spirit, and acetic acid. This blue is very beautiful, and several fine and durable tints of it appear now to be produced at Lyons, if not elsewhere.

7. *Aniline green (emeraldine)*.—A substance long known in the laboratory, as forming on the outside of vessels in the vicinity of aniline. It may be obtained by oxidizing aniline with chloric acid, or a salt of that body with perchloride of iron. Dried, it has an olive-green color. It is soluble, and somewhat changed, in sulphuric acid; insoluble in water, alcohol, ether, and benzole. It appears to be now successfully used as a dye.

Among dyes directly obtained from aniline, there is said also to be a *black*, and the writer has seen *browns* and *scarlets* said to be derived from the same material; but of these no account has been met with.

8. *Nitroso-phenylene* (comp., $C_6H_5N_2O$).—Obtained by action of nascent hydrogen on an alcoholic solution of di-nitro-benzole. It gives crimson-colored solutions, but not so brilliant as those of rosaniline.

9. *Di-nitraniline* ($C_6H_5N_3O_2$).—Obtained from di-nitro-phenyle citra-conamide, by carbonate of soda. Pure, it is found in yellow tabular crystals. It can be made to dye silk yellow.

10. *Nitro-phenylene diamine*.—Obtained from the last named, by sulphide of ammonium, in form of red, acicular crystals, which give an orange solution with water. It is capable of dyeing silk of a clear golden color.

11. *Pieric*, or *Di-nitro-phenic acid* ($C_{12}H_5N_3O_{14}$).—A long-known product, obtainable by action of heated nitric acid on aniline, indigo, carbolic acid, salicine, silk, aloes, and a number of other substances; and which was first introduced as a dye about 1855, by MM. Guinon, Marnas, and Bonney, silk dyers of Lyons. It is prepared on the large scale from carbolic acid, and also from certain gum-resins. Pure and dry, it is of a light primrose-yellow color, crystallizing in shining laminae. Its taste is extremely bitter. It dissolves in water. Cheap and inferior imitations of it are in the market.

12. *Rosolic acid* ($C_{23}H_{22}O_4$).—Obtained by Dr. H. Muller from crude phenate of lime. Pure, it is a dark, amorphous mass, showing the greenish metallic lustre of cantharides; and in thin layers, by transmitted light, of a golden metallic color. It is said to be disused since the discovery of rosaniline.

13. *Cyanine (chinoline blue)*.—Obtained from chinoline, a constituent of the mixed product known as quinoline or leucoline (from coal-tar). A very delicate, pure blue, but extremely fugitive, and not yet successfully employed. A *chinoline violet*, and *green*, are similarly liable to objection.

14. *Azuline*.—This is a very beautiful blue dye, introduced during the year 1861 by Guinon, Marnas, and Bonney. It is obtained from coal-tar, but from which of its derivatives, or what the process, is as yet kept secret. The dye is in amorphous masses, of a coppery lustre. The color it gives, though not as fine as that of chinoline blue, is far superior to the Prussian blue.

Naphthaline yields many colored derivatives, but none which (at least up to 1861) have been turned to account by the dyer. Among these are:

15. *Chloroxynaphthalic*, and *Perchloroxynaphthalic acids*.—The salts of the former have beautiful yellow, orange, and crimson colors; those of the latter with potash and ammonia, a very fine red or crimson.

16. *Carminaphtha*.—A fine red, obtained by Laurent.

17. *Ninaphthalamine*.—Obtained from di-nitro-naphthaline, as a bright red crystalline mass, which

is capable of dyeing silk of a color like that of annoto.

18. *Nitroso-naphthaline*.—A product of the action of nitrous acid on naphthalamine. With much hydrochloric or sulphuric acid, it dyes silk a beautiful violet, but which fades at once unless so much of the acid be left as to rot the silk.

19. *Naphthamein*.—This dyes silk or cotton of a purple color, but very inferior.

20. *Tar Red*.—Discovered by Mr. Clift, of Manchester, 1853. It is obtained by exposing for about three weeks to the air a mixture of the more volatile parts of basic oils of coal-tar and hypochlorite of lime. With different mordants it yields different colors.

The irregularity which as yet prevails in the naming and classification of the coal-tar colors, is illustrated in the sets of samples of colors produced that are furnished to dealers. The manufacturing firm in Lyons, known as *La Fuchsine Société*, and advertising a capital of \$4,000,000, furnishes to importers in New York samples bearing the following names: *fuchsine*, *bleu de lumière* (very light), *bleu de Lyon* (in three shades, darker and darker, marked T, R, and E—light, reddish, and deep), *violet Hofmann* (two shades, R and B—reddish and bluish), *violet* (R and B), and *dahlia imperial*, a fine reddish violet. Other sets of specimens vary again more or less from these. Simpson, Maule and Nicholson furnish, to illustrate Dr. Phipson's paper on the subject, *opal blue*, *chrysaniline*, *rosaniline*, *Hofmann's patent violet*, *regina purple*, and *imperial violet*. ("Popular Science Review," July, 1863.) Hofmann's violet is a very brilliant and fine reddish violet, though the shades produced by different makers differ somewhat; and the dye is now one of the most expensive. It is said to be also called *primula*, *Alexandria violet*, and *imperial purple*. The so-called (imported) *Humboldt purple*, if not identical with this, is at least quite similar to it.

Aniline colors are now manufactured in this country, from imported aniline, by the "Holiday Chemical and Color Co.," of Brooklyn (Eastern District), N. Y. Of the magenta or *crimson dye* they produce three hues, which they term the *Empire red* (the dye soluble in cold water), the *Keystone* (bluish), and the *Bay State* (reddish); of the *violet*, three hues, the *Manhattan* (reddish), the *Knickerbocker* (bluish), and the *Humboldt* (bluish, more deep); and of the *blue*, two hues, the *Union* (reddish, or deep), and the *Washington*, (greenish, or "night" shade). Most of these the company's agents hold at this time at \$9, in gold. It would appear, also, that some of the aniline and other coal-tar colors have been already produced in this country from products separated from petroleum—especially from the naphtha and the residuum. It is stated that the "Humboldt Petroleum Co.," of New York, have works for this manufacture now in process of erection, at Plummer, on Cherry Run, Venango Co., Pa. It has been stated to the writer that the company have already produced from petroleum several superior dyes, and—a very important point, if con-

firmed by further experience—that they are aniline dyes. Evidently, if petroleum contains benzole, identical with coal-tar benzole, or any thing that for the color manufacture is equivalent to this, or if it can largely yield aniline, the fact will be one of great importance to the future of American commerce and manufactures.

The colors obtained from aniline and other coal-tar dyes are almost invariably distinguished by a superior brilliancy, which is readily made evident upon bringing into close proximity with them similar hues furnished by other coloring matters. The new dyes were, moreover, in the outset, of extremely high price; and though recently they have greatly declined, they are still comparatively dear. For both these reasons, the fabrics dyed with these colors have been, and still are, held at a higher value on such account. Perkin's purple dye was for a long time held at its weight in gold. In the London Exhibition of 1862, Mr. Nicholson exhibited a crown constructed of crystals of acetate of rosaniline, and which was valued at £100 sterling. The writer is informed that at the present time the imported dyes can be bought in New York at prices of from \$5 to \$9 the pound, in gold. These coloring matters were, nevertheless, even when held at a much higher price, available to the dyer, and chiefly for three reasons: 1, their very high coloring power, so that a little of the dye goes a great way; 2, the fact that the process of dyeing with them is usually extremely simple; 3, the higher price the dyed fabrics would command. The power, for example, of the *mauve* and *magenta* is shown by the fact that $\frac{1}{10}$ th of a grain of either will color substantially a gallon of alcohol. And such has been the demand for the dyes, that, in England at least, the production of Hofmann's patent violet, obtained by action of the iodides of ethyle, &c., on rosaniline, speedily occasioned a considerable rise in the price of iodine.

Whatever may in the outset have been said to the contrary, it is now well ascertained that the coal-tar colors do not withstand the action of light; but that, as a rule, they lose their brilliancy and fade even more readily than other similar colors. In this respect, however, it is already demonstrated that much depends on the mode of preparing and applying the dyes; and some of these, in any case, produce much more durable colors than others. M. Chevreul and Mr. Perkin agree in pronouncing the hues of magenta usually very fugitive, and most so upon cotton. Aniline purple is said to resist light among the best; and azuline, *bleu de Paris*, and the yellow from picric acid, are also very stable.

When Mr. Perkin wrote, in 1861, only four of all the dyes above enumerated were as yet employed by the dyer and printer; namely, aniline purple, aniline crimson, picric acid, and azuline. It is evident that by the present time the number has become greatly increased. A remarkable quality in all the coal-tar dyes is

their strong affinity for all manner of animal fibres (illustrated even in the tenacity of the stain they leave on the fingers), and their indifference to vegetable fibrous materials. Thus, they take effect most perfectly on silk and on wool, and in these they exhibit their richest hues. With these fabrics, as a rule, no mordants are required, and very little, indeed, beyond thoroughly cleansing the silk or wool, plunging it into a proper solution of the dye, and then taking it out and washing: the dye is so strongly attracted to the fibres, that it may be said to become fixed in an instant; while some of the dyes, as aniline purple and violine, are thus so completely withdrawn from the liquid holding them in solution, that the latter is speedily left colorless. In fact, with silk and wool one great difficulty the dyer has to contend with is the tendency of the fibres thus to become dyed unevenly.

The dyeing of *silk* with aniline purple, violine, and roseine, is essentially effected by adding an alcoholic solution of the dyes, diluted with hot water acidulated with tartaric acid, to a dye-bath of acidulated cold water, and working the silk in this until of the required shade; with fuchsine, picric acid, chinoline blue, and violet, still more simply, by working the silk in cold aqueous solutions of the dyes, with the first two especially avoiding acids; with azuline, in the color-solution acidulated with sulphuric acid, first at a low, and then at a high temperature, and afterwards carefully rinsing in water, working in soap lather, &c. The dyeing of *wool* with any of these colors requires simply a dye-bath consisting of a dilute aqueous color-solution, at a temperature of about 40° F. In case, however, of linen, cotton, paper or other substances of a vegetable nature, the dye may require to be prepared with some material that shall play the part of a mordant, as in Puller's and Perkin's process with tannin and stannate of soda, or else the fabric may first be coated, or the dye itself mixed, with some albuminous or animal matter, in order to secure action of the dye on the fibre. It is stated, however, that fuchsine, violine, roseine, and the chinoline colors will act directly on vegetable fibres, while picric and rosolic acids are not applicable to the dyeing of cotton. The tannin process, just named, and also another in which a basic carbonate or oxide of lead is first formed on the parts to be colored, and the fabric then worked in the coloring solution, the color to be removed by soap from the portions not mordanted, are among the methods resorted to for printing calicoes with coal-tar colors.

When the dyeing of fabrics with the coal-tar colors began to be practised, fears were entertained that the health of the workmen would suffer. Mr. Perkin states that during the few years of his experience in the business, no sickness had occurred among the workmen that could be traced to the use of his own—the aniline purple dye. In respect to working in aniline, the case would appear to be different. Dr.

Kreuser, of Stuttgart, has lately stated that the workmen in the aniline factories are subject to intense bronchitis, with violent, dry, and spasmodic cough, and accompanied with the appearance of ulcers covered with blackish crusts, especially on the lower extremities. The cases were easily cured upon removal of the patients from the aniline vapors; and by proper attention to clothing, cleanliness, and the ventilation of the factories, the difficulties mentioned could usually be prevented.

The reader may further consult a "*Treatise on the Coloring Matters derived from Coal-tar*," &c., by Prof. H. Dussauce, Phila., 1863,—a source from which some of the statements given in this article are drawn.

APPLETON, JOHN, an American statesman and diplomatist, born in Beverly, Mass., Feb. 11, 1815; died at Portland, Maine, Aug. 22, 1864; graduated from Bowdoin College, Brunswick, Me., in 1834; commenced the study of law, and was admitted to the bar of Maine, in 1837. In 1838 he became editor of the "Eastern Argus" in Portland, and continued in that position for several years. He also acted for some time as Register of Probate for the County of Cumberland during a part of this time. In 1845 he became Chief Clerk in the Navy Department, and subsequently, Chief Clerk of the State Department. In 1848 he was appointed *Chargé d'Affaires* of the United States to Bolivia. Soon after the inauguration of Gen. Taylor in 1849 he was superseded in this office and returned to Portland, and entered upon the practice of law in partnership with the Hon. Nathan Clifford, now one of the Justices of the U. S. Supreme Court. He was elected to the 32d Congress from the Portland district, and in 1855 was Secretary of Legation to Mr. Buchanan at the Court of St. James. During Mr. Buchanan's presidency he was assistant Secretary of State. His health failing, he resigned his position and returned to Portland, where he had suffered from a lingering and distressing illness up to the day of his death.

ARKANSAS. The organized rebel force in Arkansas and its vicinity, at the commencement of 1864, was large. It was at several points as follows:—Princeton, 800; Tulip, 400; Rockport, 4,000; Washington and vicinity, 3,000; Camden, 1,200; its vicinity, 4,000; near Lake Providence, in Louisiana, 300; on the Red River, 8,000—total, 21,700. On the retreat of Gen. Banks from the Red River country, this force concentrated against Gen. Steele, and put him on the defensive at Little Rock. The positions within the State held by Federal troops were gradually surrendered, until only Little Rock, Pine and Duvall's Bluffs, Fort Smith and Van Buren, were retained. Before the close of the year, Van Buren, and one or two others, were evacuated. The limited Federal force in the State compared with the strength of the enemy, offered an opportunity for the invasion of Missouri by Gen. Price.

With the exception of the military posts, the State became as completely under rebel control as when occupied by a Confederate army. It was unsafe to go outside of any posts, and even at Little Rock, in the presence of a large army, guerrillas lurked in undesirable proximity. The communications between the posts were dangerous and liable to interruption. Heavy details were required for escort duty, and men and horses were worn out in the unprofitable service. As the military occupation was not sufficiently strong to afford security to the inhabitants, the Unionists became scarce, and gradually lost their energy and hope.

At the beginning of the year a Union State Government was organized. The movement was based on the amnesty proclamation of President Lincoln, issued December 8th, 1863. Under this authority a Convention to revise the State Constitution assembled on January 8th. Representatives were reported to be present from forty-two out of fifty-four counties. In fifteen counties they had been elected at the ordinary precincts, without the presence of a soldier. The election was called by mass meetings. The Constitution amended by the Convention, forever prohibited the existence of slavery in the State. Isaac Murphey was appointed Provisional Governor; C. C. Bliss, Lieut.-Governor; and R. J. T. White, Secretary of State. These officers were inaugurated on January 22d. The Convention ordered the Constitution to be submitted to a vote of the people on March 14th, and State officers to be chosen at the same time.

These proceedings were somewhat in conflict with the order prescribed by President Lincoln. This was settled by the following letter and address:

WASHINGTON, February 18, 1864.

To William Fishback:

When I fixed a plan* for an election in Arkansas I did it in ignorance that your Convention was at the same work. Since I learned the latter fact I have been constantly trying to yield my plan to theirs. I have sent two letters to Gen. Steele and three or four despatches to you and others, saying that he (Gen. Steele) must be master, but that it will probably be best for him to keep the Convention on its own plan. Some single mind must be master, else there will be no agreement on any thing; and Gen. Steele, commanding the military and being on the ground, is the best man to be that master. Even now citizens are telegraphing me to postpone the election to a later day than either affixed by the Convention or me. This discord must be silenced.

A. LINCOLN.

HEADQUARTERS LITTLE ROCK, February 29, 1864.

To the People of Arkansas:

It affords the General Commanding the highest gratification to be able to say that by the conduct of the army under his command, in connection with the wise administration of the Government by its officers at Washington, peace has been so far restored in your midst as to enable you to institute proceedings for the restoration of the civil government, by which order may be firmly established, and the rights of persons and property secured against violence and the danger of anarchy. The Convention of your citizens, held at Little Rock during the last

* Annual Cyclopædia, 1863, p. 16.

month, has adopted a constitution and submitted it to you for your approval or rejection. That constitution is based upon the principles of freedom, and it is for you now to say, by your voluntary and unbiased action, whether it shall be your fundamental law. While it may have defects in the main, it is in accordance with the views of that portion of the people who have been resisting the fratricidal attempts which have been made during the last three years. The Convention has fixed the 14th day of March next on which to decide this great question, and the General Commanding is only following the instructions of the Government when he says to you that every facility will be offered for the expression of your sentiments, uninfluenced by any considerations save those which affect your own interests and those of your posterity. If you will institute a government of your own, he feels great confidence in assuring you that quiet and security will soon be restored to your entire State. Those who have been unwisely led, by the counsel of bad men, to engage in this unjustifiable and wicked rebellion, will speedily return and acknowledge the rightful sovereignty of the State, as well as the supremacy of the National Government over the whole domain, and peace will prevail throughout the land. The election will be held and the return be made in accordance with the schedule adopted by the Convention, and no interference from any quarter will be allowed to prevent the free expression of the loyal men of the State on that day. The schedule will be hereto appended to render the election valid. There must be cast five thousand four hundred and six votes.

FRED. STEELE,
Major-General Commanding.

The popular vote on the Constitution as returned, was 12,177 in its favor, and 226 against it. There was also chosen at said election a Governor, Lieutenant-Governor, Secretary of State, Auditor, State Treasurer, Attorney-General, three Supreme Court Judges, three members of Congress, six out of nine Circuit Judges, seven of nine Prosecuting Attorneys, twenty-three out of twenty-five State Senators, fifty-nine out of seventy-five members of the Assembly. The counties also elected Sheriffs, County and Circuit Clerks, County and Probate Judges, Treasurers, Coroners, School Commissioners, Surgeons, Justices, and Constables. The Legislature assembled on April 25th, and elected William Fishback and Elisha Baxter Senators to Congress in Washington. The question relative to their admission to seats was discussed, but not decided by the Senate.

On September 22d, the rebel Legislature of the State assembled. Thirteen members were present in the Senate, and forty in the House. A message was delivered by the rebel Governor Hannigan, and A. P. Garland was elected to the Congress at Richmond—Albert Pike being the opposing candidate.

ARMY, CONFEDERATE. The acts of the Congress at Richmond, by which their armies were formed, were revised at the beginning of 1864. On December 28, 1863, it was enacted that no person liable to military service should be permitted, or allowed to furnish a substitute for such service; on January 5, 1864, it was enacted that no person liable to military service should be exempted by reason of his having furnished a substitute. In February, a

general military act was passed, which provided as follows:

1. That all white men, residents of the Confederate States, between the ages of seventeen and fifty, shall be in the military service of the Confederate States during the war.

2. That all between the ages of eighteen and forty-five now in service shall be retained during the present war in the same organizations in which they were serving at the passage of this act, unless they are regularly discharged or transferred.

4. That no person shall be relieved from the operation of this act by reason of having been discharged, where no disability now exists, nor by reason of having furnished a substitute; but no person who has heretofore been exempted on account of religious opinions, and paid the required tax, shall be required to render military service.

5. That all between seventeen and eighteen years and forty-five and fifty years of age shall form a reserve corps, not to serve out of the State in which they reside.

7. That any person of the last named failing to attend at the place of rendezvous within thirty days, as required by the President, without a sufficient reason, shall be made to serve in the field during the war.

8. That all the duties of provost and hospital guards and clerks, and of clerks, guards, agents, employes, or laborers, in the Commissary and Quartermaster Department, in the Ordnance Bureau and Navy Department, and all similar duties, shall be performed by persons who are declared, by a board of surgeons, as unable to perform military service in the field. The President may detail such bodies of troops or individuals required to be enrolled under the fifth section of this act (between the ages of forty-five and fifty) as may be needed for the discharge of such duties. Persons between seventeen and eighteen years of age shall not be assigned to such duties. The President is empowered to detail artisans, mechanics, or persons of scientific skill, to perform indispensable duties in the departments or bureaus herein mentioned.

9. That any Quartermaster, or Assistant Quartermaster, Commissary, or Assistant Commissary (other than those serving with organizations in the field), or other officer in the Ordnance Bureau, or Navy Agent, or Provost-Marshal, or officer in the conscript service, who shall hereafter retain or employ any person subject to military duty, as herein provided, shall be cashiered.

10. Repeals all existing exemption laws, and exempts the following:

1. All who shall be held unfit for military service, under rules to be prescribed by the Secretary of War.

2. The Vice-President of the Confederate States, the members and officers of Congress, of the several State Legislatures, and such other Confederate and State officers as the President or the Governors of the respective States may certify to be necessary for the proper administration of the Confederate or State Governments, as the case may be.

3. Every minister of religion authorized to preach according to the rules of his church, and who, at the passage of this act, shall be regularly employed in the discharge of his ministerial duties; superintendents and physicians of asylums of the deaf, dumb, blind, and insane; one editor for each newspaper being published at the time of the passage of this act, and such employes as said editor may certify on oath to be indispensable to the publication of such newspaper; the public printer of the Confederate and State Governments, and such journeymen printers as the said public printer shall certify on oath to be indispensable to perform the public printing; one skilled apothecary in each apothecary store who was doing business as such apothecary on the 10th day of October, 1862, and has continued said business without intermission since that period; all physicians over

the age of thirty years who are now and have been for the last seven years in the practice of their profession, but the term physician shall not include dentists. [The old law exists covering professors and teachers.]

All superintendents of public hospitals established by law before the passage of this act, and such employes as the said superintendent shall certify on oath to be essential to the management thereof.

4. There shall be exempt one person as owner or agriculturalist on each farm or plantation upon which there are now and were, on the first day of January last, fifteen able-bodied field hands between the ages of sixteen and fifty, upon the following conditions: 1st. This exemption shall only be granted in cases in which there is no white male adult on the farm or plantation not liable to military duty, nor unless the person claiming the exemption was, on the 1st day of January, 1864, either the owner and manager or overseer of said plantation; but in no case shall more than one person be exempted for one farm or plantation. 2d. Such person shall first execute a bond, payable to the Confederate States of America, in such form and with such security and in such penalty as the Secretary of War may prescribe, conditioned that he will deliver to the Government, at some railroad depot, or such other place or places as may be designated by the Secretary of War, within twelve months next ensuing, one hundred pounds of bacon, or, at the election of the Government, its equivalent in pork, and one hundred pounds of net beef (said beef to be delivered on foot), for each able-bodied slave on said farm or plantation within the above said ages, whether said slaves are in the field or not, which said bacon, or pork and beef, shall be paid for by the Government at the price fixed by the Commissioners of the State under the impressment act: *Provided*, That when the person thus exempted shall produce satisfactory evidence that it has been impossible for him, by the exercise of proper diligence, to furnish the amount of meat thus contracted for and leave an adequate supply for the subsistence of those living on said farm, the Secretary of War shall direct a commutation of the same to the extent of two-thirds thereof in grain or other provisions to be delivered by such persons as aforesaid at equivalent rates.

Such person shall furthermore bind himself to sell the marketable surplus of provisions and grain now on hand, and which he may raise from year to year, while the exemption continues, to the Government or to the families of soldiers, at prices fixed by the Commissaries of the State, under the impressment act: *Provided*, That any person exempted as aforesaid shall be entitled to a credit of twenty-five per cent. on any amount of meat which he may deliver within three months from the passage of this act: *Provided, further*, That persons coming within the provisions of this exemption shall not be deprived of the benefit thereof by reason of having been enrolled since the first day of February, 1864.

In addition to the foregoing exemptions, the Secretary of War may, under the direction of the President, exempt or detail such other persons as he may be satisfied ought to be exempted on account of public necessity, and to insure the production of grain and other provisions for the army and for the families of soldiers. He may also grant exemptions or details, on such terms as he may prescribe, to such overseers, farmers, or planters, as he may be satisfied will be more useful to the country in pursuits of agriculture than in the military service: *Provided*, That such exemption shall cease whenever the farmer, planter, or overseer shall fail diligently to employ, in good faith, his own skill, capital, and labor exclusively in the production of grain and other provisions, to be sold to the Government and the families of soldiers at such prices not exceeding those fixed at the time for the articles by the Commissaries of the State under the Impressment Act.

The old law is reenacted relating to railroads.

6. Nothing herein contained shall be construed as

repealing the act approved April 14, 1863, exempting contractors for carrying the mails of the Confederate States, and the drivers of post coaches and hacks, from military service: *Provided*, That all the exemptions granted under this act, shall only continue while the persons so exempted are actually engaged in their respective pursuits or occupations.

10. That the President be, and he is hereby, authorized to grant details, under general rules and regulations to be issued from the War Department, either of persons between forty-five and fifty years of age, or from the army in the field, in all cases where, in his judgment, justice, equity, and necessity require such details, and he may revoke such orders of details whenever he thinks proper: *Provided*, That the power herein granted to the President to make details and exemptions shall not be construed to authorize the exemption or detail of any contractor for furnishing supplies of any kind to the Government by reason of said contract, unless the head or Secretary of the department making such contract shall certify that the personal services of such contractor are indispensable to the execution of the contract: *Provided, further*, That whenever such contractor shall fail diligently and faithfully to proceed with the execution of such contract, his exemption or detail shall cease.

12. That in appointing local boards of surgeons for the examination of persons liable to military service, no member composing the same shall be appointed from the county or enrolling district in which they are required to make such examination.

Under the provisions of this bill, almost the whole male population can be employed either in the army, or in raising supplies. On the 5th of October, an order was issued revoking all details, furloughs, and temporary exemptions of men, between the ages of eighteen and forty-five. At the session in December, 1864, a new bill was introduced which omitted the exemption of fifteen field hands.

These acts have never been executed strictly. In November the States of North Carolina and Georgia had respectively fourteen thousand and fifteen thousand exempts acting as State officers. More than thirty thousand were estimated to be exempted as State officers by the Conscription Bureau, and a hundred thousand from physical disability. The number of physicians exempted was estimated between three and four thousand; and farmers, one hundred and fourteen thousand.

No facts can at present be obtained by which to determine the strength of the armies in the field, or the real military power of the Confederacy. The following estimate was published at Richmond, Dec., 1864:

Number between 17 and 50 in 1860.....	1,299,700
Arrived at 17 since 1860.....	331,650
Total.....	1,631,350
Deduct for ordinary mortality.....	200,000
For population within enemy's lines.....	340,515
For losses in battle, and by unusual diseases.....	225,000
	765,515
Remainder.....	865,835
Deduct 10 per cent. for exemptions for disability and other causes.....	86,584
Prisoners in the enemy's hands.....	50,000
	136,584
Subject to military duty.....	729,251
Left the country.....	36,462
Total.....	692,789

It was also stated at that time that if one-third of this number (230,932) were added to the army in the field, it would consist of 461,844 men. From this it might be inferred that the force then in the field was 230,912. This is about the number of veteran troops estimated to be in the service at the beginning of the year, to which 120,000 conscripts were added. The number of youths passing annually from sixteen to seventeen years of age, was estimated at 62,000.

The Secretary of War, in his report at the session of Congress in November, alludes to the enlistment of negroes as at that time unnecessary. He says:

While it is encouraging to know this resource for further and future efforts at our command, my own judgment does not yet either perceive the necessity or approve the policy of employing slaves in the higher duties of soldiers; they are confessedly inferior in all respects to our white citizens in the qualifications of the soldier, and I have thought we have within the military age as large a proportion of our whole population as will be required or can be advantageously employed in active military operations. If, then, the negro be employed in the war, the inferior is preferred to the superior agent for the work. In such a war as this, waged against foes bent with malignant persistence on our destruction, and for all that man holds priceless—the most vital work is that of the soldier, and for it wisdom and duty require the most fitting workmen. The superior instrumentalities should be preferred. It will not do, in my opinion, to risk our liberties and safety on the negro while the white man may be called to the sacred duty of defence. For the present it seems best to leave the subordinate labors of society to the negro, and to impose its highest, as now existing, on the superior class.

The ration of the soldier is per month 10 lbs. of bacon, 26 lbs. of coarse meal, 7 lbs. of flour, or some hard biscuit, 3 lbs. of rice, $1\frac{1}{2}$ of salt, half a bar of soap, and, in the season, potatoes and vegetables. Sometimes fresh meat is allowed. No sugar, no molasses, no coffee are given except to the sick. The Government is well supplied with coarse clothing for the soldiers.

A benevolent association, known as the Richmond Ambulance Corps, was early formed to look after the wounded in battle. Their agency was similar to the Sanitary Commission of the north. They have followed the Virginian army and been present in every battle. They have every appurtenance necessary in their humane vocation, such as hospital supplies, sugar, tea, coffee, etc., with utensils for preparing every thing on a large scale.

The stringency of the blockade has compelled the inhabitants to manufacture the materials for war. The Ordnance Department has organized twelve arsenals, eight armories, seven large harness shops, four powder mills, a laboratory for smelting lead, and many other small establishments. They have supplied the army with two hundred field batteries, upwards of five hundred thousand small arms, several hundred thousand sets of infantry accoutrements, and millions of cartridges. A shoe establish-

ment in Richmond, employed by the Government, make six hundred pairs daily. The material brought through the blockade in 1863, was estimated to be sufficient to put four hundred thousand men in the field.

So successful has been the manufacture of arms, that all the troops are provided with the best rifles, and the smooth bore has nearly disappeared. The field artillery of the armies comprises now more than a thousand pieces. The gun chiefly used is the 12-pounder Napoleon, to which has been added the 10-pounder Parrott. The number of cannon foundries built up since the commencement of the war, is six; two of which have capacity to cast guns of the largest dimensions. Five powder mills have been erected in different places, one of which alone is represented to be capable of producing all the powder required. Four hundred thousand percussion caps are now manufactured in a day, and there is sufficient machinery to produce a million. The manufacture of the materials of war seems now to have reached such perfection, that it is asserted to be sufficient to supply all wants, without asking any thing from other countries. Such important changes as were made of the commanders of the armies are stated elsewhere. (*See ARMY OPERATIONS.*)

ARMY OF THE UNITED STATES. During 1864 the number of men called for by the President to reënforce the army amounted in the aggregate to 1,500,000, although by an explanatory statement of the Provost Marshal General this number was in fact reduced to 1,200,000. Notwithstanding the impulse which the high bounties and premiums offered in 1863 gave to enlistments under the October call of that year for 300,000 men, the number of men realized seems to have been insufficient for the needs of the service, and on Feb. 1st, 1864, an order was issued by the President to draft 500,000 three years men on March 10th, less the number enlisted or drafted into the service prior to March 1st, and not previously credited. This practically amounted to a call for 200,000, as appears by the following circular:

WAR DEPARTMENT, PROVOST MARSHAL GENERAL'S }
OFFICE, Feb. 1, 1864. }

The President's order of this date, for a draft on tenth (10th) March, for five hundred thousand (500,000) men, after deducting all who may be raised prior to March first (1) and not heretofore credited, is equivalent to a call for two hundred thousand (200,000) men in addition to the three hundred thousand (300,000) called for October seventeenth (17th).

JAS. B. FRY, Prov. Mar. Gen.

By an order dated Jan. 14th, 1864, the Provost Marshal General also directed that the time for paying the bounty of \$300 and \$400, and the \$15 and \$25 premium, be extended to March 1st.

In anticipation of the momentous campaign which was impending, and the losses likely to be incurred by the troops in the field, the President on March 14th followed up his pre-

vious call by a supplementary one for 200,000 men, "to supply the force required to be drafted for the navy, and to provide an adequate reserve force for all contingencies." The order also provided as follows:

The 15th day of April, 1864, is designated as the time up to which the number required from each ward of a city, town, etc., may be raised by voluntary enlistments, and drafts will be made in the ward of a city, town, etc., which shall not have filled the quota assigned to it within the time designated, for the number required to fill said quota. The drafts will be commenced as soon after the 15th day of April as practicable. The Government bounties as now paid continue until April 1st, 1864, at which time the additional bounties cease. On and after that date one hundred dollars bounty only will be paid, as provided by act approved July 22d, 1863.

ABRAHAM LINCOLN.

The severe losses sustained by Gens. Grant and Sherman, the disasters connected with the Red River campaign, and other untoward circumstances, far more than neutralized the results obtained from the calls of February and March, and induced the President to make still another levy. Congress had meantime made important changes in the law of enrolment, as will be seen by the following proclamation:

Whereas, By the act approved July 4, 1864, entitled, "An act further to regulate and provide for the enrolling and calling out the national forces and for other purposes," it is provided that the President of the United States may, "at his discretion, at any time hereafter, call for any number of men, as volunteers, for the respective term of one, two, and three years, for military service," and "that in case the quota, or any part thereof, of any town, township, or ward of a city, precinct, or election district, or of a country not so subdivided, shall not be filled within the space of fifty days after such call, then the President shall instantly order a draft for one year to fill such quota, or any part thereof, which may be unfilled;"

And whereas the new enrolment heretofore ordered is so far completed as that the aforementioned act of Congress may now be put in operation, for recruiting and keeping up the strength of the armies in the field, for garrisons, and such military operations as may be required for the purpose of suppressing the rebellion and restoring the authority of the United States Government in the insurgent States;

Now, therefore, I, Abraham Lincoln, President of the United States, do issue this my call for five hundred thousand volunteers for the military service; provided, nevertheless, that this call shall be reduced by all credits which may be established under section eight of the aforesaid act, on account of persons who have entered the naval service during the present rebellion, and by credits for men furnished to the military service in excess of calls heretofore made.

Volunteers will be accepted under this call for one, two, or three years, as they may elect, and will be entitled to the bounty provided by the law for the period of service for which they enlist.

And I hereby proclaim, order, and direct that immediately after the fifth day of September, 1864, being fifty days from the date of this call, a draft for troops to serve for one year shall be had in every town, township, ward of a city, precinct, or election district, or county not so subdivided, to fill the quota which shall be assigned to it under this call, or any part thereof which may be unfilled by volunteers on the said fifth day of September, 1864.

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In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[L. s.] Done at the City of Washington this eighteenth day of July, in the year our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-ninth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, Secretary of State.

The allowance of credits having diminished the number of men to be obtained under this call to somewhat above 200,000 (although, according to the President's statement, 250,000 men were actually put into the army and navy under the call), a further call for 300,000 volunteers to serve for one, two, or three years, was issued on Dec. 20th. Quotas of States, districts, and sub-districts were directed to be assigned by the Provost Marshal General, and in case these should not be filled by Feb. 15th, 1865, a draft to supply the deficiency was ordered to commence forthwith.

The number of men called for during the year may be thus recapitulated:

Call of Feb. 1st.	500,000
Call of March 14th.	200,000
Call of July 18th.	500,000
Call of Dec. 20th.	300,000
	<hr/>
	1,500,000

Deducting from this aggregate 300,000 men under the February call, who were really included in the October call of 1863, and 300,000 cancelled by credits on the July call, which made it equivalent to a call for 200,000, we have 900,000 as the number required to recruit the army and navy in 1864. If we also consider the December call as practically intended for 1865, the number is still further reduced to 600,000.

In the third volume of this work the number of men in the military service at the close of 1863 was estimated at somewhat less than 600,000. The degree to which the army was depleted during 1864 by the casualties of the field, discharges for physical incapacity, desertion, and the expiration of terms of service, cannot be estimated with any approach to exactness; and in like manner it is impossible, in the absence of official statements, to ascertain how largely it was recruited. For reasons of public policy the Government has long ceased to afford information on the subject, and has even on several occasions arrested and punished persons, whether connected with the army or in civil life, who have stated, from official sources, facts tending to show the strength of the national forces. Had 600,000 men been actually raised in 1864 and added to the army, its total strength, even after deducting a liberal percentage for losses of all kinds, would have approximated probably to 1,000,000. The latter estimate, however, is notoriously very far from the truth, notwithstanding the statement of Senator Wilson, Chairman of the Military Committee of the Senate, that between October, 1863, and June, 1864, 600,000 white

troops had been raised; or that of Mr. Whiting, Solicitor of the War Department, in a speech delivered in Boston in November, that the colored troops alone then numbered 155,000 men. The fact that four calls for troops were made in the course of the year indicates either that the casualties of the service were greater than in any previous year of the war, or that the men called for were not in reality obtained, whatever the returns might show. The latter is in all probability the true cause of the frequency of the calls; and from their apparent inefficacy to recruit the army to an extent commensurate with the magnitude of its operations, it may be presumed that the military strength on January 1st, 1865, was not greater, if so great, as a year previous. The neglect of duty in the examining surgeons in passing men physically incapacitated for service, the frauds of bounty and substitute brokers, and the wholesale desertions of "bounty jumpers" (as those recruits or substitutes are called who systematically desert after receiving their bounties, and often with the connivance of Government employés), have reduced the number of enlistments to a comparatively small percentage; and hence the repeated calls of the President for additional men, instead of enormously increasing the strength of the army, barely enable it to maintain its standard. On one point only an explicit official statement of the results of recruiting has been made public. The Provost Marshal General, in reference to the reenlistment of veteran volunteers during the fall of 1863 (see vol. iii., pp. 22, 23) says: "Over one hundred and thirty-six thousand tried soldiers, who would otherwise, ere this, have been discharged, were secured for three years longer. Organizations which would have been lost to the service were preserved and recruited, and capable and experienced officers were retained in command. The force thus organized and retained has performed an essential part in the great campaign of 1864, and its importance to the country cannot be over-estimated."

A temporary addition was made to the army in the spring and summer of 1864 of a class of troops known as "Hundred-day men," numbering about 100,000, and voluntarily furnished by the governors of Ohio, Indiana, Illinois, Iowa, and Wisconsin. They were organized as regiments, and to serve one hundred days from the date of their muster into the service, unless sooner discharged. It was further stipulated that they should receive no bounty, nor be credited on any draft. Their services having been accepted, Congress appropriated \$25,000,000 for equipping them, and during May and June the hundred days' men went forward in large numbers to perform garrison duty and otherwise relieve old and disciplined troops who were sent to the front.

Immediately after the call of July 18th for 500,000 men, the Provost Marshal General

issued a series of instructions for the guidance of enlisting officers. The bounties provided by law were announced to be, for recruits—including representative recruits—(white or colored) for one year, \$100; for two years, \$200; for three years, \$300. A first installment of bounty, amounting to one-third of the whole sum, was to be paid to the recruit when mustered in. The premiums previously paid for procuring recruits were discontinued, and neither drafted men nor substitutes, furnished either before or after the draft, were to be entitled to bounty from the United States. The "representative recruits," alluded to above, were those offered by persons not fit for military duty, and not liable to draft, from age or other causes, who desired to be personally represented in the army. The Provost Marshal General issued a circular to further this laudable project, and ordered the names of persons thus represented by recruits to be officially recorded. Many others, also, in anticipation of the draft, furnished substitutes for one, two, or three years, for whom they received no bounty from the General Government, although generally assisted by the town, county, or State in which they resided. The amount of these local bounties differed in different parts of the country. In the agricultural districts, where every able-bodied man could find abundant occupation during the harvesting season, it was no uncommon thing to offer from \$1,200 to \$1,500 for a three years' recruit; and even among the large floating population of unnaturalized foreigners in the seaboard cities, from which substitutes were mainly drawn, the prices demanded were unprecedented in the history of the war.

The act of Congress of July 4th, 1864, having provided that the State Executive might "send recruiting agents into any of the States declared to be in rebellion, except the States of Arkansas, Tennessee, and Louisiana, to recruit volunteers, who should be duly credited to the States procuring them," a series of instructions on the subject were, on July 9th, promulgated by the War Department. The recruiting agents were to report through the commanding officers of certain designated rendezvous for the reception of this class of recruits, to the commander of the military district, department, or army in which such rendezvous might be situated, and were to be subject to all the rules and articles of war. Commanding officers were further directed to afford agents all reasonable facilities for the performance of their duties, to dismiss or arrest those guilty of improper conduct, and to prevent recruiting by unauthorized parties. Many of the States hastened to avail themselves of the opportunity thus offered to fill their quotas without drawing upon their population. Gov. Andrew, of Massachusetts, was one of the first to appoint recruiting agents, and the Executives of Ohio, Connecticut, Michigan, Maine, and other States, soon followed his example. Gov. Sey-

mour, of New York, was among those who declined to act in the matter. In the opinion of many military men the new plan of recruitment within the lines of military operations, was objectionable; and commanding generals held it in particular disfavor on account of the opportunities it would afford for reckless and injurious competition among State agents, and for the infraction of sound military rules. The following letter from Gen. Sherman to one of the Massachusetts agents, doubtless expresses the views of a large class of officers:

HEADQ'RS MILITARY DIVISION OF THE MISSISSIPPI,
IN THE FIELD, NEAR ATLANTA, GEORGIA. }

July 30th, 1864.

John A. Spooner, Esq., Agent for the Commonwealth of Massachusetts, Nashville, Tenn.

SIR: Yours from Chattanooga, July 28, is received, notifying me of your appointment by your State as Lieutenant-Colonel and Provost Marshal of Georgia, Alabama, and Mississippi, under the act of Congress approved July 4, 1864, to recruit volunteers to be credited to the States respectively.

On applying to Gen. Webster at Nashville, he will grant you a pass through our lines to those States, and, as I have had considerable experience in those States, would suggest recruiting depots to be established at Macon and Columbus, Miss., Selma, Montgomery, and Mobile, Alabama, and Columbus, Milledgeville, and Savannah, Georgia.

I do not see that the law restricts you to black recruits, but you are at liberty to collect white recruits also. It is waste of time and money to open rendezvous in Northwest Georgia, for I assure you I have not seen an able-bodied man, black or white, there, fit for a soldier, who was not in this army or the one opposed to it. You speak of the impression going abroad that I am opposed to the organization of colored regiments. My opinions are usually very positive, and there is no reason why you should not know them. Though entertaining profound reverence for our Congress, I do doubt their wisdom in the passage of this law:

1st. Because civilian agents about an army are a nuisance.

2d. The duty of citizens to fight for their country is too sacred a one to be peddled off by buying up the refuse of other States.

3d. It is unjust to the brave soldiers and volunteers who are fighting as those who compose this army do, to place them on a par with the class of recruits you are after.

4th. The negro is in a transition state, and is not the equal of the white man.

5th. He is liberated from his bondage by act of war; and the armies in the field are entitled to all his assistance in labor and fighting in addition to the proper quotas of the States.

6th. This bidding and bantering for recruits, white and black, has delayed the reënforcement of our armies at the times when such reënforcements would have enabled us to make our successes permanent.

7th. The law is an experiment which, pending war, is unwise and unsafe, and has delayed the universal draft, which I firmly believe will become necessary to overcome the wide-spread resistance offered us; and I also believe the universal draft will be wise and beneficial; for under the Providence of God it will separate the sheep from the goats, and demonstrate what citizens will fight for their country, and what will only talk. No one will infer from this that I am not a friend of the negro as well as the white race; I contend that the treason and rebellion of the master freed the slave, and the armies I have commanded have conducted to safe points more negroes than those of any general officer in the army; but I prefer negroes for pioneers, teamsters, cooks, and servants, others gradually to experiment in the art of the sol-

dier, beginning with the duties of local garrisons, such as we had at Memphis, Vicksburg, Natchez, Nashville, and Chattanooga; but I would not draw on the poor race for too large a proportion of its active, athletic young men, for some must remain to seek new homes and provide for the old and young—the feeble and helpless.

These are some of my peculiar notions, but I assure you they are shared by a large proportion of our fighting men. You may show this to the agents of the other States in the same business as yourself.

I am, &c.,

(Signed) W. T. SHERMAN, Maj.-Gen.

Official copy—L. M. DAYTON, Aide-de-Camp.

The result of the recruitment in the insurrectionary States were reported by the Provost Marshal General as on the whole unfavorable, and the system has been practically abolished.

The necessity of procuring substitutes from a class of the population not liable to draft, led to the enlistment of a large body of recruits of foreign birth, who had never been naturalized. Under these circumstances any considerable increase in the emigration from Europe to America was looked upon with suspicion by foreign governments or statesmen unfriendly to the United States, as having been caused by improper inducements, in violation of municipal law. It was even charged, by persons high in influence in England, that agents from the United States had visited Ireland and the British North American provinces, for the purpose of enlisting men in the army, and had despatched many recruits to America, ostensibly as mechanics or farm laborers. By a resolution adopted by the United States Senate, on May 24th, the President was requested to state—

If any authority has been given any one, either in this country or elsewhere, to obtain recruits in Ireland and Canada for our army or navy; and whether any such recruits have been obtained, or whether, to the knowledge of the Government, Irishmen or Canadians have been induced to emigrate to this country in order to be recruited; and if so, what measures, if any, have been adopted in order to arrest such conduct.

The resolution was referred by the President to the Secretary of State, who replied, that no authority to recruit abroad had been given by the United States Government, and that applications for such authority had been invariably rejected. The Government had no knowledge, he added, that any such recruits had been obtained in the provinces named, or in any foreign country. In two or three instances it had been reported to the State Department that recruiting agents had crossed the Canadian frontier without authority, with a view to engage recruits or reclaim deserters. The complaints thus made were immediately investigated; the proceedings of such recruiting agents were promptly disavowed and condemned; the recruits or deserters, if any had been brought into the United States, were at once returned, and the offending agents were dismissed from the public service. With respect to the inducements held out by the Government to emigrants, he observed:

In the land and naval forces of the United States there are found not only some Canadians, some Englishmen, and some Irishmen, but also many subjects

of continental European powers. All of these persons were voluntary immigrants into the United States. They enlisted after their arrival on our shores, of their own free accord, within our own limits and jurisdiction and not in any foreign country. The Executive Government has no knowledge of the nature of the special inducements which led these volunteers to emigrate from their native countries, or of the purposes for which they emigrated. It has, however, neither directly nor indirectly invited their immigration by any offers of employment in the military or naval service. When such persons were found within the United States, exactly the same inducements to military service were open to them which, by authority of law, were offered at the same time to citizens of the United States.

* * * * *

It is a notorious fact, manifest to all the world, that a vigorous and continual tide of emigration is flowing from Europe, and especially from portions of the British empire, and from Germany and Sweden, into the United States. This immigration, like the immigration which preceded it, results from the reciprocal conditions of industrial and social life in Europe and America. Of the mass of immigrants who arrive on our shores, far the largest number go immediately into the occupations of peaceful industry. Those, on the contrary, who are susceptible to the attractions of military life, voluntarily enter the national service with a similar class of our own native citizens, upon the same equal inducements and with the same patriotic motives. There is no law of nations and no principle of international comity which requires us to refuse their aid in the cause of the country and humanity.

Until 1864 the inferior standing of colored troops in the army with respect to bounty, pay, and pensions remained unchanged, notwithstanding the protest of the Secretary of War and other officials against the injustice thus done to men who shared all the dangers and privations of the war, and who were also liable to draft. The Army Appropriation Bill, passed in June, 1864, disposed of this vexed question by putting the colored soldiery on a footing with the white troops. The following are the sections of the bill relating to the subject:

2. All persons of color who have been, or may be, mustered into the military service of the United States, shall receive the same uniform, clothing, arms, equipments, camp equipage, rations, medical and hospital attendance, pay, and emoluments, other than bounty, as other soldiers of the regular or volunteer forces of the United States of a like arm of the service, from and after the 1st of January, 1864. And every person of color who shall hereafter be mustered into the service shall receive such sums in bounty as the President shall order in the different States and parts of the United States, not exceeding one hundred dollars.

3. All persons enlisted and mustered into the service as volunteers under the call dated October 17, 1863, for three hundred thousand volunteers, who were at the time of enlistment actually enrolled and subject to draft in the State in which they volunteered, shall receive from the United States the same amount of bounty, without regard to color.

4. All persons of color who were free on the 19th day of April, 1861, and who have been enlisted and mustered into the military service of the United States, shall from the time of their enlistment be entitled to receive the pay, bounty, and clothing allowed to such persons by the laws existing at the time of their enlistment; and the Attorney-General of the United States is hereby authorized to determine any question of law arising under this provision; and if the Attorney-General aforesaid shall

determine that any of such enlisted persons are entitled to receive any pay, bounty, or clothing, in addition to what they have already received, the Secretary of War shall make all necessary regulations to enable the pay department to make payment in accordance with such determination. (See CONGRESS, U. S.)

An order was soon after issued from the War Department to pay colored soldiers six months' full wages for the period embraced between January 1st and July 1st, 1864; and in August the Attorney-General, in accordance with the provisions of section 4, decided that colored men volunteering prior to 1864, were entitled to the same pay, bounty, and clothing, as other volunteers. By section 14 of the act of July 4, 1864, the widows and children of colored soldiers dying in battle, or of wounds or disease contracted in the military service, were declared entitled to pensions, provided such widows and children were free persons.

During the year colored troops continued to be enlisted into the army, principally in the Southern States, although several regiments, whose organization had commenced in the North in 1863, departed previous to July for the seat of War. If the statement of the Solicitor of the War Department, quoted above, may be relied upon, upwards of 100,000 of this class of troops were enlisted in 1864. Opinions differed quite as much as in 1863, upon the propriety, politically considered, of employing negroes as soldiers, and upon their value in a military aspect; but toward the close of the year, in view of their soldierly conduct on various trying occasions, it seemed to become the settled conviction that they would form a useful branch of the service. The Corps d'Afrique organized by Gen. Banks in 1863, and intended to comprise about 15,000 men, was described in May, 1864, by an army correspondent in Louisiana, as greatly depleted in numbers by disease, by discharges for physical incapacity, and by desertions, and in consequence thoroughly demoralized. The rate of mortality among the men was said to have been unprecedented in the history of the war, and their idle, wasteful, and slovenly habits, it was alleged, made them unfitted for soldiers. On the other hand Adjutant-General Thomas, who had devoted several months of the previous year to organizing negro regiments in the South, and who had conceived a high opinion of their capacity, was amply confirmed in his views by his experience of 1864, and urged the necessity of enlisting more of this class of troops, as also of raising their pay. He also issued the following order imposing upon negro troops their proportionate share of military duty:

The incorporation into the army of the United States of colored troops renders it necessary that they should be brought, as speedily as possible, to the highest state of discipline.

Accordingly, the practice which has hitherto prevailed, no doubt from necessity, of requiring these troops to perform most of the labor on fortifications, and the labor and fatigue duties of permanent stations and camps, will cease, and they will be only

required to take their fair share of fatigue duty with white troops. This is necessary to prepare them for the higher duties of conflicts with the enemy.

By order of the Secretary of War.

L. THOMAS, Adjutant-General.

The colored regiments continued to be officered by white men, who were subjected to an unusually strict examination by a board appointed for that purpose. Up to August, the total number of officers examined amounted to 2,471, of whom 1,486 were accepted.

Although desertions from the service during the year were not so numerous as in the early years of the war, when discipline was less strict, and the offence was considered in a less odious light, the number has still been sufficiently large to cause the Government considerable embarrassment. This resulted in a great measure from the inferior class of men enlisted into the army through the medium of bounty and substitute brokers, and from the unwise leniency shown by the Government to offenders. For a long time the death penalty seems to have been practically abolished, and the activity of the Provost Marshals had in consequence little or no effect in lessening the number of absentees without leave. Unprincipled men, having no fear of execution before their eyes, risked the chance of recapture and the comparatively slight punishment which would follow, and escaped with their bounty money, a few weeks, or even days, after being mustered into the service. As an illustration of the extent to which the practice was carried, it is stated that out of a detachment of 625 recruits sent to reinforce a New Hampshire regiment in the Army of the Potomac, 137 deserted on the passage, 82 to the enemy's picket line, and 36 to the rear, leaving but 370 men, or less than 60 per cent. available for duty. These men, it may be observed, were for the most part substitutes, or recruits purchased through brokers at exorbitant prices to fill up a quota, and who, as "bounty jumpers," drove a profitable business, some of them having probably received bounty, deserted, and reenlisted eight or ten times. The drafted men, or those personally volunteering, were, as a class, free from this vice. The desertions in the Army of the Potomac were greatly increased by a proclamation from Gen. Lee (intended as an offset to one issued by Gen. Grant), offering to send Federal deserters North. Thousands probably availed themselves of this opportunity, and found their way back to the loyal States, there perhaps to reenlist and again desert; and a small percentage entered the rebel service. The evil finally increased to such a degree that the death penalty was restored and unsparingly used. During the latter part of the year executions of deserters were of almost daily occurrence in the Army of the Potomac, and almost immediately a diminution in the number of cases was observable, which has continued to the present time.

Another, but less numerous class of deserters,

was composed of men who had escaped from hospitals, or had never returned from furlough, of whom several thousand had taken refuge in the British provinces. Numbers of these, upon expressing contrition and a desire to return to duty, were pardoned by the President. The total number of deserters of all kinds was estimated by Senator Wilson, in March, at 40,000, and it has probably not materially increased since that time. The Provost Marshal General reported 39,392 deserters and stragglers arrested by his officers between Oct. 1st, 1863, and Oct. 1st, 1864, and the total number arrested, from the establishment of the special bureau having charge of the matter to Oct. 1st, 1864, at 60,760. Boards of examination have been kept up to inquire into causes of absence from duty by officers. The effect has been to diminish the number of cases published and referred to the boards to 364, for 11 months; whereas, before their organization, from 100 to 200 were reported monthly for absence without leave alone.

The operations connected with the Quartermaster-General's department were, during the year, on an extensive scale, and the army was reported to have been well supplied with all the essentials of military equipment, with fuel, forage, and other necessities, and to have gained in mobility. By an act approved July 4th, 1864, the department was thoroughly reorganized, so that the grades of rank and authority should be proportioned to the duties and responsibilities; and the change has proved in every respect beneficial. Among the new organizations connected with this department was a construction corps, under the direction of General McCullum, which operated upon a thousand miles of railroad in connection with the movements of the armies, and whose labors are characterized by the Secretary of War as "remarkable triumphs of military and engineering skill." Six thousand five hundred miles of military telegraph were in operation in 1864, of which 3,000 were constructed during the year. The supply of horses and mules for army use has been at the rate of 500 per day, which is also the average rate of their destruction; and notwithstanding this enormous drain upon the resources of the country, the stock gives no signs of diminution. The Secretary of War also reports, that for the better protection of the depots of the quartermaster's bureau from rebel raids, the Quartermaster-General was directed to cause the persons employed in this department, at the principal and exposed depots, to be organized into military companies and regiments for internal guard duty and for local defence. These organizations, comprising a force of several thousand men, have been called upon several times during the last year to take the place of regular troops, and have done good service.

On June 30th, 1864, 190 hospitals, with a capacity of 120,521 beds, were in active operation; and during the year the health of the entire army was reported better than is

usual with troops engaged in arduous campaigns. At the close of the year the number of sick and wounded, both with their commands and in general hospitals, was less than 16 per cent. of the strength of the army. The number sick with their respective commands was 4 per cent., and in general hospitals 5 and $\frac{3}{10}$ per cent. of the strength. Of the 6 and $\frac{4}{10}$ per cent. wounded, nearly 1 per cent. were with their respective commands; the rest in general hospitals. By an act approved March 11th, 1864, a uniform system of ambulances was established, which in operation has proved very successful. The corps is made up of officers and enlisted men, detailed for the service, under the control of the chief medical directors of the several armies. A captain commands the ambulances of an army corps; a first lieutenant those of each division of such corps; a second lieutenant those of each brigade of such division, and a sergeant those of each regiment. To each ambulance three privates are attached, and to each wagon one. From three to one ambulances are attached to each regiment, according to its numerical strength. The ambulance corps is uniformed and thoroughly instructed in the most expeditious manner of removing sick and wounded men, and has the sole charge of accompanying them to the rear, in action or on the march. The latter provision has greatly increased the efficiency of troops in battle, by preventing the confusion previously caused by men indiscriminately conveying wounded comrades from the field.

By an act passed in 1864 the pay of privates in infantry, cavalry, and artillery organizations was increased to \$16 per month, and that of petty officers in proportion, the rations remaining the same. The Secretary of War reported the whole army as paid up to Aug. 31st, 1864. Medals of honor were awarded during the year in many cases to deserving non-commissioned officers and privates. By another act officers employing soldiers as servants are subjected to a reduction of pay. This provision was intended to prevent the withdrawal of troops from active duty for menial purposes, which has proved injurious to the service. In cases where civilians are employed by those who are allowed servants, the law does not apply.

The Provost Marshal General reported the Veteran Reserve corps (formerly the Invalid corps) as consisting, October 1, 1864, of 764 officers and 28,738 men; its discipline and instruction good; and that the entire corps is doing duty which would otherwise have to be performed by an equal number of able-bodied troops detached from the armies in the field; and that it is yet inadequate in numbers to fill the demands made on it. It has rendered valuable service in guarding the depots of volunteers, substitutes, and drafted men, and in escorting detachments to their regiments; and during the summer campaign of the Army of the Potomac its operations were extended almost to the front.

At the close of 1864 only five revolutionary pensioners were surviving, to whom the 38th Congress, at its second session, voted a gratuity of \$300 a year, in addition to their regular pension of \$100. The number of army pensioners (other than Revolutionary) who were paid during the fourteen months ending the 30th of June, 1864, was 22,767; of widows (other than Revolutionary), orphans, and dependent mothers, 25,433; and the total number, including Revolutionary pensioners and widows of Revolutionary pensioners, who received pensions during that period, was 49,630, to whom was paid the sum of \$4,340,368.60. Of this amount more than \$3,500,000 were on account of disability or death incurred during the existing war.

The supplies of ordnance produced during the year included 1,750 pieces of ordnance, 2,361 artillery carriages and caissons, 802,525 small arms, 794,055 sets of accoutrements and harness, 1,674,244 projectiles for cannon, 12,740,146 pounds of bullets and lead, 8,409,400 pounds of gunpowder, 169,490,029 cartridges for small-arms, in addition to large quantities partially made up at the arsenals. The supplies furnished to the military service during the same period included 1,141 pieces of ordnance, 1,896 artillery carriages and caissons, 455,910 small-arms, 502,044 sets of accoutrements and harness, 1,913,753 projectiles for cannon, 7,624,685 pounds of bullets and lead, 464,549 rounds of artillery ammunition, 152,067 sets of horse equipments, 112,087,553 cartridges for small-arms, 7,544,044 pounds of gunpowder. The national armory at Springfield, Mass., was reported in a condition to turn out 300,000 of the best quality of rifle muskets annually. The stock on hand, at the close of the year, amounted to a million and a quarter, exclusive of the arms in the hands of the troops.

At the close of 1864 the military geographical departments were in charge of the following generals:

Department of the Tennessee—Maj.-Gen. O. O. Howard.
 " of the Cumberland—Maj.-Gen. George H. Thomas.
 " of the Ohio—Maj.-Gen. John M. Schofield.
 " of the East—Maj.-Gen. John A. Dix.
 " of the Gulf—Maj.-Gen. Stephen A. Hurlbut
 " of North Carolina and Virginia—Maj.-Gen. B. F. Butler.
 " of the Northwest—Maj.-Gen. John Pope.
 " of Washington—Maj.-Gen. Christopher C. Augur.
 " of Pennsylvania—Maj.-Gen. George Cadwallader.
 " of Western Virginia—Maj.-Gen. George Crook.
 " of New Mexico—Brig.-Gen. James H. Carleton.
 " of the Pacific—Maj.-Gen. Irwin McDowell.
 " of Kansas—Maj.-Gen. Samuel R. Curtis.
 " of the Middle Department—Maj.-Gen. Lewis Wallace.
 " of the South—Maj.-Gen. John G. Foster.
 " of Missouri—Maj.-Gen. Grenville M. Dodge.
 " of Arkansas—Maj.-Gen. Joseph J. Reynolds.
 " of the North—Maj.-Gen. Joseph Hooker.
 " of the Mississippi—Maj.-Gen. Napoleon J. T. Dana.

The departments of the Tennessee, the Cumberland, and the Ohio, form the military division of the Mississippi, of which Maj.-Gen. William T. Sherman assumed command in the early part of the year; and in May the departments lying west of the Mississippi were formed into the military division of West Mississippi, under the command of Maj.-Gen. E. R. S. Canby.

The several army corps, were, on Jan. 1st, 1865, commanded as follows:

- *1st. Maj.-Gen. W. S. Hancock.
- 2d. Maj.-Gen. A. A. Humphreys.
- 3d. Discontinued.
- 4th. Maj.-Gen. D. S. Stanley.
- 5th. Maj.-Gen. G. K. Warren.
- 6th. Maj.-Gen. H. G. Wright.
- 7th. Maj.-Gen. J. J. Reynolds.
- 8th. Maj.-Gen. Lewis Wallace.
- 9th. Maj.-Gen. John G. Parke.
- 10th. Discontinued.
- 11th. do.
- 12th. do.
- 13th. Maj.-Gen. Gordon Granger.
- 14th. Brig.-Gen. Jefferson C. Davis.
- 15th. Maj.-Gen. John A. Logan.
- 16th. Maj.-Gen. Andrew J. Smith.
- 17th. Maj.-Gen. Frank P. Blair.
- 18th. Discontinued.
- 19th. Brig.-Gen. W. H. Emory.
- 20th. Brig.-Gen. A. S. Williams.
- 21st. Discontinued.
- 22d. do.
- 23d. Maj.-Gen. John M. Schofield.
- 24th. Maj.-Gen. E. O. C. Ord.
- 25th. Maj.-Gen. Godfrey Weitzel.

The casualties in the volunteer service during the year were, major-generals three, viz., John Sedgwick, James B. McPherson, and Daniel D. Birney; and brigadier-generals seventeen, viz., Stephen C. Champlin, Alexander Hays, James S. Wadsworth, Thomas G. Stevenson, James C. Rice, J. St. C. Morton, C. G. Harker, Samuel A. Rice, Daniel McCook, Lucien Greathouse, G. A. Stedman, Daniel P. Woodbury, J. A. Howell, David A. Russell, Hiram Burnham, Daniel D. Bidwell, and T. E. G. Ransom; total, 20.

By a return made to the United States Senate by the Secretary of War, it appears that on Jan. 1st, 1865, there were sixty-six major-generals of volunteers, and two hundred and sixty-seven brigadier-generals of volunteers in the service, of whom forty-five major-generals and two hundred brigadiers held active commands. Of the remainder two were before the Committee on the Conduct of the War; twenty were awaiting orders; two were employed as commissioners for exchange of prisoners; twenty-seven were members of courts-martial, military commissions, etc.; fifteen were off duty on account of sickness or wounds; fourteen were employed on special duty; three were absent on furlough; three were under trial; and two were prisoners of war, one of them, Gen. Hayes, having been released on parole at Richmond, to superintend the distribution of supplies sent to Federal soldiers in rebel prisons.

Under the head of "Enrolment and Draft" the process for obtaining men to serve in the national armies, adopted by the act of Congress of March 3d, 1863, was described in the 3d volume of this work. During 1864 two acts, amendatory of this act or making further provisions on the subject, that of February 24th, and that of July 4th, were passed by the 38th Congress. By section 2 of the former act, which authorizes the President, at his discretion, to call for men for military service, it was provided,

That the quota of each ward of a city, town, township, precinct, or election district, or of a county

where the county is not divided into wards, towns, townships, precincts, or election districts, shall be as nearly as possible in proportion to the number of men resident therein liable to render military service, taking into account, as far as practicable, the number which has been previously furnished therefrom; and in ascertaining and filling said quota there shall be taken into account the number of men who have heretofore entered the naval service of the United States, and whose names are borne upon the enrolment lists as already returned to the office of the Provost Marshal General of the United States.

When a quota is not filled within the time designated by the President a draft is to be made, and should this prove unsuccessful, further drafts are to be ordered, until the quota of each district is filled. Enrolled and drafted men are authorized to furnish acceptable substitutes "who are not liable to draft and are not in the military or naval service;" and the principals are exempted from military service during the time for which such substitutes are accepted. Persons in the military or naval service, however, who have served a year and have less than six months more to serve, are available as substitutes "in the troops of the State in which they enlisted." The money commutation clause of the act of 1863 is declared to exempt a drafted person only from draft on a single quota, and for no longer period than a year. The boards of enrolment are directed to enrol all persons liable to draft and accidentally omitted, also

All persons who shall arrive at the age of twenty years before the draft; all aliens who shall declare their intention to become citizens; all persons discharged from the military or naval service of the United States who have not been in such services two years during the present war; and all persons who have been exempted under the provisions of the 2d section of the act to which this is an amendment, but who are not exempted by the provisions of this act. The names of all persons who, between the time of the enrolment and the draft, shall have reached the age of forty-five, are to be stricken from the enrolment.

Sailors in the merchant service drafted into the military service are allowed, under certain conditions, to enlist in the navy. Persons exempted from enrolment or draft must be such as are rejected as physically or mentally unfit for the service, those already in the service, and those who have served two years during the present war and been honorably discharged. Those sections of the act of 1863 providing for the enrolment of two classes of persons are repealed. The act further provides that members of religious denominations conscientiously opposed to the bearing of arms, or prohibited from so doing by their rules and articles of faith, shall be considered, if drafted, non-contestants, and be assigned to duty in hospitals, etc., or be exempted by the payment of \$300. The following section (24) relates to the enrolment of colored persons:

All able-bodied male colored persons, between the ages of twenty and forty-five years, resident in the United States, shall be enrolled according to the provisions of this act, and of the act to which this is an amendment, and form part of the national forces;

* Reorganizing and not in active service.

and when a slave of a loyal master shall be drafted and mustered into the service of the United States, his master shall have a certificate thereof, and thereupon such slave shall be free; and the bounty of one hundred dollars, now payable by law for each drafted man, shall be paid to the person to whom such drafted person was owing service or labor at the time of his muster into the service of the United States. The Secretary of War shall appoint a commission in each of the slave States represented in Congress, charged to award to each loyal person to whom a colored volunteer may owe service a just compensation, not exceeding three hundred dollars, for each such colored volunteer, payable out of the fund derived from commutation, and every such colored volunteer on being mustered into the service shall be free. And in all cases where men of color have been heretofore enlisted or have volunteered in the military service of the United States, all the provisions of this act, so far as the payment of bounty and compensation are provided, shall be equally applicable as to those who may be hereafter recruited. But men of color, drafted or enlisted, or who may volunteer into the military service, while they shall be credited on the quotas of the several States, or subdivisions of States, wherein they are respectively drafted, enlisted, or shall volunteer, shall not be assigned as State troops, but shall be mustered into regiments or companies as United States colored troops.

By the act of July 4th the President is authorized to call for any number of men as volunteers for the respective terms of one, two, and three years. Such volunteers or their substitutes shall be credited to the town, township, ward, etc., toward the quota of which they may have volunteered or engaged as substitutes. Every accepted and mustered volunteer for one year shall receive \$100 bounty, for two years \$200, for three years \$300; one-third of the bounty at the time of muster in; one-third at the expiration of half the term of service, and one-third at the expiration of the term of service. In case of his death in service the residue of the bounty goes to the widow; in case there is no widow then to the children; in case there are no children, then to the soldier's mother, if she be alive. The \$300 commutation clause is absolutely repealed, and if any quota remains unfilled at the expiration of fifty days from a call the President is directed to order a draft for one year to fill such quota. The Executives of the States are authorized to send recruiting agents into States declared to be in rebellion as mentioned above. Other sections provide against the enlistment of persons under sixteen years of age, and direct that drafted men, substitutes, and volunteers shall be assigned to organizations from their own States, and that drafts shall be for one hundred per cent. in addition to the number required to fill the quotas. Section 8 provides as follows:

All persons in the naval service of the United States who have entered said service during the present rebellion, who have not been credited to the quota of any town, district, ward, or State, by reason of their being in said service and not enrolled prior to February 24th, 1864, shall be enrolled and credited to the quotas of the town, ward, district, or State, in which they respectively reside, upon satisfactory proof of their residence made to the Secretary of War.

The Provost Marshal General reports that during the year efforts were made to perfect

the enrolment of the national forces, which resulted, on November 1st, in placing on the lists the names of 2,784,226 men; also, that on July 31st there was no material deficiency in the United States on the quotas of troops required, such localities as were behindhand having been drafted for the amounts due from them. The draft under the July call took place during the excitement of the Presidential canvass, and notwithstanding threats of resistance, and some instances of actual organized resistance, proceeded in accordance with the law. A large portion of the commutation money received from drafted men, while such commutation was lawful, was appropriated "for the expenses of the draft and for the procurement of substitutes."

The July call for 500,000 men, as has been stated, failed, from the numerous credits on account of army and navy enlistments, to produce the number of men required; and in assigning the quotas under the succeeding December call a new element had to be taken into consideration, viz., how many localities had filled their quotas with three years' men, how many with two years' men, and how many with one year's men. Hence the Provost Marshal General announced that the number of men to be furnished under the December call, would not be in proportion to the population of States or Districts, or to the number enrolled. In a communication to the Governor of Minnesota, in reply to inquiries respecting the quota of that State, he observed:

Had all localities filled the call for 500,000 with three years' men, or all one year's men, or all in the same proportion of both, the number of men to be furnished under the present call would be in proportion to the number enrolled. But as it would be unjust and illegal to require a district which had filled its quota under the last call with three years' men to furnish as many men under the present call as an equal district which had filled its quota under the last call with one year's men, the former having furnished three times the number of years of service which the latter had furnished, it became necessary to estimate the number of years of service which each State, district, and sub-district had furnished respectively, so that in ascertaining the required number for each district in order to obtain three hundred thousand men, each locality would receive full credit for the number of years of service furnished under the last call, or excess carried forward and credited upon that call, previous calls being filled with three years' men, or enlistments reduced to the three years' basis. * * * * *

In crediting the excess that is carried forward from the call of July 18, 1864, and applied to the call of December 19, 1864, I consider not only the number of men of which the excess is composed, but also the period of their service; and the quotas assigned under the call of December 19, are thus reduced by this excess of service, and hence they should not be further reduced, except by enlistments subsequent to December 19, 1864, the date of the call for three hundred thousand men.

These quotations may be considered to embody the principle on which the raising of men for the military and naval service will be conducted under the present enrolment acts. For further details see MICHIGAN.

ARMY OPERATIONS. At the commencement of the year, the army of the Potomac, under Gen. Meade, was near Culpepper Court House, in Virginia, with the army under Gen. Lee in front and south of him. The Confederate Gen. Early had been ordered to command the forces in the Shenandoah valley, with his headquarters at Staunton. The Federal forces held Winchester, Martinsburg, and Harper's Ferry, and occupied the line of the Baltimore and Ohio Railroad, in Western Virginia. Gen. Burnside was still at Knoxville, in East Tennessee, with a line of communication into Kentucky. Eastward of him was Gen. Longstreet, with a division of the Confederate army. The army of Gen. Grant was in front of Chattanooga, in the southeast corner of Tennessee, and a force of the enemy before him at Dalton, under Gen. Bragg.

The following address to his soldiers had been issued by Gen. Grant, near the close of 1863:

HEADQUARTERS MILITARY DIVISION OF THE }
MISSISSIPPI, IN THE FIELD, }
CHATTANOOGA, TENN., Dec. 10, 1863. }

The General Commanding takes this opportunity of returning his sincere thanks and congratulations to the brave Armies of the Cumberland, the Ohio, the Tennessee, and their comrades from the Potomac, for the recent splendid and decisive successes achieved over the enemy. In a short time you have recovered from him the control of the Tennessee River, from Bridgeport to Knoxville. You dislodged him from his great stronghold upon Lookout Mountain, drove him from Chattanooga valley, wrested from his determined grasp the possession of Missionary Ridge, repelled with heavy loss to him his repeated assaults upon Knoxville, forcing him to raise the siege there, driving him at all points, utterly routed and discomfited, beyond the limits of the State. By your noble heroism and determined courage, you have effectually defeated the plans of the enemy for regaining possession of the States of Kentucky and Tennessee. You have secured positions from which no rebellious power can drive or dislodge you. For all this the General Commanding thanks you collectively and individually. The loyal people of the United States thank and bless you. Their hopes and prayers for your success against this unholy rebellion are with you daily. Their faith in you will not be in vain. Their hopes will not be blasted. Their prayers to Almighty God will be answered. You will yet go to other fields of strife; and with the invincible bravery and unflinching loyalty to justice and right which have characterized you in the past, you will prove that no enemy can withstand you, and that no defences, however formidable, can check your onward march.

By order of Major-General U. S. GRANT.

T. S. BOWERS, Ass't Adj.-Gen.

The line of communication of Gen. Grant extended to Nashville by the railroad, through Stevenson and Murfreesboro'. Florence and Corinth were also held by a Federal force until the earlier portion of the year, when the former was occupied by the enemy. Military posts consisting of fortifications and heavy guns, with negro troops, were established on the Mississippi River at Cairo, Columbus, New Madrid, Fort Pillow, Memphis, Helena, Goodrich's Landing, Vicksburg, Natchez, Port Hudson, Baton Rouge, New Orleans, and Forts Jackson and St. Philip. There were also

forces at other points adjacent to these. A large force was under the command of Gen. Banks, in New Orleans, with detachments at Brashear City, and at Brownsville, on the Rio Grande. Gen. Steele occupied Little Rock, Arkansas, with a considerable force, and Gen. Rosecrans, in command of the department, had a small body of troops in Missouri. The military positions on the coast of North Carolina and South Carolina remained unchanged.

The number of troops in the field at the commencement of the year can be only indefinitely estimated. Between October, 1863, and May, 1864, seven hundred thousand new troops took the field, as stated by Senator Wilson in Congress. A portion of these supplied the place of the three years' men whose term of service expired in 1864. A large majority of the latter, however, reenlisted (*see* ARMY U. S.)

The number of Confederate troops in the field known as veterans, in the beginning of the year, was as follows: That portion of the Southern army which constituted the force under Gen. Lee (counting in Gen. Longstreet, who commanded a portion of his army), numbered ninety thousand troops. This is also counting in the troops which were in the vicinity of Abingdon, Lynchburg, and other portions of Southwestern Virginia and East Tennessee, formerly under Gen. Samuel Jones, who was detached from Gen. Lee's army late in September, 1863, to operate against Gen. Burnside, and afterwards under the command of Gen. Breckinridge. At Richmond and at Petersburg there were, not counting in citizens and home guards, about three thousand men. Between Petersburg and Weldon there were one thousand men. Along the railroad, between Weldon and Wilmington, there were at least six thousand men. The forces under Gen. Pickett numbered eight thousand men. Imboden and Moseby together had four thousand men—all guerrillas. This swelled the army in Eastern Virginia and North Carolina to one hundred and twelve thousand strong.

The second great army in the Confederacy was that under Gen. Johnston, a large portion of which was cavalry. The army known as the Army of the Tennessee was composed of two corps, each having six divisions of infantry, amounting to thirty-six thousand men. There were also several divisions of cavalry, numbering at least eighteen thousand men, making an aggregate of fifty-four thousand. This included the four divisions sent to reinforce Bishop Polk, and the two divisions sent to Mobile, and the entire cavalry under Wheeler, Wharton, and John Morgan. Gen. Johnston also had command of all the Confederate forces in Georgia, Alabama, and Mississippi, except those at Savannah, Mobile, and under Forrest, who had an independent (roving) commission. Before the arrival of Gen. Sherman at Meridian, Gen. Polk had eighteen thousand troops, only two thousand of which were veterans.

The forces in South Carolina and at Savannah, under Gen. Beauregard, and in Florida, under Gen. McCown, numbered ten thousand. This only included the veterans, or old soldiers, as the armies in these three localities above mentioned a little later numbered twenty-five thousand men.

The next regular armies of the Confederacy were the Trans-Mississippi forces, scattered in different portions of Arkansas and Texas, and all under the command of Lieut.-Gen. Kirby Smith, the army in Arkansas under Gen. Holmes, and the army in Texas under Gen. Magruder; the old soldiers of which numbered twelve thousand men.

The forces at Mobile, under Gens. Maury and Claiborne, numbered about eight thousand. The forces under Gen. Forrest, and under Chalmers, Lee, and Richardson, amounted to six thousand, which included all the veterans in the rebel service.

To this may be added, however, in the same line, twelve thousand soldiers engaged in important prison guard, and in the hospitals and quartermasters' and commissary departments. There were also about two thousand men engaged in the guerrilla warfare on the banks of the Mississippi. No other guerrilla bands of importance existed in Gen. Grant's department. There was not a single squad in Kentucky, East and Middle Tennessee, Northern Alabama or Northern Georgia. There were still several guerrilla organizations in West Tennessee and Northern Mississippi. The people themselves had rid the country.

The total of these veterans was two hundred and twenty-four thousand; to these were added, at the beginning of the year, one hundred and twenty thousand conscripts, making the number in the service three hundred and forty-four thousand.

The earliest operations of importance, in 1864, consisted of a movement under Gen. Sherman from Vicksburg, Mississippi, to Meridian, Alabama; another under Gen. Smith, from Memphis, Tennessee, to cooperate with Gen. Sherman; another under Gen. Grant's orders, from Chattanooga, Tennessee, upon Dalton, Georgia, and another under Gen. Schofield, who relieved Gen. Burnside, upon the forces under Gen. Longstreet, in East Tennessee.

Upon the return of Gen. Sherman from East Tennessee to Chattanooga, his command was stationed at Scottsboro', Alabama, and thence along the Memphis and Chattanooga railroad, to Huntsville. Near the end of January, Gen. Sherman went to Memphis and Vicksburg, to command an expedition. Corinth was abandoned, and the Memphis railroad eastward of Lagrange to Huntsville, and a large body of troops sent down the Mississippi to Vicksburg.

The following letter was addressed by Gen. Sherman, at this time, to his adjutant-general, relative to the course to be pursued by subordinate commanders of military districts to the inhabitants:

HEADQUARTERS DEP'T OF THE TENNESSEE, }
VICKSBURG, January 31, 1864. }

Major R. M. Sawyer, Ass't Adj.-Gen. Army of the Tennessee, Huntsville:

DEAR SAWYER: In my former letter I have answered all your questions, save one, and that relates to the treatment of inhabitants, known or suspected to be hostile, or "secesh." This is in truth the most difficult business of our army as it advances and occupies the Southern country. It is almost impossible to lay down rules, and I invariably leave this whole subject to the local commanders, but am willing to give them the benefit of my acquired knowledge and experience.

In Europe, whence we derive our principles of war, as developed by their histories, wars are between kings or rulers, through hired armies, and not between peoples. These remain, as it were, neutral, and sell their produce to whatever army is in possession.

Napoleon, when at war with Prussia, Austria, and Russia, bought forage and provisions of the inhabitants, and consequently had an interest to protect farms and factories which ministered to his wants. In like manner, the allied armies in France could buy of the French inhabitants whatever they needed, the produce of the soil, or manufactures of the country. Therefore, the rule was and is, that wars are confined to the armies, and should not visit the homes of families or private interests.

But, in other examples, a different rule obtained the sanction of historical authority. I will only instance that, when, in the reign of William and Mary, the English army occupied Ireland, then in a state of revolt, the inhabitants were actually driven into foreign lands, and were actually dispossessed of their property, and a new population introduced. To this day, a large part of the north of Ireland is held by the descendants of the Scotch emigrants, sent there by William's order and an act of Parliament.

The war which prevails in our land is essentially a war of races. The Southern people entered into a clear compact of Government, but still maintained a species of separate interests, history, and prejudices. These latter became stronger and stronger, till they have led to a war, which has developed the fruits of the bitterest kind.

We of the North are, beyond all question, right in our lawful cause, but we are not bound to ignore the fact that the people of the South have prejudices which form part of their nature, and which they cannot throw off without an effort of reason, or the slower process of natural change. Now, the question arises, should we treat as absolute enemies all in the South who differ from us in opinion or prejudice, kill or banish them; or, should we give them time to think, and gradually change their conduct so as to conform to the new order of things, which is slowly and gradually creeping into their country?

When men take arms to resist our rightful authority, we are compelled to use force, because all reason and argument cease when arms are resorted to. When the provisions, forage, horses, mules, wagons, etc., are used by our enemy, it is clearly our duty and right to take them, because otherwise they might be used against us.

In like manner, all houses left vacant by an inimical people are clearly our right, or such as are needed as store-houses, hospitals, and quarters. But a question arises as to dwellings used by women, children, and non-combatants. So long as non-combatants remain in their houses and keep to their accustomed business, their opinions and prejudices can in no wise influence the war, and therefore should not be noticed. But if any one comes out into the public streets and creates disorder, he or she should be punished, restrained, or banished, either to the rear or front, as the officer in command adjudges. If the people, or any of them, keep up a correspondence

with parties in hostility, they are spies, and can be punished with death or minor punishment.

These are well-established principles of war, and the people of the South having appealed to war, are barred from appealing to our Constitution, which they have practically and publicly defied. They have appealed to war, and must abide its rules and laws. The United States, as a belligerent party claiming right in the soil as the ultimate sovereign, have a right to change the population, and it may be and is, both politic and just, we should do so in certain districts. When the inhabitants persist too long in hostility, it may be both politic and right we should banish them and appropriate their lands to a more loyal and useful population. No man will deny that the United States would be benefited by dispossessing a single prejudiced, hard-headed, and disloyal planter, and substituting in his place a dozen or more patient, industrious, good families, even if they be of foreign birth. I think it does good to present this view of the case to many Southern gentlemen, who grew rich and wealthy, not by virtue alone of their industry and skill, but by reason of the protection and impetus to prosperity given by our hitherto moderate and magnanimous Government. It is all idle nonsense for these Southern planters to say that they made the South, that they own it, and that they can do as they please—even to break up our Government, and to shut up the natural avenues of trade, intercourse, and commerce.

We know, and they know, if they are intelligent beings, that, as compared with the whole world, they are but as five millions are to one thousand millions—that they did not create the land—that their only title to its use and usufruct is the deed of the United States; and if they appeal to war, they hold their all by a very insecure tenure.

For my part I believe that this war is the result of false political doctrine, for which we are all as a people responsible, viz.: that any and every people have a right to self-government; and I would give all a chance to reflect, and when in error to recant. I know slave owners finding themselves in possession of a species of property in opposition to the growing sentiment of the whole civilized world, conceived their property in danger, and foolishly appealed to war; and by skilful political handling involved with themselves the whole South on the doctrines of error and prejudice. I believe that some of the rich and slaveholding are prejudiced to an extent that nothing but death and ruin will extinguish, but hope that as the poorer and industrial classes of the South realize their relative weakness, and their dependence upon the fruits of the earth and good will of their fellow-men, they will not only discover the error of their ways, and repent of their hasty action, but bless those who persistently maintained a Constitutional Government, strong enough to sustain itself, protect its citizens, and promise peaceful homes to millions yet unborn.

In this belief, whilst I assert for our Government the highest military prerogatives, I am willing to bear in patience that political nonsense of slave rights, State rights, freedom of conscience, freedom of press, and such other trash as have deluded the Southern people into war, anarchy, bloodshed, and the foulest crimes that have disgraced any time or any people.

I would advise the commanding officers at Huntsville, and such other towns as are occupied by our troops, to assemble the inhabitants and explain to them these plain, self-evident propositions, and tell them that it is for them *now* to say, whether they and their children shall inherit the beautiful land, which, by the accident of nature, has fallen to their share. The Government of the United States has in North Alabama any and all rights which they choose to enforce in war, to take their lives, their homes, their lands, their every thing, because they cannot deny that war does exist there, and war is simply power unrestrained by constitution or compact. If they want eternal war, well and good—we will accept

the issue and dispossess them, and put our friends in possession. I know thousands and millions of good people who, at simple notice, would come to North Alabama and accept the elegant houses and plantations now there. If the people of Huntsville think different, let them persist in war three years longer, and then they will not be consulted. Three years ago, by a little reflection and patience they could have had a hundred years of peace and prosperity, but they preferred war; very well, last year they could have saved their slaves, but now it is too late—all the powers of earth cannot restore to them their slaves any more than their dead grandfathers. Next year their lands will be taken, for in war we can take them, and *rightfully*, too, and in another year they may beg in vain for their lives. A people who will persevere in war beyond a certain limit, ought to know the consequences. Many, many people, with less pertinacity than the South, have been wiped out of national existence.

My own belief is, that even now the non-slaveholding classes of the South are alienating from their associates in war. Already I hear crimination. Those who have property left, should take warning in time.

Since I have come down here, I have seen many Southern planters who now hire their negroes, and acknowledge that they knew not the earthquake they were to make by appealing to secession. They thought that the politicians had prepared the way, and that they could part in peace. They now see that we are bound together as one nation, by indissoluble ties, and that any interest or any people that set themselves up in antagonism to the nation, must perish.

While I would not remit one jot or tittle of our nation's rights, in peace or war, I do make allowances for past political errors and false prejudices. Our national Congress and Supreme Courts are the proper arenas in which to discuss conflicting opinions and not the battle-field.

You may not hear from me again, and if you think it will do any good, call some of the people together, and explain these my views. You may even read to them this letter, and let them use it, so as to prepare them for my coming.

To those who submit to the rightful law and authority, all gentleness and forbearance, but to the petulant and persistent secessionists, why, death is mercy, and the quicker he or she is disposed of, the better. Satan, and the rebellious saints of heaven, were allowed a continuance of existence in hell, merely to swell their just punishment. To such as would rebel against a Government so mild and just as ours was in peace, a punishment equal would not be unjust.

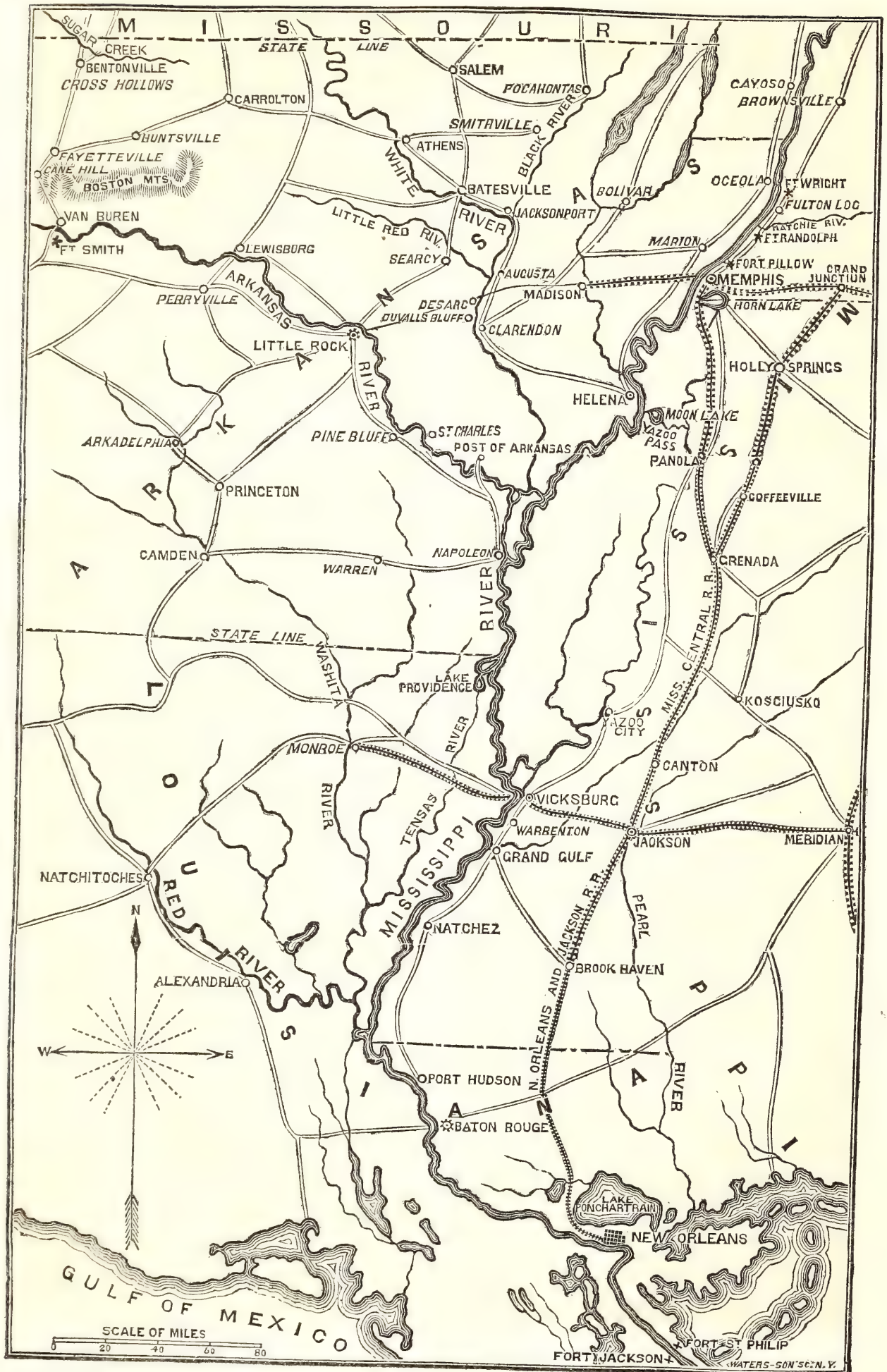
We are progressing well in this quarter. Though I have not changed my opinion that we may soon assume the existence of our National Government, yet years will pass before ruffianism, murder, and robbery will cease to afflict this region of our country.

Truly your friend,

(Signed)

W. T. SHERMAN,
Major-General Commanding.

The advance of Gen. Sherman's movement, consisting of the 17th corps, under Gen. McPherson, left Vicksburg on February 3d, in light marching order, with rations for some days. The enemy were encountered after crossing the Big Black River, during the day, and some skirmishing ensued. The encampment was made that night on the west side of Baker's Creek, the enemy appearing in line of battle on the opposite side. The Confederate force consisted of about two thousand cavalry under Gen. Whitworth, who was in command from Jackson westward. At Canton there was



a force of about five thousand men under Gen. Loring, and at Meridian Gen. Polk with ten thousand more. The latter officer was in command of the department.

The preparations for Gen. Sherman's expedition had attracted the attention of the enemy, and many unaware of the difficulties of such a movement across the country, had supposed his object might be an attack on Mobile. The uncertainty which existed is shown by the following order, issued at a later date:

MOBILE, February 10, 1864.

DEAR SIR: I have just been informed by General Polk that the enemy is moving from Morton against Mobile. It is, therefore, my duty to ask all persons who cannot take part in the defence of the city to leave it.

I am, sir, very respectfully yours,

DABNEY MAURY,

Major-General Commanding.

To Col. JOHN FORSYTH, Mobile.

The Governor of Alabama, upon the first advance of the Federal troops from Vicksburg, issued the following address to the people:

EXECUTIVE DEPARTMENT OF ALABAMA, {
MONTGOMERY, February 6, 1864. }

To the People of Alabama:

The recent action of Congress has deprived the State of much of the materials of the second-class militia. It is important to the defence of the State, that Alabama shall have more troops subject to the call of her Commander-in-chief. We have, within the State, the materials for an efficient army. It needs nothing but the spirit, the prompt and willing spirit to fight, as men ought to fight, to guard our firesides and drive the hireling Yankee from our borders. We are threatened with raids into the heart of the State.

As your Executive Chief I call upon the middle aged, the young men and boys, to organize into companies at once, and report, without delay, that they are organized and ready. I cannot suppose that Alabamians will wait to be drafted into the service. The enthusiastic reëlistment of our veteran troops in the Virginia and Tennessee armies has caused a thrill of joyful hope to animate the hearts of even the croaking and despondent. If these battle-scarred heroes, who for three years have carried their lives in their hands, ready to be sacrificed in the defence of their homes and liberty, are willing to battle on while the feet of a hated foe press our soil, shall we at home be laggards in the race of glory? I trust no such damning stigma shall rest upon the honored name of Alabama.

I confidently expect a hearty, prompt, and noble response to this call.

The rolls of companies will be reported to the Adjutant-General.

T. H. WATTS, Governor of Alabama.

The force of Gen. Sherman consisted of two corps under Gen. McPherson and Hurlbut, estimated at thirty thousand men, with sixty pieces of light artillery. He reached Jackson on February 6th, and pressed forward toward Meridian. The enemy fell back, destroying all provision, and making a desert of the country. From Jackson Gen. Sherman crossed the Pearl River, and passed through Brandon to Morton. Here the enemy had made dispositions for a battle, but retired during the night. On the next day the army advanced and reached Meridian. The enemy state that all the Confederate Government property was

previously removed, and nearly all the machinery of the railroad company. The force under Gen. Polk fell back across the Tombigbee. On his arrival at Meridian Gen. Sherman issued the following congratulatory address to his troops:

HEADQUARTERS, DEPARTMENT OF THE TENNESSEE, {
MERIDIAN, MISS., February 15, 1864. }

The General Commanding conveys his congratulations and thanks to the officers and men composing this command for their most successful accomplishment of one of the great problems of the war. Meridian, the great railway centre of the Southwest, is now in our possession, and by industry and hard work can be rendered useless to the enemy, and deprive him of the chief source of supply to his armies. Secrecy in plan and rapidity of execution accomplish the best results of war; and the General Commanding assures all that by following their leaders fearlessly and with confidence they will in time reap the reward so dear to us all—a peace that will never again be disturbed in our country by a discontented minority.

By order of

W. T. SHERMAN,
Major-General Commanding.

On the same day he issued the following instructions:

HEADQUARTERS, DEPARTMENT OF THE TENNESSEE, {
MERIDIAN, MISS., February 15, 1864. }

1. The destruction of the railroads intersecting at Meridian is of great importance, and should be done most effectually. Every tie and rail for many miles in each direction should be absolutely destroyed or injured, and every bridge and culvert should be completely destroyed. To insure this end, to General Hurlbut is entrusted the destruction east and north, and to General McPherson the roads west and south. The troops should be impressed with the importance of this work, and also that time is material, and therefore it should be begun at once and be prosecuted with all the energy possible. Working parties should be composed of about one-half the command, and they should move by regiments, provided with their arms and haversacks, ready to repel attacks of cavalry. The other half in reserve will be able to watch the enemy retreating eastward.

2. Colonel E. F. Winslow, commanding cavalry, will keep his cavalry in advance of the party working eastward, and will act as though this army were slowly pursuing the enemy.

3. Special instructions will be given as to the general supply train; and the troops now in Meridian will, under proper brigade parties, collect meal, meat, and supplies. The destruction of buildings must be deferred till the last moment, when a special detail will be made for that purpose.

By order of

W. T. SHERMAN,
Major-General Commanding.

Gen. Sherman reports that while at Meridian he made "the most complete destruction of railroads ever beheld." This was done on the road running south as far as Quitman; on the east as far as Cuba Station, twenty miles; and two miles north to Lauderdale Springs. Lauderdale County was already desolate, and the country between Meridian and Demopolis was sterile and unproductive. While at Meridian he heard nothing of the cavalry force under Gen. W. S. Smith, who was ordered to be there from Memphis by February 10th; and after occupying the town for a week, and his supplies growing short, he began to fall back toward Vicksburg, making a circuit by the north to Canton. This place was reached February

26th. His total loss was reported at one hundred and seventy men killed and wounded.

Meantime, Gen. W. S. Smith, who was ordered to report to Gen. Sherman at Meridian, moved from Memphis on February 11th, with a force of seven thousand men, consisting of cavalry and a brigade of infantry. After two days the expedition reached the Tallahatchie. A demonstration was made westward by the infantry toward Panola, thus attracting the attention of a force of the enemy, while the cavalry moved eastward to New Albany, where the river was crossed without opposition. Gen. Smith then pushed forward, and in the vicinity of Houston encountered some troops under Col. Gholson. They fell back to a swamp, where a considerable force was concentrated. Finding it impossible to turn either flank of this position, Gen. Smith moved rapidly eastward, while a demonstration was made in front of the enemy as if an attack was intended. On the same day he surprised and entered Okalona. The 9th Illinois cavalry, Lieut.-Col. Burgh, was then sent to Aberdeen to endeavor to secure a crossing of the Tombigbee. On the next morning Col. Grierson was sent forward with a brigade to support the 9th, with directions to threaten Columbus strongly. With the remaining force Gen. Smith advanced along the railroad toward West Point, tearing up the track and burning all the corn he found. The quantity which he destroyed is reported as nearly a million of bushels, with about two thousand bales of cotton. During this portion of the march negroes flocked to Gen. Smith by hundreds, mounted on their masters' horses and mules. They welcomed Gen. Smith as their deliverer whenever he met them: "God bless ye; has yer come at last? We've been lookin' for you for a long time, and had almost done gone give it up," was the cry of many. They bid farewell to their wives and children and marched in the van.

Hearing that the enemy was concentrated in heavy force at West Point, the brigade at Aberdeen was called over by a forced march to the railroad, at a station fifteen miles north of West Point. Two miles north of this station Gen. Smith encountered a force of the enemy, which fell back, after a sharp skirmish, through the town to a swamp on the right. Gen. Smith now found the enemy on his front in strong force, holding all the crossings of the swamp on the right; also on the line of the Octibbeha in front, and that of the Tombigbee River on his left. He could attack only with light carbines, as his horses were useless on the marshy ground. The enemy were armed with muskets and rifles. Gen. Smith was also now encumbered with pack-trains, and mules and horses captured, numbering about two thousand, beside as many negroes. To guard these his effective force was reduced, and he therefore determined to make a demonstration in front, and at the same time fall back with his trains and his main body to Okalona.

This movement was successfully executed, although the enemy pressed closely, under the command of Gens. Forrest, Lee, and Chalmers. At Okalona, on the 22d, Gen. Smith was attacked, and suffered severely in the loss of men, besides five howitzers. His retreat that day was followed up. Under cover of the night he moved toward Pontotoc. This movement is thus described: "Picture to yourself, if you can, a living, moving mass of men, negroes, mules, and horses, of four thousand or five thousand, all *en masse*, literally jammed, huddled, and crowded into the smallest possible space; night setting in; artillery and small arms booming behind us; cavalry all around and ahead, moving on, on, on over fences, through fields and brush, over hills and across mud-holes, streams, and bridges, and still on, on into the night, until the moon rises on the scene and shows us some of the outlines of this living panorama. I forgot to say that in this crowd were a lot of prisoners, too, once or twice attempting to escape, followed by the swift report of the revolver, once with bitter consequences to the escaping prisoners."

During the day the enemy had moved on each flank, with the evident design of reaching the Tallahatchie River in advance, and forming a junction to prevent the crossing of Gen. Smith and capture his whole force; but, by marching all night, he safely crossed the river at New Albany. On the 23d the rear guard had skirmishing all day. On the 25th the advance reached Memphis, at 11 p. m., having marched nearly fifty miles that day. It was reported that a million bushels of corn were destroyed, many miles in length of the Memphis and Ohio Railroad, bridges, cotton-gins, and buildings. Says one: "We have probably devoured fifty thousand hams, some eggs, chickens, turkeys, milk, and butter by wholesale, and such *et ceteras* as can be found in so rich a country as we have passed through." The captured stock and trains were brought off safely. The loss was less than two hundred killed and captured. The expedition failed to make a junction with Gen. Sherman.

When the expedition of Gen. Sherman returned toward Vicksburg, a detachment was sent up the Yazoo River, accompanied with some gunboats. Yazoo City was attacked, but the enemy held it until reinforced. An amount of stores and cotton was destroyed. The Federal loss was about fifty killed and wounded. The general results of this movement, including those of Gens. Sherman and Smith, is stated to have been as follows: One hundred and fifty miles of railroad, sixty-seven bridges, seven hundred trestles, twenty locomotives, twenty-eight cars, several thousand bales of cotton, several steam mills, and over two million bushels of corn were destroyed. Some prisoners were captured, and upwards of eight thousand negroes and refugees came in with the various columns.

Many dwellings and all the outbuildings and farming utensils were destroyed.

The expedition of Gen. Sherman was generally supposed to be designed for the capture of Mobile. But, however that may have been, no official statement has been made. As it advanced toward Meridian, a force was detached from the army of Gen. Johnston, formerly commanded by Gen. Bragg, near Dalton, in Georgia, and sent to reinforce Gen. Polk. Two divisions of Gen. Hardee's Corps, under Gens. Stewart and Anderson, composed this force. To counteract this movement of the enemy, another was set on foot by Gen. Grant, then in command at Chattanooga. This consisted of an advance of the Fourteenth Corps, under Gen. Palmer, upon Dalton. It commenced on February 22d. The divisions of Gens. Jeff. C. Davis, Johnston, and Baird participated on the right, or direct road to Dalton, and the division of Gen. Stanley, under command of Gen. Crufts, on the left. This latter division had been encamped at Cleveland, and formed a junction with the main force between Ringgold and Tunnel Hill. The advance of the main force passed to the left of the Chickamauga battle-field, over Taylor's Ridge and through Ringgold Gap. A small force of the enemy was seen here, who retired. Ringgold, twenty-three miles from Chattanooga, was occupied that night. On the next day the column moved at daylight, and during the forenoon there was constant skirmishing with the cavalry of the enemy. At noon Gen. Crufts made a junction, and the whole corps moved forward in line of battle, with cavalry in advance and on the flanks, until it reached the vicinity of Tunnel Hill. On the ridge were four pieces of artillery, under Gen. Wheeler, which soon opened fire. These were dislodged in a short time by the 2d Minnesota and 9th Indiana batteries, and the ridge occupied about 4 P. M. The advance continued and the cavalry force pressed forward in pursuit of the few scattered enemies, until it was checked by a cross-fire from six guns, at Rocky Fall, in a gorge through which the railroad and turnpike passes. The enemy succeeded in holding that position for the night. On the next morning, after considerable heavy fighting, the corps advanced into the town and captured about a hundred and fifty prisoners. The movement was immediately continued upon Dalton, distant seven miles from Tunnel Hill. The corps descended through the gaps into the Rocky Fall valley, the division of Gen. Crufts being on the left, Gen. Johnston on the right, Gen. Baird on the left centre, and Gen. Davis on the right centre. During the whole forenoon there was lively skirmishing, and the enemy's force evidently increased in numbers. Gen. Palmer advanced cautiously within two miles of Dalton, when it appeared that preparations had been made by the whole of Gen. Johnston's army to receive him. Considerable activity was perceptible in the interior of the enemy's

works, and their cavalry began to hover about the flanks of Gen. Palmer's corps. Deserters reported that two divisions which had started toward Mobile had returned. Gen. Palmer now fell back to Tunnel Hill. His loss in the expedition was about three hundred and fifty killed and wounded. That of the enemy is unknown. Some prisoners were taken by Gen. Palmer. On March 10th he had fallen back to Ringgold.

The movement in East Tennessee consisted merely in an advance toward the position of Gen. Longstreet, who was then reported to be retreating into Virginia. He finally joined the army of Gen. Lee with his command.

In the Department of the South, authority was given to Gen. Q. A. Gilmore commanding, on December 22d, 1863, to undertake such operations as he might deem best on a conference with Admiral Dahlgren commanding the naval force. On the 13th of January the President wrote to Gen. Gilmore as follows:

EXECUTIVE MANSION, WASHINGTON, January 13, 1864.

Major-General GILMORE: I understand an effort is being made by some worthy gentlemen to reconstruct a legal State Government in Florida. Florida is in your department, and it is not unlikely you may be there in person. I have given Mr. Hay a commission of major and sent him to you with some blank books and other blanks to aid in the construction. He will explain as to the manner of using the blanks, and also my general views on the subject. It is desirable for all to cooperate; but if irreconcilable differences of opinion shall arise you are master. I wish the thing done in the most speedy way possible, so that when done it be within the range of the late proclamation on the subject. The detail labor will of course have to be done by others, but I shall be greatly obliged if you will give it such general supervision as you can find consistent with your more strictly military duties.

A. LINCOLN.

On January 14th Gen. Gilmore proposed to the War Department to occupy the west bank of the St. John's River in Florida, and establish small depots there preparatory to an advance west. On the 22d of January he was informed by the Secretary that the matter was left entirely to his judgment and discretion with the means at his command. On January 31st Gen. Gilmore again wrote to the Secretary that the objects to be obtained by the operations were:

1st. "To procure an outlet for cotton, lumber, timber, &c.

2d. "To cut off one of the enemy's sources of commissary supplies, &c.

3d. "To obtain recruits for my colored regiments.

4th. "To inaugurate measures for the speedy restoration of Florida to her allegiance in accordance with the instructions which he had received from the President, by the hands of Major John Hay, Assistant Adjutant-General."

On the same day Gen. Gilmore issued the following order:

HEADQUARTERS DEPARTMENT OF THE SOUTH. }

HILTON HEAD, S. C., January 31, 1864. }

GENERAL ORDERS No. 16.—In accordance with the provision of the Presidential Proclamation of Pardon and Amnesty, given at Washington on the 8th day of December, in the year of our

Lord one thousand eight hundred and sixty-three, and in pursuance of instructions received from the President of the United States, Major John Hay, Assistant Adjutant-General, will proceed to Fernandina, Florida, and other convenient points in that State, for the purpose of extending to the citizens of the State of Florida an opportunity to avail themselves of the benefits of that Proclamation, by offering for their signature the oath of allegiance therein prescribed, and by issuing to all those subscribing to said oath certificates entitling them to the benefits of the Proclamation. Fugitive citizens of the State of Florida, within the limits of this Department, will have an opportunity to subscribe to the same oath and secure certificates in the office of the Post Commander at Hilton Head, South Carolina.

By command of Maj.-Gen. Q. A. GILMORE.
ED. W. SMITH, Ass't Adj.-Gen.

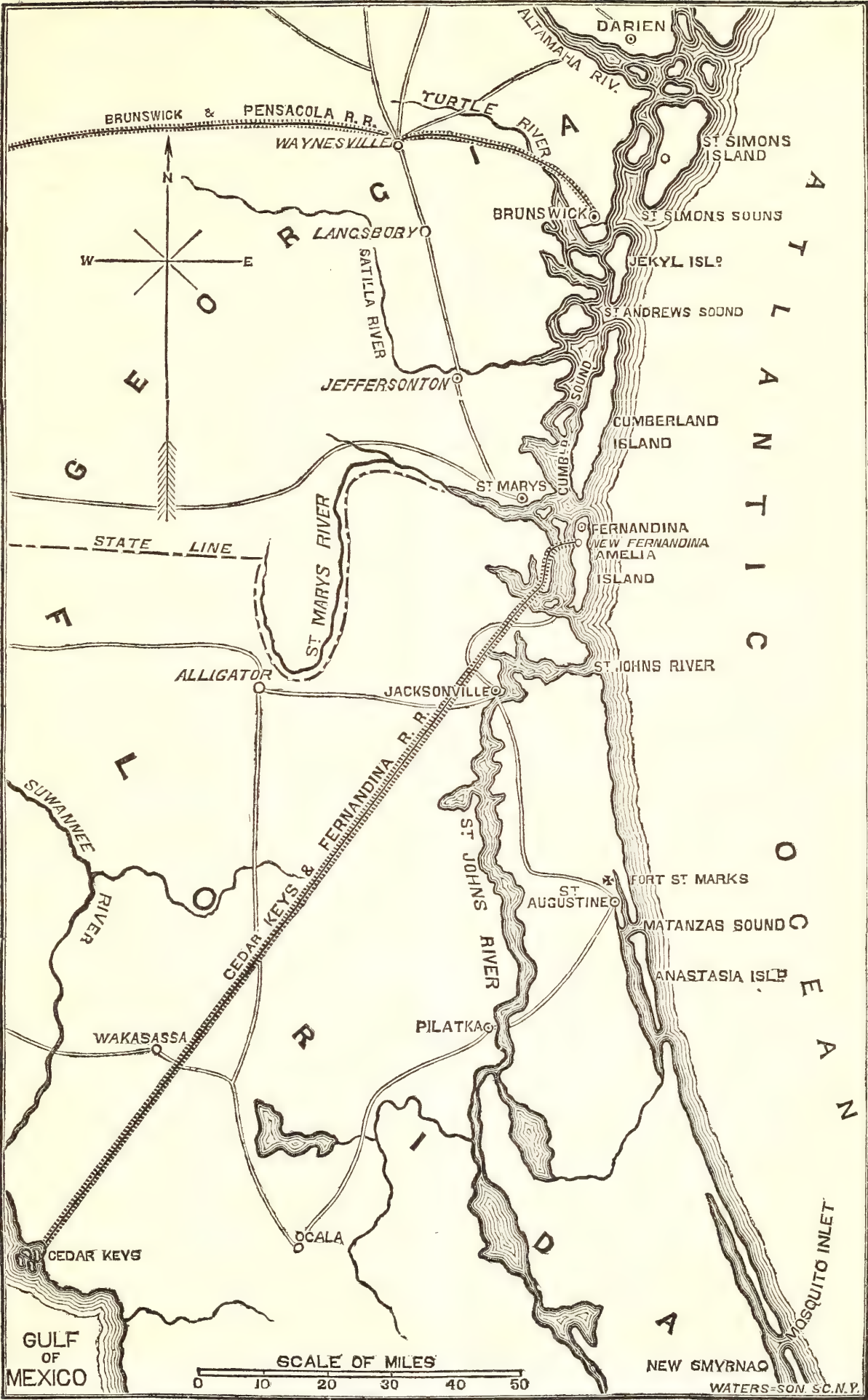
Orders were issued to Brig.-Gen. Truman Seymour on February 5th to proceed to Jacksonville, Fla., and effect a landing and push forward his mounted force to Baldwin, seventy miles from Jacksonville. It was the junction of the railroads from Jacksonville and Fernandina. On the 6th the expedition, consisting of twenty steamers and eight schooners, under convoy of the gunboat Norwich, left Hilton Head and arrived at Jacksonville on the next day, February 7th. When the landing of the troops commenced a small body of the enemy in a wood adjacent to the town fired three shots, thus wounding two or three persons. A company of colored troops went in pursuit, and the enemy after firing a few shots fled.

About twenty-five families remained in Jacksonville. They were chiefly women and children, and all professed to be in favor of the Union. The railroad was in running order to Tallahassee. Provisions and cattle were abundant. Gen. Joseph Finegan was in command of the forces of the enemy.

In the afternoon of the 8th the march to the interior of the State was commenced. The forces were divided into three columns, commanded respectively by Cols. Barton, Hawley, and Henry. Col. Barton took the main road, Col. Henry took the road to the right of that, and Col. Hawley one still further to the right. After an advance of three miles the three roads united on the line of the railroad. Here the infantry bivouacked for the night, and Col. Guy V. Henry, with the 40th Massachusetts infantry, the independent battalion of cavalry and Elder's horse battery B, 1st artillery, pushed forward on a reconnoissance. It was dark when the movement commenced at a brisk trot toward Lake City. For the distance of five miles none of the enemy were seen. The country through which the force passed was low, level, and marshy. On each side the road was flanked by pine forests. The soil was that of fair farming land to Lake City, but beyond it becomes a rich sandy loam. A mile and a half from Camp Finegan a picket station was discovered, but the pickets had fallen back to the reserve post. Pressing forward, after a short stop, Col. Henry soon came in sight of Camp Finegan on the right. About two hundred cavalrymen were seen drawn up in line of battle. Having

no apprehension from this force, he continued his advance, and three miles beyond surprised and captured a camp of artillery containing four guns, camp and garrison equipage, including wagons, tents, commissary stores and officers' baggage. Three prisoners were taken. The remainder of the force escaped to the woods. This body was falling back, and had not anticipated so rapid an advance of the Federal force. Early on the next morning the advance reached Baldwin, a place of fifteen buildings. Here three cars, two of which were filled with corn, a three-inch rifled gun, a considerable quantity of cotton, rice, tobacco, and other stores were captured. At evening Gens. Gilmore and Seymour arrived.

On the 10th Col. Henry continued his advance. At Barber's Station a thousand barrels of turpentine and five hundred pounds of bacon were captured. An advance guard was then sent forward to see if the enemy were in position to defend the south fork of the St. Mary's river, while the remainder of the force cautiously followed. The enemy in small force were found defending the fork, when a skirmish ensued, in which four were killed on the Federal side and thirteen wounded. Two of the enemy were killed and three wounded, when they fled to the woods. Their force was about one hundred and fifty men. At 6 p. m. Col. Henry reached Sanderson, forty-miles from Jacksonville. The place had been abandoned by the enemy, and a large amount of stores committed to the flames. On the 11th the command encamped five miles from Lake City, which was held by the enemy but evacuated during the night. This was unknown to Col. Henry, and, as he was without infantry, he retraced his steps to Sanderson. The most important property captured was as follows: Two twelve-pounder rifled guns, two six-pounder guns, one three-inch gun, two other guns, five caissons, a large quantity of ammunition, an immense supply of camp and garrison equipage, four railroad cars, one hundred and thirteen bales of cotton, four army wagons, one hundred and five horses and mules, a large stock of saddlery, tanning machinery, three thousand and eighty-three barrels turpentine, six thousand bushels corn; three large warehouses were destroyed. On the 11th telegraphic communication was established between Jacksonville and Baldwin, and on that day Gen. Gilmore sent instructions to Gen. Seymour not to risk a repulse in advancing upon Lake City, but to hold Sanderson unless there were reasons for falling back, and also in case his advance met with serious opposition to concentrate at Sanderson and the south fork of the St. Mary's. On the 13th Gen. Seymour was further instructed to concentrate at Baldwin without delay. This was done at once. Meantime, Col. Henry was sent toward the left to capture some railroad trains at Gainsville on the Fernandina and Cedar Keys railroad. This resulted in a skirmish with a



body of East Florida cavalry, which was repulsed. A reconnoissance was also made along the Georgia State line by Col. Scammon, destroying several small works of the enemy. After arranging with Gen. Seymour for the construction of certain defences at Jacksonville, Baldwin, and the south fork of the St. Mary's, Gen. Gilmore departed to Hilton Head. His understanding was that no advance would be made by Gen. Seymour without further instructions, and not until the defences were well advanced. It was the intention of Gen. Gilmore to construct several works capable of resisting a *coup de main* at Jacksonville, Baldwin, Pilatka, and perhaps one or two other important points, so strong that two or three hundred men would be sufficient at each. His desire was to see the lumber and turpentine trade on the St. John's River revived, and to give assurance that the occupation of the river was intended to be permanent.

On Thursday the 18th, the force of Gen. Seymour at Jacksonville left camp with ten days rations, and advanced on the line of the railroad sixteen miles. On the next day it moved seventeen miles to Barber's Station, the roads having been bad on the whole route. On the 20th the troops were in motion at an early hour, the light cavalry in advance. The line of march was across the south fork of the St. Mary's, and up the road to Sanderson, nine miles distant. The day was beautiful. The sky was clear overhead, and the savannahs which stretched out on each side of the sandy road winding through the pine woods, were warm with the sunshine. Sanderson was reached without a halt. There the infantry made a short halt, but the cavalry kept its position about two miles in advance. The march was resumed at midday toward Lake City. Gen. Seymour's force, consisting of five thousand men, moved in three columns, Col. Hawley's brigade on the left, Col. Barton's in the centre, and Col. Scammon's regiment on the extreme right. The cavalry in advance were led by Col. Henry with Elder's battery. In the rear was the colored brigade led by Col. Montgomery. About six miles from Sanderson the enemy's mounted pickets, thirty or forty in number, were met and driven in after exchanging shots. The main body hurried forward a distance of two miles, when three or four cannon shot of the enemy fell among the head of the column. Skirmishing commenced immediately. The artillery dashed into position on the gallop, the infantry on the double-quick step, and in a brief period of time a severe battle was progressing. Elder's battery unlimbered at the head of the road, Hamilton's to the left, and Langdon's on the extreme left, opening at short range with canister shot. The artillery of the enemy consisted of four or five guns, and was badly served at first, being fired too high to do injury. Gen. Seymour's line of infantry was well formed for the position. With the exception of a small field of a few acres, it was in the woods, amid a

heavy growth of pine timber, and with swampy ground intervening between it and the enemy, of whose position nothing was known. The battle lasted for three hours. Two of the Federal batteries were disabled early in the action. The 7th New Hampshire broke, but was rallied again. The 8th U. S. colored fought well until the loss of their leader, when they fled. The contest closed at dusk, and Gen. Seymour finding his force repulsed with some loss, and the colored reserve unequal to the emergency, retired from the field leaving his dead and wounded. The retreat for a short distance was conducted in successive lines of battle, but finding the enemy were not disposed to follow the line was changed, and the force retired in column, Barton's brigade bringing up the rear covered by the cavalry and Elder's battery. A halt was made at Sanderson, six or seven miles, coffee cooked, and some attention given to the wounded. From Sanderson to Barber's Station, says a writer, "ten miles, we wended or crawled along, the wounded filling the night air with lamentations, the crippled horses neighing in pain, and a full moon kissing the cold, clammy lips of the dying." On the next morning the retreat was continued to Baldwin, where the cavalry of the enemy made their appearance. Many of the wounded were here sent on cars drawn by mules to Jacksonville, and Gen. Seymour, knowing that the enemy was following in force, ordered the commissary stores, worth about sixty thousand dollars, to be destroyed, and resumed his march to Jacksonville. His loss in killed, wounded, and missing was about twelve hundred.

The following despatch from the Governor of Florida presents the enemy's account of the battle:

TALLAHASSEE, FLA., February 21.

TO PRESIDENT DAVIS: I have just received the following despatch from Gen. Finegan, dated yesterday:

"I met the enemy in full force to-day, under Gen. Seymour, and defeated him with great loss. I captured five pieces of artillery, hold possession of the battle-field, and the killed and wounded of the enemy. My cavalry are in pursuit. I don't know precisely the number of prisoners, as they are being brought in constantly. My whole loss, I think, will not exceed two hundred and fifty killed and wounded. Among them I mourn the loss of many brave officers and men."

I understand that Gen. Finegan also captured many small arms.

(Signed) JOHN MILTON, Governor.

Gen. Seymour now occupied Jacksonville with his forces, and the enemy took up a position at Camp Finegan, eight miles distant, toward Baldwin. The following correspondence passed, at this time, between Gen. Seymour and Gen. Finegan commanding the enemy's force:

HEADQUARTERS DISTRICT OF FLORIDA, D. S. }
JACKSONVILLE, FLA., Feb. 23, 1864. }

SIR: In view of the inconveniences to which the wounded prisoners in your hands, since the action of the 20th, near Olustee, Florida, may be unavoidably subjected, I have the honor to propose that they may be paroled, and delivered within my lines as

soon as possible, and Capt. G. S. Dana, of my staff, the bearer of this communication, is authorized to make such arrangements therefor as may be convenient, and a horse car or ambulance will be sent for the wounded, at such times as may be designated, should this proposal be acceded to.

The body of Col. C. W. Fibley was left on the field at Olustee. If there have been any means of identifying his person, I request that his grave may be so marked, that at some future day his family may be able to remove his remains.

I am, General, very respectfully,

Your obedient servant,

T. SEYMOUR,

Brigadier-General Commanding.

To the General commanding the Confederate forces in Florida.

HEADQUARTERS DISTRICT EAST FLORIDA, {
BALDWIN, FLA., Feb. 24, 1864. }

Brig.-Gen. T. Seymour, Commanding United States forces, Jacksonville:

GENERAL: I have the honor to acknowledge the receipt of your communication of the 23d inst., proposing "that the wounded prisoners left by you on the field of battle, at Ocean Pond, on the 20th inst., be paroled and sent within your lines, and requesting that, if the body of Col. C. W. Fibley, left on the ground, can be identified, that his grave be marked, so that at some future day his family may be able to remove his remains."

In reply, I have to state that the wounded prisoners have been sent forward and properly taken care of, and will be kept to await the future action of my Government in reference to a general exchange of prisoners.

I regret to state that the body of Col. Fibley has not been identified.

Very respectfully, your ob't serv't,

JOSEPH FINEGAN.

Brigadier-General Commanding.

HEADQUARTERS DISTRICT OF FLORIDA, D. S., {
JACKSONVILLE, FLA., Feb. 25, 1864. }

GENERAL: Notwithstanding the information contained in your communication of the 24th inst., respecting the body of the late Col. Fibley, that it has not been identified, I have the honor to urge that measures be taken to ascertain the possession of some of the articles upon his person, with a view to the return of some of them to his widow, at this place. The accompanying memorandum may serve to assist in whatever investigation you may decide to institute.

And I feel assured that whatever can be done by you to mitigate the sorrow that is the lot of a most deserving and greatly suffering lady, will be cheerfully accorded.

And any remuneration that may be desired or necessary to procure any part of the personal memorials mentioned in this memorandum, will be duly forwarded to the parties having them in possession.

I have further to request, if the arrangement can be made, that Mrs. Fibley herself, accompanied by the adjutant of the late colonel, may be permitted to pass within your lines, in the hope of obtaining more information than can perhaps otherwise be anticipated.

The circumstances of this contest will certainly not be injuriously affected by such a concession to humanity.

Respectfully, your obedient servant,

T. SEYMOUR, Brig.-Gen. Commanding.

Brig.-Gen. Joseph Finegan, Commanding Confederate forces East Florida.

HEADQUARTERS DISTRICT EASTERN FLORIDA, {
February 26, 1864. }

GENERAL: I have the honor to acknowledge the receipt of your communication of the 25th inst., and to reply that I will cause the proper inquiries to be made to obtain the information sought for in your

letter, and will, as soon as practicable, forward you a reply by flag of truce.

I regret to say that I consider it at present objectionable, for reasons which it is needless for me to state, but which will doubtless be appreciated by yourself, to grant a permit for Mrs. Fibley and the adjutant of her late husband's regiment to visit the battle-field of Ocean Pond. At a future day these obstacles may be removed.

I am, very respectfully, your obedient servant,

(Signed)

JOSEPH FINEGAN,

Brigadier-General Commanding.

Brig.-Gen. T. Seymour, Commanding United States forces Jacksonville, Florida.

HEADQUARTERS DEPARTMENT SOUTH CAROLINA, {
GEORGIA AND FLORIDA, March 4, 1864. }

District of Florida headquarters, forces in the field.

GENERAL: In further reply to your communication of the 25th of February, 1864, I have the honor to forward through you to the widow of the late Col. Fibley, an ambrotype, supposed to be the one referred to in the memorandum accompanying your communication.

Traces have also been discovered of his watch, a letter from his wife to himself, and his diary, and steps have been taken to recover possession of them. If successful, the two former articles will be forwarded.

That I may not be misunderstood, it is due to myself to state that no sympathy with the fate of any officer commanding negro troops, but compassion for a widow in grief, has induced these efforts to recover for her relics which she must naturally value.

Very respectfully, your obedient servant,

(Signed)

W. M. GARDNER,

Brigadier-General Commanding.

To Brigadier-General T. SEYMOUR,

Comm'g United States forces, Jacksonville, Fla.

A small Federal force remained at Jacksonville for several months, and many raids in different directions were made. (*See FLORIDA.*) No important military operations took place. The movement to reorganize the State ceased after the battle at Olustee.

Early in the year, a concentration of forces at New Orleans commenced. To these were added a portion of the forces of Gen. Sherman. After his return to Vicksburg from his expedition to Meridian, a considerable body of his troops moved to join Gen. Banks, while the division of Gen. A. J. Smith remained at Vicksburg, ready to coöperate. It was the purpose of Gen. Banks to open the region of Western Louisiana to trade, and scatter or destroy the forces of the enemy. During only the months of March and April the Red River has sufficient water to be navigable by the largest vessels.

In the beginning of the month of March, the division of Gen. Franklin, who formerly held a command in the army of the Potomac, moved from New Orleans by the railroad to Brashear City, thence along the Bayou Teche and Opelousas, to Alexandria. This was substantially the same route as was taken by the army in the previous year, under Gen. Banks. (*See ANNUAL Cyclopedia, 1863, ARMY OPERATIONS.*) In the mean time the most formidable fleet ever seen in the western waters had been collected under Rear-Admiral Porter, at the mouth of the Red River. It consisted of twenty powerful armed steamers of all classes,

from the light to the heaviest draught. Among them were the monitors Ozark, Osage, Neosho; the ironclads Benton, Carondelet, Pittsburg, Mound City, Louisville, Essex, and Chillicothe; the rams Price, Choctaw, Lafayette, besides the lighter boats, Blackhawk, Ouachita, Champion, and Tyler.

On the 10th of March, about ten thousand troops under Gen. A. J. Smith embarked in twenty transports at Vicksburg, and proceeded to join the fleet. This force consisted of the first and third divisions of the sixteenth army corps, and the first and fourth divisions of the seventeenth. It was intended to unite with the force of Gen. Banks, to which was subsequently to be added the force under Gen. Steele from Arkansas. The principal force of the enemy was under Gen. Richard Taylor, at Shreveport. Bodies of troops under Gen. Price and Gen. Walker were also moving to unite with it.

On the next afternoon the transports arrived at the mouth of Red River, and joined the fleet. On the next day, Saturday, the 12th, the fleet moved up the old Red River, into the Atchafalaya, and in the afternoon anchored at Semmesport. The town had ceased to exist; a few chimneys marked the former site. It was burned by Col. C. R. Ellet, in retaliation for the firing upon his steamer, the *Queen of the West*; and afterward entirely destroyed by Col. John Ellet, during the siege of Port Hudson, to prevent the construction of batteries by the enemy, and a traffic across the river. Hearing nothing from Gen. Banks, Gen. Smith disembarked a portion of his troops on the next day, and sent a brigade under Gen. Mower to reconnoitre in the vicinity of Yellow Bayou. The enemy had broken up their camp and retired. Two extensive earthworks in an incomplete state were found. A distance further five teams loaded with tents were overtaken. The latter were burnt, and the teams loaded with sugar and molasses, and taken to the fleet. It was now decided that the column should march overland to Fort De Russy, a distance of thirty miles, whither it was supposed the enemy had retreated. At daybreak, on Monday morning, the force started in light marching order, with the brigade of Gen. Mower in advance. They had advanced scarcely five miles before they were beset by the enemy's cavalry, in front and rear. This continued until the position of the enemy, known as Fort De Russy, was approached in the afternoon. It consisted of two distinct and formidable earthworks, connected by a covered way; the upper part facing the road mounted four guns, two field and two siege; the lower work, commanding the river, was a casemated battery of three guns. Only two guns were in position in it, one a 11-inch Columbiad, and an 8-inch smooth bore. On each side were batteries of two guns each, making in all eight siege and two field-pieces. As the line moved up to the edge of the timber, the upper work opened with shell and shrapnel,

against which two batteries were brought to bear. The cannonading continued for two hours. A charge was then ordered, and as the men reached the ditch, the garrison surrendered. The Federal loss was four killed and thirty wounded; that of the enemy, five killed and four wounded. The prisoners taken were twenty-four officers and two hundred men. Considerable ammunition and stores were found, besides a thousand muskets. A portion of the fleet arrived as the fort surrendered. Gen. Smith ordered the works to be destroyed. This portion of his troops were then embarked on the transports, and reached Alexandria, one hundred and forty miles from the Mississippi River, on the evening of the 16th. They were followed by the remainder of the forces and the fleet. The enemy retired before the advance, destroying two steamboats and considerable cotton. During the first week, the gunboats rescued upwards of four thousand bales of cotton, and large quantities were brought in by the negroes. The fleet was detained by the low water on the falls above Alexandria, its depth being only six feet, whereas nine feet were required to float the largest gunboats. Three formidable iron-clad rams of the enemy were reported to be at Shreveport, about four hundred and fifty miles above the Mississippi River. On the 19th, Gen. Stone, chief of Gen. Banks' staff, arrived and reported that the latter was at Opelousas. On the 20th, the cavalry force under Gen. Lee, attached to the command of Gen. Banks, reached Alexandria, after marching from Franklin across the Teche country. Meantime detachments from Gen. Smith's command had been sent forward, and captured several small bodies of the enemy.

On the 21st, Natchitoches was taken, with two hundred prisoners and four pieces of artillery. It is about eighty miles from Alexandria. On the 26th, the force of Gen. Smith as the advance, left Alexandria for Shreveport, to be followed by the troops of Gen. Banks then arriving. Shreveport was the destination of the expedition. It had been the capital of the Confederate State Government. Its situation is in almost the extreme northwestern corner of Louisiana, and at the head of navigation on the Red River. The enemy were reported to have a strong force there, and large quantities of cotton and military stores were expected to be captured. The coöperation of Gen. Steele in command at Little Rock, Arkansas, was also expected by Gen. Banks. Twelve of the gunboats and a fleet of thirty transports were able to pass over the shoals, and moved up the river in coöperation with the land forces. On the 4th of April, Gen. Banks' column reached Natchitoches. Here he remained two days.

On Wednesday, the 6th, the army moved from Natchitoches for Shreveport, with Gen. Lee's cavalry in advance. The infantry marched seventeen miles, and the cavalry reached

Crump's Hill four miles further, and half way between Natchitoches and Mansfield. On the 7th, Gen. Lee pushed forward, maintaining a constant skirmish with the enemy, until he arrived at a position two miles beyond Pleasant Hill. Here the main body of the enemy's cavalry, under Major-Gen. Thomas Green, was encountered by the advance of Gen. Lee's cavalry, consisting of a brigade under Col. H. Robinson. Heavy skirmishing ensued for two hours and a half, when Gen. Green fell back upon the Con-

the 13th corps. The entire division numbered 2,600 men. The 19th corps, under Gen. Franklin, were in camp nine miles in the rear, and Gen. A. J. Smith, with about one-half of the 16th and 17th corps, was nearly twenty miles in the rear. The Federal artillery consisted of the Chicago Mercantile battery, the 1st Indiana battery, Nim's Massachusetts battery, and battery G, 5th regular artillery. Col. Landrum's brigade took a position on the right and centre with all the batteries except one, and Gen. Ransom's brigade on the left with Nim's battery supported by Col. Dudley's cavalry brigade, while Col. Robinson's cavalry protected the wagon train, and Col. Lucas acted on the right. Gen. Banks had, in the meanwhile, arrived on the field, and at once sent couriers for Gen. Franklin to hasten forward with all possible despatch. Heavy skirmishing commenced at 5 o'clock, and in a short time the skirmishers were driven in by the enemy advancing in force, when the engagement became general on the right and centre. To sustain this portion of the line, which was heavily pressed, the left was necessarily much weakened. This was observed by the enemy, who massed upon their right and dashed upon the left of Gen. Banks, which was soon driven back, and four guns of Nim's battery captured. Not horses enough were alive to drag it from the field. Meantime the right continued fiercely engaged and the centre was pressed back, when the right also gave way. The loss of the Chicago battery and the 1st Indiana soon followed. Gen. Cameron came up with a brigade of Indiana troops belonging to the third division of the 13th corps, and advanced to the front, but was unable to resist the force of the enemy. Gen. Franklin with staff, also arrived on the field in advance of his division. The line continued to fall back slowly until the baggage trains blocked up the roads in the rear so that the troops could not easily pass, when a panic ensued. The enemy now pursued for three and a half miles, when their advance was checked and driven back by Gen. Emory's division. Here the conflict ended for the day. Six guns of the Chicago battery, two of battery G, four of the 1st Indiana, and six of Nim's battery were left on the field, with two howitzers of the 6th Missouri. The loss of Gen. Banks was estimated at two thousand killed, wounded, and missing. His force on the field was about eight thousand. The force of the enemy was much larger. Gen. Mouton was among the badly wounded of the enemy.

As it was now known that Gen. Smith with his force had marched to Pleasant Hill and halted, Gen. Banks determined to withdraw to that place for the sake of concentrating his forces, and of the advantageous position which he could there occupy. The movement commenced at ten o'clock at night, and before daylight the rear of the army was well on the road. The enemy during the night had pressed his pickets down on Gen. Banks' front, but failed



federate infantry and artillery at Bayou du Paul. Col. Robinson finding the enemy in an increased force, halted for the night and to await reinforcements. Early the next morning, the infantry brigade of the 4th division of the 13th corps, under Col. Landrum, joined him, and the advance was resumed and continued until 2 o'clock P. M., driving the enemy before them for seven miles. The main force of the enemy now appeared, occupying a strong position in the vicinity of Sabine Cross roads east of Mansfield. They were partly concealed in a dense wood with an open field in front and the Shreveport road passing through their lines. Major-Gen. Taylor was in command. Major-Gen. Green commanded the left wing, Brig.-Gen. Mouton the right, with Gen. Walker's division still further to the right, and two cavalry regiments on the extreme right. Meantime Gen. Ransom arrived on the field with the remaining brigade of the 4th division of

to discover the retreat of the troops as it was conducted with the greatest silence and expedition. Becoming aware of it in the morning, he followed after with his main force, his cavalry being in advance, but the cavalry failed to come up with the rear under Gen. Emory, before it had arrived at Pleasant Hill about seven o'clock in the morning. Col. Gooding, of the cavalry division, was then sent out on the Shreveport road to find the enemy. About a mile up the road the advance was seen approaching in strong force.

The battle-ground was an open field on the outside of the town of Pleasant Hill on the Shreveport road. It was open and rolling, and ascended both from the side of the town and from the side on which the enemy were approaching. A belt of timber extended almost entirely around it. The division of Gen. Emory was drawn up in line of battle on the sloping side, with the right resting across the Shreveport road. Gen. McMillen's brigade formed the extreme right of the line, with his right resting near the woods, which extended along the whole base of the slope and through which the enemy would advance. Gen. Dwight's brigade was formed next with his left resting on the road, Col. Benedict's brigade formed next, with his right resting on the road and a little in the rear of Gen. Dwight's left. Two pieces of Taylor's battery were placed in the rear of Gen. Dwight's left on the road, and four pieces were in position on an eminence on the left of the road and in rear of Col. Benedict. Hibbard's Vermont battery was in the rear of the division. Gen. Smith's division, under command of Gen. Mower, was massed in two lines of battle fifty yards apart with artillery in rear of Gen. Emory's division. The right of the first line rested on the road, and was composed of two brigades: the first brigade on the right commanded by Colonel Lynch; the second brigade on the left commanded by Colonel Shaw. The 3d Indiana battery (Crawford's) was posted in the first line of battle, and on the right of the 89th Indiana. The 9th Indiana battery (Brown's) was in position on the right of the first brigade. The Missouri battery occupied ground on the right of the 89th Indiana.

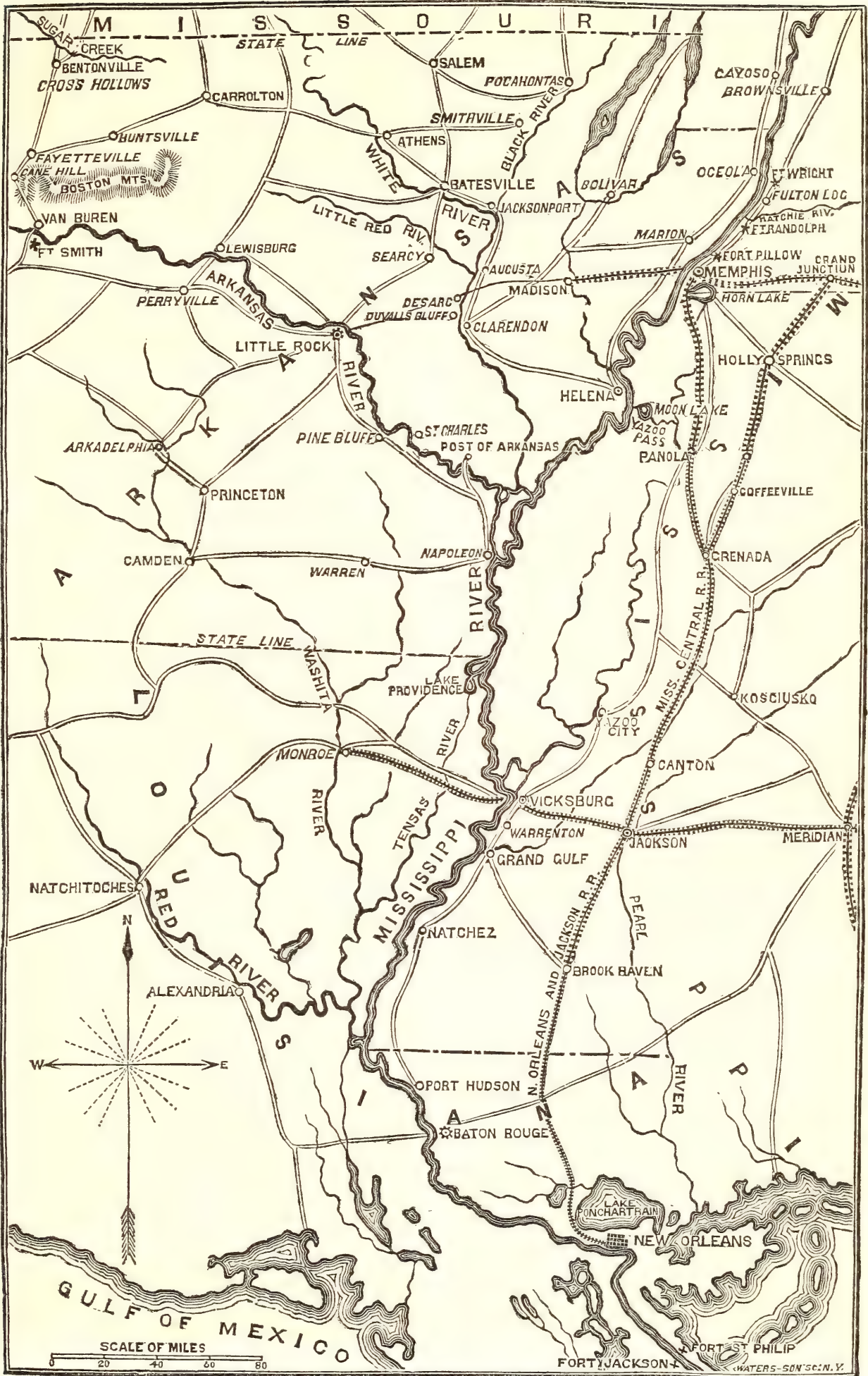
The second line was composed of two brigades. The 13th corps were in reserve. Skirmishing continued through the day, and at 4 P. M. the enemy's line of battle was formed. Gen. Green's division was posted on the extreme left; Gen. Mouton's division, under command of Brig.-Gen. Polignac, on Gen. Green's right; Gen. Walker on Polignac's right, and Gen. Churchill's division of Arkansians and Missourians on the extreme right. About 5 P. M. the enemy appeared on the field at the edge of the woods, and the battle began by the Federal batteries opening upon him with case shell as he advanced at double-quick. The left under Col. Benedict came into action first, and soon after the right and centre were engaged.

The contest now became fierce on both sides, when Gen. Emory's division, pressed by overwhelming numbers, fell back up the hill to the 16th corps, which was just behind the crest. The enemy rushed forward and were met by Gen. Smith with a discharge from all his guns, which was followed by an immediate charge of the infantry, by which the enemy were driven rapidly back to the woods, where they broke in confusion. Night put an end to the pursuit. The Taylor battery lost on the advance of the enemy was recovered, and also two guns of Nim's battery. Five hundred prisoners were also taken. Early on the next morning, leaving the dead unburied and the muskets thrown on the field, the army commenced its march back to Grand Ecore, thirty-five miles from Pleasant Hill, to obtain rest and rations.

The entire losses of the campaign thus far were stated to be twenty pieces of artillery, three thousand men, one hundred and thirty wagons, twelve hundred horses and mules, including many that died of disease. The gains were the capture of Fort De Russy, Alexandria, Grand Ecore, and Natchitoches, the opening of Red River, the capture of three thousand bales of cotton, twenty-three hundred prisoners, twenty-five pieces of artillery, chiefly captured by the fleet, and small arms and considerable stores. A large number of citizens enlisted in the service in Alexandria, and the material for two colored regiments was gathered, and five thousand negroes, male and female, abandoned their homes and followed the army.

Meanwhile Rear-Admiral Porter ascended the falls with twelve gunboats and thirty transports, and reached Grand Ecore when the army was at Natchitoches preparing for an immediate march. As the river was rising slowly the advance was continued with six smaller gunboats and twenty transports, having army stores and a part of Gen. Smith's division on board. Starting on the 7th of April, Springfield Landing was reached on the third day. Here a large steamer sunk in the river obstructed further progress; and information was received that the army had met with a reverse. Orders also came to Gen. Smith's troops to return to Grand Ecore with the transports. The fleet, therefore, turned back, but was constantly annoyed by the enemy on the bank of the river. Two of the fleet at Grand Ecore were found above the bar, and not likely to get away until there was a rise of water in the river.

The continued low water in the Red River, and the difficulty of keeping up a line of supplies, caused the army to fall back to Alexandria. The march commenced in the afternoon of April 21st, by starting the baggage train with a suitable guard. At 2 o'clock the next morning the army began silently to evacuate its position, Gen. Smith's force forming the rear guard. Soon after daylight the enemy observing the movement began his pursuit, but with so small a force that only slight skirmishing



took place. After moving thirty miles, the army bivouacked for the night. On the next morning the march was resumed, six miles to the crossing of Cane River. Here the enemy appeared in a strong position to dispute the crossing of the river. A flank movement through an almost impassable wood was made upon the enemy's position, from which he was driven, and the crossing secured. The pursuit was continued by the enemy until Alexandria was reached on the 27th.

Although Gen. Banks had declared in the commencement of the campaign that his occupation of the country would be permanent, such was now the state of affairs as to require his withdrawal, the season having passed for operating with any chance of success. Preparations for this object were soon commenced. The position of the fleet was most serious, and its extrication is thus related by Rear-Admiral Porter:

MISSISSIPPI SQUADRON, FLAGSHIP BLACK HAWK, }
MOUTH RED RIVER, May 16th, 1864. }

SIR: I have the honor to inform you that the vessels lately caught by low water above the falls at Alexandria, have been released from their unpleasant position. The water had fallen so low that I had no hope or expectation of getting the vessels out this season, and, as the army had made arrangements to evacuate the country, I saw nothing before me but the destruction of the best part of the Mississippi squadron.

There seems to have been an especial Providence looking out for us in providing a man equal to the emergency. Lieut.-Col. Bailey, Acting Engineer of the 19th Army Corps, proposed a plan of building a series of dams across the rocks at the falls, and raising the water high enough to let the vessels pass over. This proposition looked like madness, and the best engineers ridiculed it; but Col. Bailey was so sanguine of success that I requested to have it done, and he entered heartily into the work. Provisions were short and forage was almost out, and the dam was promised to be finished in ten days or the army would have to leave us. I was doubtful about the time, but I had no doubt about the ultimate success, if time would only permit. Gen. Banks placed at the disposal of Col. Bailey all the forces he required, consisting of some three thousand men and two or three hundred wagons. All the neighboring steam-mills were torn down for material; two or three regiments of Maine men were set at work felling trees, and on the second day after my arrival in Alexandria, from Grand Ecore, the work had fairly begun.

Trees were falling with great rapidity, teams were moving in all directions, bringing in brick and stone; quarries were opened; flat-boats were built to bring stone down from above, and every man seemed to be working with a vigor I have seldom seen equalled, while perhaps not one in fifty believed in the undertaking. These falls are about a mile in length, filled with rugged rocks, over which at the present stage of water it seemed to be impossible to make a channel.

The work was commenced by running out from the left bank of the river a tree dam, made of the bodies of very large trees, brush, brick, and stone, cross-tied with heavy timber, and strengthened in every way which ingenuity could devise. This was run out about three hundred feet into the river; four large coal barges were then filled with brick and sunk at the end of it. From the right bank of the river, cribs filled with stone were built out to meet the barges, all of which were successfully ac-

complished, notwithstanding there was a current running of nine miles an hour, which threatened to sweep every thing before it.

It will take too much time to enter into the details of this truly wonderful work; suffice it to say that the dam had nearly reached completion in eight days' working time, and the water had risen sufficiently on the upper falls to allow the Fort Hindman, Osage, and Neosho, to get down and be ready to pass the dam. In another day it would have been high enough to enable all the other vessels to pass the upper falls. Unfortunately, on the morning of the 9th inst., the pressure of water became so great that it swept away two of the stone-barges which swung in below the dam on one side. Seeing this unfortunate accident, I jumped on a horse and rode up to where the upper vessels were anchored, and ordered the Lexington to pass the upper falls if possible, and immediately attempt to go through the dam. I thought I might be able to save the four vessels below, not knowing whether the persons employed on the work would ever have the heart to renew the enterprise.

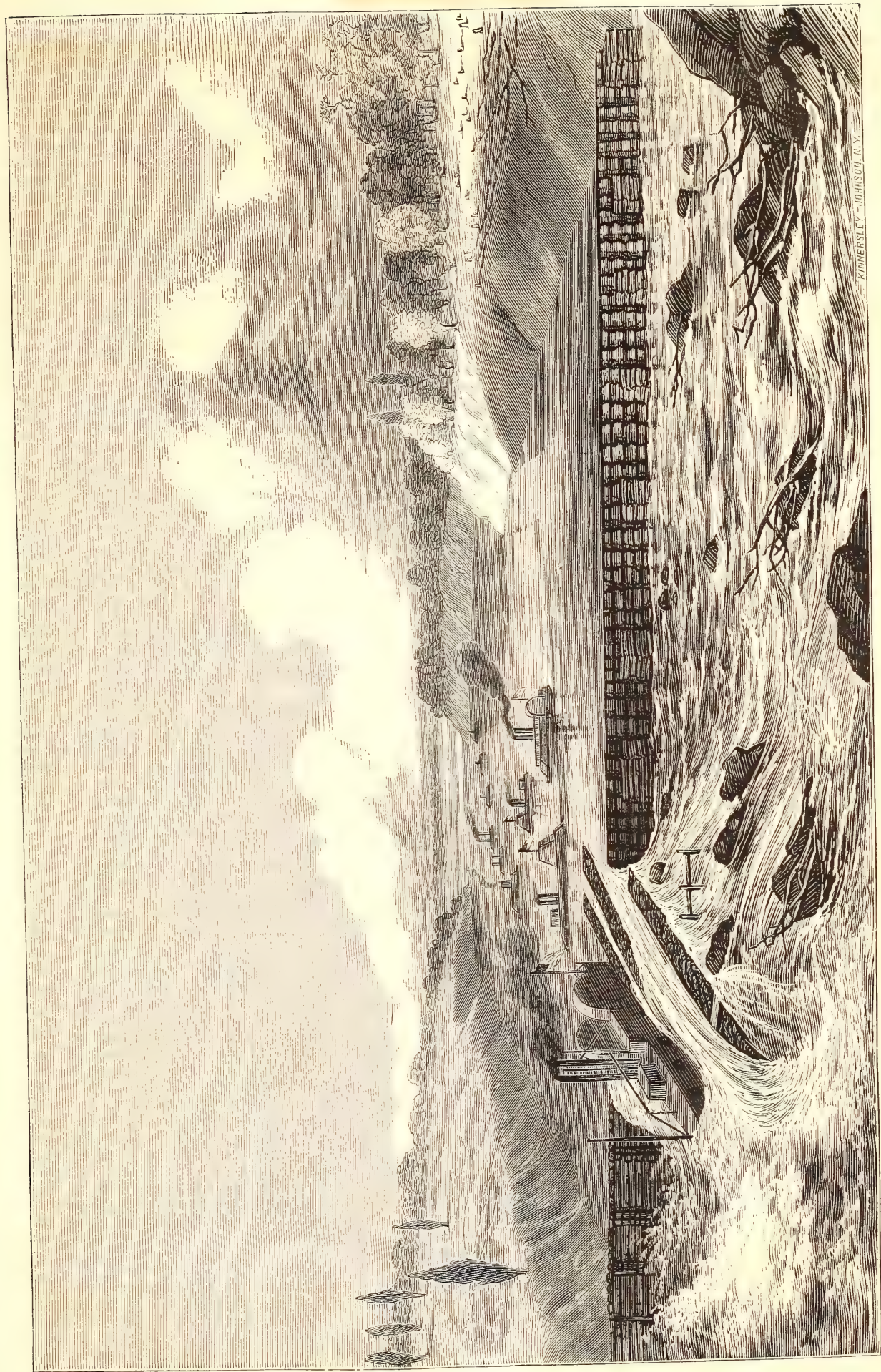
The Lexington succeeded in getting over the upper falls just in time, the water rapidly falling as she was passing over. She then steered directly for the opening in the dam, through which the water was rushing so furiously that it seemed as if nothing but destruction awaited her. Thousands of beating hearts looked on anxious for the result.

The silence was so great as the Lexington approached the dam that a pin might almost have been heard to fall. She entered the gap with a full head of steam on, pitched down the roaring torrent, made two or three spasmodic rolls, hung for a moment on the rocks below, was then swept into deep water by the currents, and rounded to safely into the bank.

Thirty thousand voices rose in one deafening cheer, and universal joy seemed to pervade the face of every man present. The Neosho followed next—all her hatches battened down, and every precaution taken against accident. She did not fare as well as the Lexington, her pilot having become frightened as he approached the abyss, and stopped her engine when I particularly ordered a full head of steam to be carried. The result was that for a moment her hull disappeared from sight, under the water. Every one thought she was lost. She rose, however, swept along over the rocks with the current, and fortunately escaped with only one hole in her bottom, which was stopped in the course of an hour. The Hindman and Osage both came through beautifully without touching a thing, and I thought if I was only fortunate enough to get my large vessels as well over the falls my fleet once more would do good service on the Mississippi.

The accident to the dam, instead of disheartening Col. Bailey, only induced him to renew his exertions, after he had seen the success of getting four vessels through. The noble-hearted soldiers, seeing their labor of the last eight days swept away in a moment, cheerfully went to work to repair damages, being confident now that all the gunboats would be finally brought over. The men had been working for eight days and nights, up to their necks in water, in the broiling sun, cutting trees and wheeling bricks, and nothing but good humor prevailed among them. On the whole, it was very fortunate the dam was carried away, as the two barges that were swept away from the centre swung around against some rocks on the left and made a fine cushion for the vessels, and prevented them, as it afterward appeared, from running on certain destruction.

The force of the water and the current being too great to construct a continuous dam of six hundred feet across the river in so short a time, Col. Bailey determined to leave a gap of fifty-five feet in the dam, and build a series of wing dams on the upper falls. This was accomplished in three days' time, and on



DAM ACROSS THE RED RIVER, CONSTRUCTED BY COL. BAILEY.

the 11th instant the Mound City, the Carondelet, and Pittsburgh came over the upper falls, a good deal of labor having been expended in hauling them through, the channel being very crooked, scarcely wide enough for them. Next day the Ozark, Louisville, Chillicothe, and two tugs also succeeded in crossing the upper falls.

Immediately afterward the Mound City, Carondelet, and Pittsburgh started in succession to pass the dam, all their hatches battened down and every precaution taken to prevent accident.

The passage of these vessels was a most beautiful sight, only to be realized when seen. They passed over without an accident except the unshipping of one or two rudders. This was witnessed by all the troops, and the vessels were heartily cheered when they passed over. Next morning at ten o'clock, the Louisville, Chillicothe, Ozark, and two tugs passed over without any accident except the loss of a man, who was swept off the deck of one of the tugs. By three o'clock that afternoon, the vessels were all coaled, ammunition replaced, and all steamed down the river with the convoy of transports in company. A good deal of difficulty was anticipated in getting over the bars in lower Red River—depth of water reported only five feet; gunboats were drawing six. Providentially, we had a rise from the back-water of the Mississippi—that river being very high at that time—the back water extending to Alexandria, one hundred and fifty miles distant, enabling it to pass all the bars and obstructions with safety.

Words are inadequate to express the admiration I feel for the ability of Lieut.-Col. Bailey. This is without doubt the best engineering feat ever performed. Under the best circumstances, a private company would not have completed this work under one year, and to an ordinary mind the whole thing would have appeared an entire impossibility. Leaving out his ability as an engineer—the credit he has conferred upon the country—he has saved the Union a valuable fleet, worth nearly \$2,000,000; more, he has deprived the enemy of a triumph which would have emboldened them to carry on this war a year or two longer, for the intended departure of the army was a fixed fact, and there was nothing left for me to do in case that event occurred but to destroy every part of the vessels, so that the rebels could make nothing of them. The highest honors the Government can bestow on Col. Bailey can never repay him for the service he has rendered the country.

To Gen. Banks, personally, I am much indebted for the happy manner in which he has forwarded this enterprise, giving it his whole attention night and day; scarcely sleeping while the work was going on; attending personally to see that all the requirements of Col. Bailey were complied with on the instant.

I do not believe there ever was a case where such difficulties were overcome in such a short space of time, and without any preparation.

Previous to passing the vessels over the falls, I had nearly all the guns, ammunitions, provisions, chain cables, anchors, and every thing that could effect their draft taken out of them.

* * * * *

I have the honor to be, very respectfully, your obedient servant,

DAVID D. PORTER, Rear-Admiral.

Hon. GIDEON WELLES, Secretary of the Navy, Washington, D. C.

The last of the gunboats passed the falls on May 12th, and Alexandria was evacuated on the next day. As early as 10 A.M. the town was discovered to be on fire in several places. Various opinions existed as to its origin, but nothing positive was known. It is situated on a plain, in the centre of a rich cotton-growing region, with six hundred inhabitants. The fire spread with great rapidity. Gen. Banks made

some ineffectual attempts to stay the progress of the flames, and tore down several buildings, but the soldiers, it is said, did not work with much interest. An engine was drawn to the river, but the hose was found to be cut. The scenes attending the burning of the town now became appalling. A spectator thus describes it:

Women gathering their helpless babes in their arms, rushing frantically through the streets with cries that would have melted the hardest hearts to tears. Little boys and girls were running hither and thither crying for their mothers and fathers; old men leaning on a staff for support to their trembling limbs, were hurrying away from the suffocating heat of their burning homes. The helpless wives and children of absent husbands and fathers were almost in the twinkling of an eye driven into the streets, leaving every thing behind but the clothes they then wore. Owing to the simultaneous burning in every part of the city, the people found no security in the streets, where the heat was so intense as almost to create suffocation. Everybody rushed to the river's edge, being protected there from the heat by the high bank of the river. The steamboats lying at the landing were subjected to great annoyance, the heat being so great that the decks had to be flooded with water to prevent the boats from taking fire. Among those who thus crowded the river bank were the wives, daughters, and children, helpless and now all homeless, of the Union men who had joined the Federal army since the occupation of Alexandria. Their husbands had already been marched off in the front toward Semmesport, leaving their families in their old homes, but to the tender mercies of the Confederates. The torch had now destroyed their dwellings, their household goods and apparel, the last morsel of provisions, and left them starving and destitute. As might be expected, they desired to go along with the Federal army, where their husbands had gone. They applied to be allowed to go aboard the transports. They were refused! They became frantic with excitement. The officers of the boats were desirous of doing so, but there was the peremptory order not to allow any white citizen to go aboard.

It had been expected when the army arrived that the occupation would be permanent, and that protection would be given to all who came forward and took the oath of allegiance; while those who would not were threatened with banishment and confiscation of property. Hundreds came forward and took the oath. An election was held, and delegates were sent to the constitutional convention then in session at New Orleans. A recruiting office was opened, and a large number of white men were mustered into the United States service. Quite a number of permanent citizens of Alexandria took the oath, and were promised protection. Their houses and other property were now all reduced to ashes, and they turned out in the world with nothing, absolutely nothing, save the amnesty oath. They could not now go to the Confederates and apply for charity. They too applied to be allowed to go aboard the transports and go to New Orleans. They were refused in every instance!

The guns taken from the boats above the falls were bursted; and when every thing was ready, the fleet, last of all, moved away, leaving the place wrapped in a dense volume of smoke. The fleet proceeded down the river about ten miles, and laid up for the night. On the next day the advance of the army was overtaken by the fleet, and on the 16th both began to arrive at Semmesport. The Atchafalaya was crossed the next day by the army, by means of twenty-

two steamboats placed side by side, with their bows lashed firmly together. "A plank bridge was then laid across the bows of each, connecting them together, and forming a solid bridge across the stream, which was no sooner finished than it was covered with teams, and there was a constant stream of wagons, cavalry, and men, until the night of the 20th, when the last of Gen. Smith's division crossed over, and the bridge in five minutes was endowed with life, and broke into fragments and proceeded up the river."

Thence the army proceeded toward the Mississippi, encountering on the way a considerable force of the enemy, with whom a sharp skirmish ensued. It finally returned to New Orleans, and the fleet resumed its station on the Mississippi. This withdrawal of Gen. Banks left the enemy at liberty to move into Arkansas and operate against Gen. Steele, who was moving toward Shreveport.

It was expected that Gen. Steele, in command of the 7th army corps, at Little Rock, in Arkansas, would cooperate with Gen. Banks on his approach to Shreveport. For this purpose he left Little Rock, March 23d, with twelve thousand infantry and three thousand cavalry, under Gen. Carr. On the previous day Gen. Thayer, in command of the Army of the Frontier, left Fort Smith, with nearly five thousand men, to join Gen. Steele. About the same time Col. Clayton, with a small force, left Pine Bluffs on an expedition. Camden was the point of junction for the three commands. It was 120 miles distant from Little Rock, about 180 miles from Fort Smith, and 80 miles from Pine Bluffs.

It was known that a force of the enemy, about twelve thousand men, under command of Gen. Price, was in southwestern Arkansas, and occupied a line from Camden, at the head of navigation on the Washita River, west to Washington, in Hampstead County. Camden is an important position for all movements looking to the occupation of the Red River and confluent streams. Forage and subsistence were abundant in the region, and the army of the enemy was well clothed and in good spirits.

Camden was known to be well fortified. Gen. Steele, therefore, directed his march toward Washington, evidently with the design of flanking Camden and drawing out of the fortifications what forces might be there. On the 14th of April, having advanced one hundred and ten miles in twenty-two days, he first encountered a strong cavalry division under Gen. Marmaduke. This was at the Little Missouri River, sixteen miles west of Camden. Heavy skirmishing ensued. On the 16th Gen. Thayer arrived with his force. Crossing the Little Missouri at a point menacing Shreveport, Washington, or Camden, Gen. Steele concealed the real destination of the expedition, which was Camden, and marched beyond the junction of the roads, thus deluding the enemy into the belief that he intended to attack Shreveport. Act-

ing upon this opinion, they withdrew and took a fortified position. From this they were driven by a flank movement of Gen. Steele, who pursued, apparently with vigor, and captured some prisoners, and then moving in a direct line to Camden. The enemy, having discovered his error, concentrated his cavalry, and attacked in front, flank, and rear, hoping to embarrass Gen. Steele, so that his own infantry might have time to regain the works at Camden. Their efforts were in vain, and Gen. Steele took possession of the town.

Col. Clayton, in advancing from Pine Bluffs, captured a pontoon bridge over the Saline, and attacked and dispersed a cavalry force and took a number of prisoners. He thus reported his movement:

PINE BLUFF, ARK., March 31, 1864.

Major Greene, A. A. Gen. :

The expedition to Mount Elba and Longview has just returned. We destroyed the pontoon bridge at Longview; burned a train of thirty-five wagons, loaded with camp and garrison equipments, ammunition, quartermaster stores, &c.; captured three hundred and twenty prisoners; engaged in battle at Mount Elba, yesterday morning, Gen. Docking's division, of about twelve hundred men, from Monticello; routed him, and pursued him ten miles, with a loss on his side of over one hundred killed and wounded; captured a large quantity of small arms, two stands of colors, many wagons, and over three hundred horses and mules. Our loss will not exceed fifteen in killed, wounded, and missing. We brought in several hundred contrabands. The expedition was a complete success, the details of which will be furnished in my official report, which will be forwarded in a few days.

POWELL CLAYTON, Col. Commanding.

It was soon known that Gen. Banks had failed in his object on the Red River. This, to some extent, endangered the command of Gen. Steele. The force of the enemy, estimated to reach twenty-five thousand men, could now, in part, be moved against Gen. Steele. As it was not his plan to act alone, but in conjunction with Gen. Banks, he now prepared to fall back. In addition to these circumstances, his communications were interrupted and Little Rock threatened. On the day following the occupation of Camden, the enemy appeared in force about six miles to the south. A pontoon bridge was put across the Washita River thirty miles east of Camden, by which a force of the enemy's cavalry crossed and cut off the supplies. Trees were also felled into the stream, and other obstructions made to the navigation. On the 21st, a foraging party, with one hundred and fifty wagons and an escort of nearly a thousand men, were sent to a point sixteen miles west. On the return, at Poison Springs, twelve miles west of Camden, the command was attacked by a strong force of the enemy. After a severe struggle of some hours, the force reached Camden, with a loss of two hundred and fifty men, four guns, and the trains, with a number of arms.

On the 23d Gen. Steele started a train of two hundred and fifty wagons, six ambulances, and an escort of two hundred cavalry and

twelve hundred infantry, with four pieces of artillery, to Pine Bluffs for supplies for the army. The expedition was under the command of Lieut.-Col. Drake, of the 36th Iowa. On the 25th, an attack was made on the train, within six miles of the Saline River, by a cavalry force under Maj.-Gen. Fagan, which resulted in the capture or wounding of all the officers, nearly all the men—of whom two hundred and fifty were killed and wounded—four brass guns, and the wagon trains.

On the 26th Gen. Steele determined to evacuate Camden, and before daylight of the 27th the army had crossed, the pontoon bridge was secured, and the Washita River put between him and the forces of the enemy. The army was pushed forward over bad roads, and on the 28th camped at Princeton crossing, and on the next evening at the Saline crossings, Jenkins Ferry. During the night the enemy showed themselves in the rear. Whether they were in force, or only sufficient to harass by cavalry attacks until Gen. Kirby Smith's main force could intercept the march to Little Rock, was uncertain. Dispositions were, however, made by Gen. Steele to resist a large force. The bad condition of the roads, and the heavy rain which commenced, and the darkness, prevented the crossing of the Saline during the night. The pontoon bridge, however, had been laid, and a small portion of the force passed over. The remainder of the army encamped in the bottom lands of the river, to which it descended from a considerable elevation about four miles west of the stream. Gen. Salomon's division camped about two miles from the hill, and the line which it was to hold in the morning was protected on the left by the Saline and swampy bottom lands, and on the right by a bayou skirting the base of the uplands. In the morning the rain poured in torrents. The artillery, the trains, and men were to cross over the river. Soon after daylight skirmishing commenced in the rear, and a general engagement soon succeeded. The enemy consisted of all their forces in southwestern Arkansas, with some from Louisiana, under Gens. Smith, Price, Walker, Churchill, and others. Under Gen. Steele, the commands of Gens. Salomon, Thayer, Rice, Ingleman, and Col. Benton were engaged. The battle continued about seven hours, and resulted in the repulse of the enemy, and a loss to Gen. Steele of seven hundred in killed and wounded, although several stands of colors were captured and three pieces of artillery. The loss of the enemy in killed and wounded was also severe. The effect of the battle was not only to secure a safe retreat to Little Rock for Gen. Steele, where he arrived on the 2d of May, but also to relieve, for some time, that portion of Arkansas, and also Missouri, from the presence of the enemy. The following is Gen. Steele's address to his troops:

HEADQUARTERS DEPARTMENT OF ARKANSAS. }
LITTLE ROCK, May 9. }

To you troops of the 7th army corps, who participated in the recent campaign designed to co-

operate with Gen. Banks' movement against Shreveport, the Major-General Commanding tenders his earnest and grateful thanks. Although you were compelled to fall back without seeing the main object of the expedition accomplished, you will have the satisfaction of knowing that you have beaten the enemy wherever he has met you in force, and extricated yourselves from the perilous position in which you were placed by the reverses of the cooperating column. This let loose upon you a superior force of the enemy, under one of their best generals, causing the loss of your trains and the total interruption of your communications, rendering it impossible for you to obtain supplies. You have fallen back over rivers and swamps, while pressed by a superior force of the enemy. This you have done successfully, punishing the enemy severely at the same time.

The patience with which you have endured hardships and privations, and your heroic conduct on the battle-field, have been brought to the notice of the Government, and will furnish a page in the history of this war of which you may well be proud.

F. STEELE, Maj.-Gen. Commanding.

For further details of military affairs under Gen. Steele, *see* ARKANSAS.

The withdrawal of the forces of Gens. Sherman and A. J. Smith from Vicksburg to engage in the Red River expedition, afforded an opportunity for the irregular command of Gen. Forrest, with other detached forces of the enemy in Northern Mississippi and Southwestern Tennessee, to concentrate for an attack on the Federal posts in West Tennessee and Kentucky. Accordingly, on March 23d, Gen. Forrest left Jackson, Tennessee, with about five thousand men, marching north to Union City. Jackson is a station on the railroad from Cairo and Columbus to New Orleans, and about one hundred and seven miles from Cairo, and sixty miles from Union City, another station on the same railroad, where the line to Paducah and the one to Hickman commence. On the next day he arrived before Union City and summoned Col. Hawkins, with four hundred and fifty men of the 11th Tennessee Union cavalry, to surrender. The surrender of the place was made after resisting an assault, and also two hundred horses and five hundred small arms. This surrender was opposed by the officers under Col. Hawkins' command, and only one man had been injured when it was made. A force under Gen. Brayman, from Cairo, advanced within six miles for its defence; but on learning that it had surrendered, Gen. Brayman retired. Gen. Forrest next occupied Hickman, and then moved immediately north with Buford's division of his forces, direct from Jackson to Paducah. This place was occupied by Col. S. G. Hicks, 40th Illinois regiment, with six hundred and fifty-five men. Col. Hicks retired into Fort Anderson and there made a stand, assisted by the gunboats Peosta and Paw-Paw, belonging to the command of Capt. Shirk of the navy. Gen. Forrest then sent the following demand for a surrender:

HEADQUARTERS FORREST'S CAVALRY CORPS, }
PADUCAH, March 25, 1864. }

To Col. Hicks, commanding Federal forces at Paducah:

Having a force amply sufficient to carry your works and reduce the place, in order to avoid the unnecessary effusion of blood, I demand a surrender of the

fort and troops, with all the public stores. If you surrender you shall be treated as prisoners of war, but if I have to storm your works you may expect no quarter. N. B. FORREST, Maj.-Gen. Com'ing.

Col. Hicks replied as follows:

HEADQUARTERS POST PADUCAH, }
PADUCAH, KY., March 25, 1864. }

Maj.-Gen. N. B. Forrest, commanding Confederate forces:

I have this moment received yours of this instant, in which you demand an unconditional surrender of forces under my command. I can answer, that I have been placed here by my Government to defend the post. In this, as well as all other orders from my superior officers, I feel it my duty as an honorable officer to obey, and must therefore respectfully decline surrendering, as you require. Very respectfully,
S. G. HICKS, Commanding Post.

Two successive attacks upon the fort were now made by the enemy and repulsed. They next occupied the houses, and fired from behind them and from the windows, but were steadily held back. At half-past eleven P.M. they retired. During the evening a steamboat on the marine ways was burned, and also some houses. On the next morning Gen. Forrest proposed an exchange for some prisoners in Col. Hicks' hands, but the latter had no power to make the exchange. In the afternoon the enemy retired. Gen. Forrest reported that he held the town ten hours, and captured many stores and horses, burned sixty bales of cotton, one steamboat, and took fifty prisoners. His loss at Union City and Paducah he stated at twenty-five killed and wounded, and the prisoners captured at five hundred. The loss of Col. Hicks was fourteen killed and forty-six wounded. A large portion of the town was destroyed, partly by the guns fired from the fort upon the enemy, and partly by the enemy.

On the 12th of April an attack was made on Fort Pillow by Gen. Forrest, with Gen. Chalmers' division of his forces, of which Gen. Forrest led Bell's brigade, and Chalmers led McCulloch's. Fort Pillow is situated about seventy miles above Memphis, on the Mississippi River. Its garrison at the time of the assault consisted of nineteen officers and five hundred and thirty-eight enlisted men, of whom two hundred and sixty-two were colored troops, comprising one battalion of the 6th United States heavy artillery, formerly the 1st Alabama artillery of colored troops, under the command of Major L. F. Booth; one section of the 2d United States light artillery (colored), and one battalion of the 13th Tennessee cavalry (white), commanded by Major W. F. Bradford. Major Booth was the ranking officer, and was in command of the fort.

The troops which had served to garrison the fort were withdrawn in January, to accompany Gen. Sherman's expedition to Meridian, and others had been sent from Memphis subsequently to hold it.

Just before sunrise in the morning, April 12th, the pickets of the garrison were driven in. This was the first intimation which the force then had of an intention of the enemy to

attack the place. Fighting soon became general, and about nine o'clock Major Bradford succeeded to the command and withdrew all the forces within the fort. They had previously occupied some intrenchments at some distance from the fort and further from the river.

This fort was situated on a high bluff, which descended precipitately to the river's edge, the ridge of the bluff on the river side being covered with trees, bushes, and fallen timber. Extending back from the river on either side of the fort was a ravine or hollow, the one below the fort containing several private stores and some dwellings, constituting what is called the town. At the mouth of that ravine and on the river bank were some Government buildings containing commissary stores.

The ravine above the fort was known as Cold Bunk Ravine, the ridge being covered with trees and bushes; to the right or below, and a little to the front of the fort, was a level piece of ground, not quite so elevated as the fort itself, on which had been erected some log huts or shanties, which were occupied by the white troops, and also used for hospital and other purposes. Within the fort tents had been erected, with board floors, for the use of the colored troops. There were six pieces of artillery in the fort, consisting of two 6-pounders, two 12-pounder howitzers, and two 10-pounder Parrotts.

The rebels continued their attack, but up to two or three o'clock in the afternoon they had not gained any decisive success. The Federal troops, both white and black, fought bravely, and were in good spirits. The gunboat No. 7—New Era, Capt. Marshall—took part in the conflict, shelling the enemy as opportunity offered.

Signals had been agreed upon by which the officers in the fort could indicate where the guns of the boat could be aimed most effectively. There being but one gunboat no permanent impression appears to have been produced upon the enemy, for as they were shelled out of one ravine they would make their appearance in the other. They would thus appear and retire as the gunboat moved from one point to another.

About one o'clock the fire on both sides slackened somewhat, and the gunboat moved out in the river to cool and clean the guns, having fired 282 rounds of shell, sharpnel, and canister, which nearly exhausted the supply of ammunition. The rebels having thus far failed in their attack, resorted to their customary flags of truce. The first flag conveyed a demand from Gen. Forrest for the unconditional surrender of the fort. To this Major Bradford replied, asking to be allowed an hour to consult with his officers and the officers of the gunboat.

In a short time a second flag of truce appeared with a communication from Gen. Forrest. He would allow Major Bradford twenty minutes in which to move his troops out of the fort, and if it was not done in that time, an assault would be ordered. To this Major Bradford replied

that he would not surrender. Immediately after the second flag of truce retired, the rebels made a rush from the positions they had treacherously gained, while the flags of truce were sent in, and obtained possession of the fort, raising the cry of no quarter. But little opportunity was allowed for resistance. The Federal troops, black and white, threw down their arms, and sought to escape by running down the steep bluff near the fort, and secreting themselves behind trees and logs, in the bushes, and under the brush, some even jumping into the river, leaving only their heads above the water as they crouched down under the bank.

The scenes which now followed became a subject of investigation by a Committee of Congress, who state in their report as follows:

The rebels commenced an indiscriminate slaughter, sparing neither age nor sex, white or black, soldier or civilian. The officers and men seemed to vie with each other in the devilish work. Men, women, and even children, wherever found, were deliberately shot down, beaten, and hacked with sabres. Some of the children not more than ten years old, were forced to stand up and face their mothers while being shot. The sick and wounded were butchered without mercy, the rebels even entering the hospital buildings, and dragging them out to be shot, or killing them as they lay there unable to offer the least resistance. All over the hillside the work of murder was going on. Numbers of our men were gathered together in lines or groups and deliberately shot. Some were shot while in the river, while others on the bank were shot and their bodies kicked into the water, many of them still living, but unable to make any exertion to save themselves from drowning. Some of the rebels stood upon the top of the hill, or a short distance down its side, and called to our soldiers to come up to them, and as they approached shot them down in cold blood; if their guns or pistols missed fire, forcing them to stand there until they were again prepared to fire. All around were heard cries of "No quarter, no quarter;" "Kill the d—n niggers;" "Shoot them down." All who asked for mercy were answered by the most cruel taunts and sneers. Some were spared for a time only to be murdered under circumstances of greater cruelty. No cruelty which the most fiendish malignity could devise was omitted by these murderers. One white soldier, who was wounded in the leg so as to be unable to walk, was made to stand up while his tormentors shot him. Others who were wounded and unable to stand up were held up and again shot. One negro who had been ordered by a rebel officer to hold his horse was killed by him when he remonstrated. Another, a mere child, whom an officer had taken up behind him on his horse, was seen by Chalmers, who at once ordered the officer to put him down, and shoot him, which was done. The huts and tents in which many of the wounded had sought shelter were set on fire both that night and the next morning, while the wounded were still in them, those only escaping who were able to get themselves out, or who could prevail on others less injured than themselves to help them out; and even some of them thus seeking to escape the flames were met by these ruffians and brutally shot down, or had their brains beaten out. One man was deliberately fastened down to the floor of a tent, face upwards, by means of nails driven through his clothing and into the boards under him so that he could not possibly escape, and then the tent set on fire. Another was nailed to the side of a building, outside of the fort, and then the building set on fire and burned. The charred remains of five or six bodies were afterwards found, all but one so much disfigured and consumed by the flames that

they could not be identified, and the identification of that one is not absolutely certain, although there can hardly be a doubt that it was the body of Lieut. Akerstrom, quartermaster of the 13th Virginia cavalry, and a native Tennessean. Several witnesses who saw the remains, and who were personally acquainted with him while living here, testified that it is their firm belief that it was his body that was thus treated. These deeds of murder and cruelty closed when night came on, only to be renewed the next morning, when the demons carefully sought among the dead lying about in all directions for any other wounded yet alive, and those they killed. Scores of the dead and wounded were found there the day of the massacre by the men from some of our gunboats, who were permitted to go on shore and collect the wounded and bury the dead. The rebels themselves had made a pretence of burying a great many of their victims, but they had merely thrown them, without the least regard to care or decency, into the trenches and ditches about the fort, or the little hollows and ravines on the hillside, covering them but partially with earth. Portions of heads and faces, hands and feet, were found protruding through the earth in every direction even when your committee visited the spot two weeks afterward, although parties of men had been sent on shore from time to time to bury the bodies unburied, and re-bury the others, and were even then engaged in the same work. We found evidences of this murder and cruelty still most painful. We saw bodies still unburied, at some distance from the fort, of some sick men, who had been fleeing from the hospital, and beaten down and brutally murdered, and their bodies left where they had fallen. We could still see the faces, and hands, and feet of men, white and black, protruding out of the ground, whose graves had not been reached by those engaged in reintering the victims of the massacre; and although a great deal of rain had fallen within the preceding two weeks, the ground, more especially on the side at the foot of the bluff where the most of the murders had been committed, was still discolored by the blood of our brave but unfortunate men, and the logs and trees showed but too plainly the evidences of the atrocities perpetrated there. Many other instances of equally atrocious cruelty might be enumerated, but your committee feel compelled to refrain from giving here more of the heart-sickening details, and refer to the statements contained in the voluminous testimony herewith submitted. Those statements were obtained by them from eye-witnesses and sufferers. Many of them, as they were examined by your committee, were lying upon beds of pain and suffering; some so feeble that their lips could with difficulty frame the words by which they endeavored to convey some idea of the cruelty which had been inflicted on them, and which they had seen inflicted on others. In reference to the fate of Major Bradford, who was in command of the fort when it was captured, and who had, up to that time, received no injury, there seems to be no doubt. The general understanding everywhere seemed to be that he had been brutally murdered the day after he was taken prisoner. How many of our troops thus fell victims to the malignity and barbarity of Forrest and his followers cannot yet be definitely ascertained. Two officers belonging to the garrison were absent at the time of the capture and massacre. Of the remaining officers but two are known to be living, and they are wounded, and now in the hospital at Mound City. One of them (Capt. Porter) may even now be dead, as the surgeons, when your committee were there, expressed no hope of his recovery. Of the men, from three hundred to four hundred are known to have been killed at Fort Pillow, of whom at least three hundred were murdered in cold blood, after the fort was in possession of the rebels, and our men had thrown down their arms and ceased to offer resistance. Of the survivors, except the wounded in the hospital at Mound City, and the few who suc-

ceeded in making their escape unhurt, nothing definite is known, and it is to be feared that many have been murdered after being taken away from the fort. When your committee arrived at Memphis, Tennessee, they found and examined a man (Mr. McLogan) who had been conscripted by some of Forrest's forces, but who, with other conscripts, had succeeded in making his escape. He testifies that while two companies of rebel troops, with Major Bradford and many other prisoners, were on their march from Brownsville and Jackson, Tennessee, Major Bradford was taken by five rebels, one an officer, led about fifty yards from the line of march, and deliberately murdered in view of all those assembled. He fell, killed instantly by three musket balls, and while asking that his life might be spared, as he had fought them manfully, and was deserving of a better fate. The motive for the murder of Major Bradford seems to have been the simple fact that, although a native of the South, he remained loyal to his Government.

On the other side is the following statement by Lieut.-Gen. S. D. Lee, who was in command of the Confederate department. It is part of a letter on the subject, dated June 28th:

As commanding officer of this department, I desire to make the following statement concerning the capture of Fort Pillow—a statement supported in a great measure by the evidence of one of your own officers captured at that place. The version given by you and your Government is untrue, and not sustained by the facts to the extent that you indicate. The garrison was summoned in the usual manner, and its commanding officer assumed the responsibility of refusing to surrender, after having been informed by Gen. Forrest of his ability to take the fort, and of his fears as to what the result would be in case the demand was not complied with. The assault was made under a heavy fire and with considerable loss to the attacking party. Your colors were never lowered and your garrison never surrendered, but retreated under cover of a gunboat, with arms in their hands and constantly using them. This was true particularly of your colored troops, who had been firmly convinced by your teachings of the certainty of slaughter in case of capture. Even under these circumstances many of your men—white and black—were taken prisoners. I respectfully refer you to history for numerous cases of indiscriminate slaughter after successful assault, even under less aggravated circumstances. It is generally conceded by all military precedent that where the issue had been fairly presented and the ability displayed, fearful results are expected to follow a refusal to surrender. The case under consideration is almost an extreme one. You had a servile race armed against their masters, and in a country which had been desolated by almost unprecedented outrages.

I assert that our officers, with all the circumstances against them, endeavored to prevent the effusion of blood; and as an evidence of this, I refer you to the fact that both white and colored prisoners were taken, and are now in our hands. As regards the battle of Tishimingo Creek, the statements of your negro witnesses are not to be relied on. In their panic they acted as might have been expected from their previous impressions. I do not think many of them were killed—they are yet wandering over the country, attempting to return to their masters. With reference to the *status* of those captured at Tishimingo Creek and Fort Pillow, I will state that, unless otherwise ordered by my government, they will not be regarded as prisoners of war, but will be retained and humanely treated, subject to such future instructions as may be indicated.

Your letter contains many implied threats; these, of course, you can make, and you are fully entitled to any satisfaction that you may feel from having made them.

It is my intention, and that also of my subordinate

officers, to conduct this war upon civilized principles, provided you permit us to do so; and I take this occasion to state that we will not shirk from any responsibility that your actions may force upon us. We are engaged in a struggle for the protection of our homes and firesides, for the maintenance of our national existence and liberty; we have counted the cost, and are prepared to go to any extremes; and though it is far from our wish to fight under a black flag, still, if you drive us to it, we will accept the issue. Your troops virtually fought under it at the battle of Tishimingo Creek, and the prisoners taken there state that they went into battle under the impression that they would receive no quarter, and, I suppose, with the determination to give none.

I will further remark, that if it is raised, so far as your soldiers are concerned, there can be no distinction, for the unfortunate people whom you pretend to be aiding are not considered entirely responsible for their acts, influenced, as they are, by the superior intellect of their white brothers. I enclose for your consideration certain papers touching the Fort Pillow affair, which were procured from the writer after the exaggerated statements of your press were seen.

I am, general, yours, respectfully,

S. D. LEE, Lieutenant-General.

The report of the enemy stated that Gens. Forrest and Chalmers "both entered the fort from opposite sides, simultaneously, and an indiscriminate slaughter followed. One hundred prisoners were taken and the balance slain. The fort ran with blood. Many jumped into the river and were drowned, or shot in the water. Over \$100,000 worth of stores were taken, and six guns captured. The Confederate loss was seventy-five. Lieut.-Col. Reed, of the 5th Mississippi, was mortally wounded."

A party of the enemy on the capture of Fort Pillow made an advance against Columbus, Gen. Buford being in command of their force.

On the 13th he sent the following summons to the commander of the fort:

HEADQUARTERS CONFEDERATE STATES ARMY, }
BEFORE COLUMBUS, KY., April 13, 1864. }

To the Commander of the United States forces, Columbus, Ky:

Fully capable of taking Columbus and its garrison by force, I desire to avoid shedding blood. I therefore demand the unconditional surrender of the forces under your command. Should you surrender, the negroes now in arms will be returned to their masters. Should I be compelled to take the place by force, no quarters will be shown negro troops whatever; white troops will be treated as prisoners of war. I am, sir, yours,

A. BUFORD, Brig.-Gen.

This demand was refused, and Gen. Buford retired without making an attack. At the same time an excitement arose at Paducah, under apprehension of another attack of the enemy. The entire forces, however, retired to Bolivar, Trenton, and Grand Junction. For further military operations in this part of the country, see KENTUCKY, TENNESSEE, MISSISSIPPI.

Some active operations took place in North Carolina. The important ports on the sounds, as Newbern, Washington, Plymouth, &c., had been held since their capture by the forces under Gen. Burnside. On the 1st of February, a force of the enemy under Gen. Pickett, consisting of Gen. Hoke's brigade, with a part of Gens. Corse's and Clingman's, made an assault

on the Federal outpost at Bachelor's Creek, eight miles from Newbern, and captured it with seventy-five prisoners. They then advanced toward Newbern, where an attack was greatly feared. Before daylight on the next morning a party in barges captured the gunboat Underwriter, with her officers and a portion of her crew. The steamer was aground, but so lay as to cover a portion of the fortifications between Fort Anderson and Fort Stevens, at Newbern. Gen. Picket thus reported his expedition:

KINSTON, February 3, 1864.

To Gen. S. Cooper:

I made a reconnoissance within a mile and a half of Newbern, with Hoke's brigade, and a part of Corse's and Clingman's, and some artillery; met the enemy in force at Batchelor's Creek, killed and wounded about one hundred in all, captured thirteen officers and two hundred and eighty prisoners, fourteen negroes, two rifled pieces and caissons, three hundred stand of small arms, four ambulances, three wagons, fifty-five animals, a quantity of clothing, camp, and garrison equipage, and two flags. Commander Wood, Confederate States navy, captured and destroyed the United States gunboat Underwriter. Our loss thirty-five killed and wounded.

G. E. PICKET,

Major-General Commanding.

The next movement of importance made by the enemy was the capture of Plymouth. This town is on the south bank of the Roanoke River, about eight miles from its mouth. The river flows in an easterly direction into Albemarle Sound. The town originally contained about one thousand inhabitants, but was burned by the Union fleet two years previously. It had been held for some time as a key to the river, and had been strongly fortified. A breastwork with strong forts at different points along the line, had been constructed. Another strong work, called Fort Gray, had also been constructed about a mile further up the river, opposite which a triple row of piles had been driven, to which torpedoes were attached, to serve as a protection to the fleet below. The enemy had a powerful iron-clad ram in the river above. Still further up there was another row of piles with torpedoes, near which a picket boat was stationed to watch the iron-clad. The Federal gunboats Southfield and Miami were anchored in the river opposite the town. The garrison of the town was about twenty-four hundred men, under command of Gen. Wessels. They composed the 85th New York infantry regiment, 101st Pennsylvania infantry regiment, 103d Pennsylvania infantry regiment, 16th Connecticut infantry regiment, two companies of the Massachusetts heavy artillery, two companies of the 2d North Carolina volunteers, two companies of the 12th New York cavalry.

The approach of the enemy was unknown, until they began to appear about 3 P. M., April 17th, in the rear of the town, driving in the Union pickets. A brisk artillery fire was soon opened upon Fort Gray, which continued with some vigor until near midnight. About daylight on the next morning the contest was renewed,

and two charges were made during the forenoon, which were repulsed. In the afternoon, two guns of the enemy were captured by a sortie from the fort. The gunboats then took a position, one above and the other below the town, and the contest continued fiercely until night, when it ceased without any advantage to the enemy. Early the next morning the picket boat up the river reported that the iron-clad had passed down. The gunboats were immediately lashed together, to make a joint resistance to the iron-clad. This had scarcely been done when she appeared within a hundred yards. As they approached each other, the gunboats fired without effect. The ram first struck the Miami, and gliding off struck the Southfield on her left side, crushing in six or eight feet square. The Miami now fired a shell at the iron-clad, which rebounded and killed her captain, Flusser, and wounded eight persons. Becoming separated from the Southfield, the Miami was swung round by the current, and unable for a time to render further assistance. The Southfield was now rapidly sinking, and her crew took to the boats and fled. The Miami, after her loss, withdrew. The iron-clad, called the Albemarle, under command of J. W. Coke, came down to the mouth of the river, outside of which were four gunboats. Her position in the river cut off all hopes of sending reinforcements to Gen. Wessels, and he surrendered to Brig.-Gen. Hoke on the next day. This surrender was thus announced by Gen. Peck, in command of the department:

HEADQUARTERS OF THE ARMY AND DISTRICT OF
NORTH CAROLINA, NEWBERN, N. C., April 21, 1864. }

General Orders No. 66:

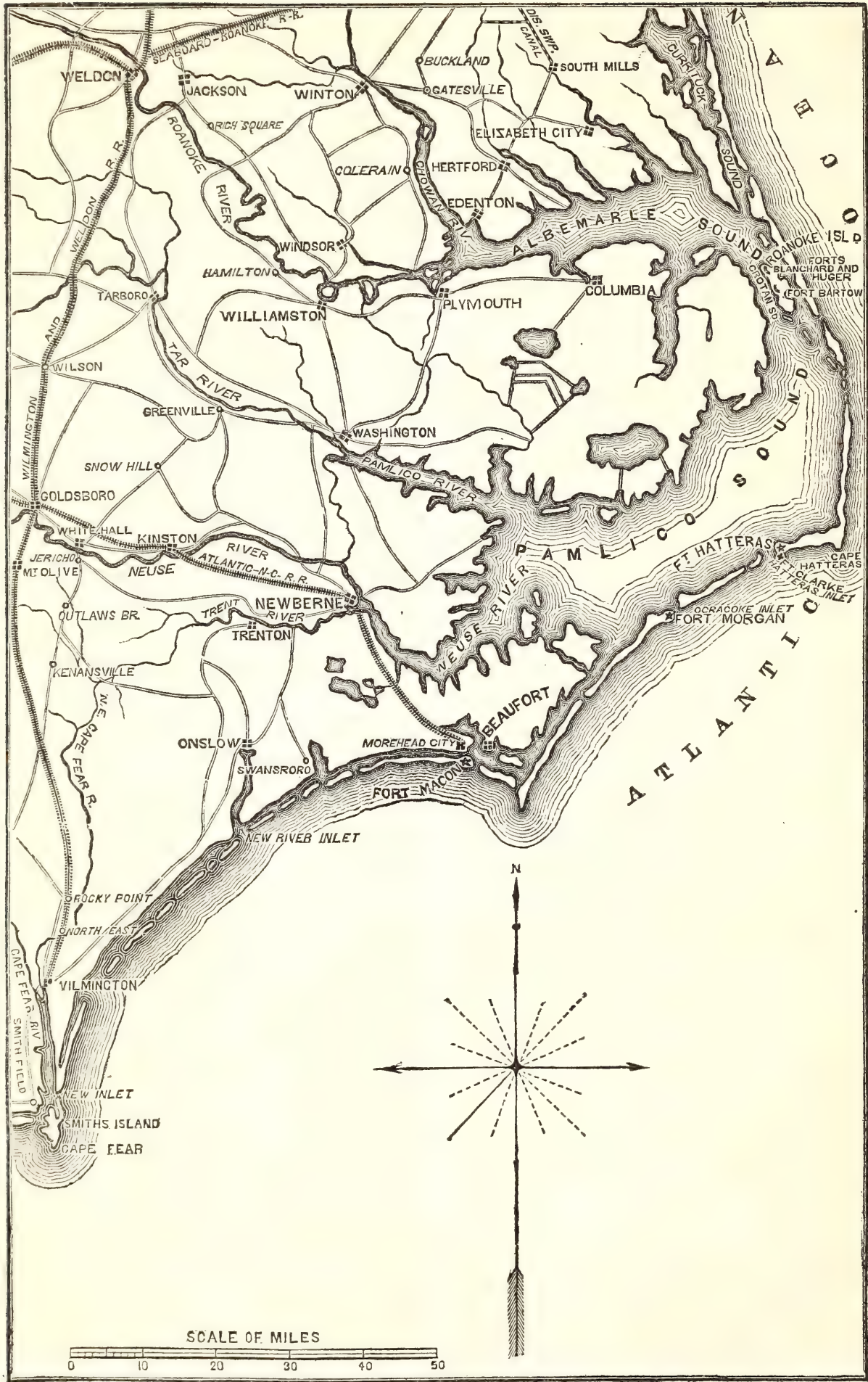
With feelings of the deepest sorrow the commanding general announces the fall of Plymouth, N.C., and the capture of its gallant commander, Brig.-Gen. H. W. Wessels, and his command. This result, however, did not obtain until after the most gallant and determined resistance had been made. Five times the enemy stormed the lines of the general, and as many times were they repulsed with great slaughter; and but for the powerful assistance of the rebel iron-clad ram, and the floating sharpshooter battery, the Cotton Plant, Plymouth would still have been in our hands. For their noble defence the gallant Gen. Wessels and his brave band have, and deserve the warmest thanks of the whole country, while all will sympathize with them in their misfortune.

To the officers and men of the navy the commanding general tenders his thanks for their hearty cooperation with the army, and the bravery, determination, and courage that marked their part of the unequal contest. With sorrow he records the death of the noble sailor and gallant patriot, Lieut.-Com. C. W. Flusser, U. S. Navy, who in the heat of battle fell dead on the deck of his ship, with the lanyard of his gun in his hand.

The commanding general believes that these misfortunes will tend, not to discourage, but to nerve the army of North Carolina to equal deeds of bravery and gallantry hereafter.

Until further orders, the headquarters of the sub-district of the Albemarle will be at Roanoke Island. The command devolves upon Col. D. W. Wardrop, of the 99th New York infantry.

By command of Maj.-Gen. JOHN G. PECK.
J. A. JUDSON, Ass't Adj't-Gen.



Gen. Hoke thus reported his capture of the position:

PLYMOUTH, N. C., April 20, 1864.

To Gen. Braxton Bragg:

I have stormed and carried this place, capturing one brigadier, sixteen hundred men, stores, and twenty-five pieces of artillery.

R. F. HOKE, Brig.-Gen.

Only two places on the main land were now held by the Federal forces. These were Washington, on the Tar River, and Newbern, at the mouth of the Neuse. Washington was evacuated in the latter part of April, and burned. The following order of Gen. Palmer was issued for the purpose of detecting the incendiaries:

HEADQUARTERS DISTRICT OF N. C.,
NEWBERN, N. C., May 3, 1864. }

General Orders No. 5.

While the troops of this command may exult and take just pride in their many victories over the enemy, yet a portion of them have, within a few days, been guilty of an outrage against humanity which brings the blush of shame to the cheek of every true man and soldier.

It is well known that, during the late evacuation of Washington, North Carolina, that town was fired, and nearly, if not entirely, consumed, thus wantonly rendering houseless and homeless hundreds of poor women and children (many of them the families of soldiers in our own army), and destroying the last vestige of the once happy homes of those men who have now given up all to serve their country in the hour of peril. And this was done by men in the military service of the United States.

It is also well known that the army vandals did not even respect the charitable institutions, but, bursting open the doors of the Masonic and Odd Fellows' Lodges, pillaged them both, and hawked about the streets the regalia and jewels. And this, too, by United States troops. It is well known, too, that both public and private stores were entered and plundered, and that devastation and destruction ruled the hour.

The commanding general had, until this time, believed it impossible that any troops in his command could have committed so disgraceful an act as this, which now blackens the fame of the army of North Carolina. He finds, however, that he was sadly mistaken; and that the ranks are disgraced by men who are not soldiers, but thieves and scoundrels, dead to all sense of honor and humanity, for whom no punishment can be too severe.

The commanding general is well aware what troops were in the town of Washington when the flames first appeared. He knows what troops last left the place. He knows that in the ranks of only two of the regiments in the district of North Carolina the culprits now stand. To save the reputation of the command, it is hoped that the guilty parties may be ferreted out by the officers who were in Washington at the time of these occurrences.

This order will be read at the head of every regiment and detachment in this command, at dress parade, on the day succeeding its receipt, and at the head of the 17th Massachusetts volunteers, and the 15th Connecticut volunteers, at dress parade, every day for ten consecutive days, or until the guilty parties are found.

By command of Brig.-Gen. I. N. PALMER.
J. A. JUDSON, Ass't Adj't-Gen.

Subsequently the iron-clad Albemarle was destroyed by Lieut. Cushing, of the navy (see NAVAL OPERATIONS), and Plymouth recaptured.

Some military expeditions from Newbern into the State, were made during the year. (See NORTH CAROLINA.)

VOL. IV.—5 A

In Virginia, a few desultory operations took place previous to the commencement of the great campaign of the year. On the 3d of January a supply train, consisting of two hundred animals, was captured by the enemy on its return from Petersburg, in West Virginia, to New Creek. A few of the men and animals escaped. The enemy, being in considerable force, now made several demonstrations for the purpose of reaching the Baltimore and Ohio railroad, but were unsuccessful. On January 28th, a train from New Creek to Petersburg, laden with commissary stores for the garrison at the latter place, was attacked three miles south of Williamsport, and, after a sharp contest, captured by the enemy. The losses in this region in horses, wagons, stores, &c., to February 1st, was estimated at two hundred and fifty thousand dollars.

The headquarters of Gen. Meade, in command of the Army of the Potomac, was near Culpepper Court House. This position was occupied by that army, from December, 1863, until May, 1864. The army of Gen. Lee, on the south side of the Rapidan, confronted it. A few reconnaissances were made, but without important results. A cavalry expedition into the neighborhood of Richmond was the most active movement at this period of the year. It commenced with the advance of the 8th corps, under Gen. Sedgwick, from Madison Court House, on February 27th. A division under Gen. Birney followed on the next day. Madison Court House was occupied by a brigade of infantry, with a small force of cavalry, but the main force was encamped along the heights of Robertson's River. From this position pickets were sent out to the right and left. Gen. Birney's force occupied James City, a small village west of Culpepper. Meanwhile a cavalry force under Gen. Custer pushed forward by way of Madison Court House, in the direction of Charlottesville, the junction of the Alexandria with the Lynchburg railroad. About the same time, in the afternoon of the 28th, Gen. Kilpatrick, with his division of cavalry, and a portion of Gens. Merritt's and Gregg's divisions, with a light battery of six guns, being nearly eight thousand men, left Stevensburg for the lower fords of the Rapidan, intending to make a dash upon Richmond. This force crossed at Germania and Ely's Fords, distant about sixty miles from Richmond. The command encamped on that night eight miles south of the Rapidan.

The headquarters of Gen. Lee were at Orange Court House, and the movements of the infantry with the command of Gen. Custer, toward Charlottesville, threatened to turn his left, and thus serve as a diversion in favor of the advance of Gen. Kilpatrick. Early on the morning of the 28th (Monday), Gen. Custer pushed forward across the Rapidan, and passing through Stannardsville arrived within four miles of Charlottesville. Here a body of cavalry under Col. Caskie were encountered. Six caissons, some camp equipage, and a few

prisoners were captured, when the enemy rallied in force, and Gen. Custer fell back toward Ravenna River. Finding that the force of the enemy was considerable, the original intention of destroying the railway bridge and stores at Charlottesville was abandoned, and after burning three mills and a saddle factory the Ravenna was crossed, and the bridge burned. It now began to rain and freeze, and the night became exceedingly dark. Gen. Steadman's brigade being in advance, reached Madison Court House soon after daylight in the morning. Gen. Custer, however, was delayed by the difficulty of crossing streams with his artillery in the extreme darkness. Thus the enemy intercepted him near Stannardsville. By means of his artillery Gen. Custer held them in check until he could fall back upon a by-road, and thus avoid them. Madison Court House was reached at dusk on the 29th, with a number of horses and prisoners captured, and without the loss of a man.

In the meanwhile Gen. Kilpatrick resumed his advance on the next morning, to Frederick's Hall, on the Virginia Central Railroad. Here the track was torn up for some distance, and several officers of the enemy captured, and the carriages of several pieces of artillery destroyed. Col. Dahlgren was here detached with a portion of the force, and moved toward the James River Canal, and Gen. Kilpatrick advanced toward Ashland, on the railroad, twenty miles above Richmond. Here he rested on Monday night, and tore up a portion of the railroad track. Early the next morning he moved towards Richmond, on the Brooks' turnpike, and reached within six miles of that city. There he was met by a portion of the engineer troops and a few sections of light artillery, by which his advance was checked. A contest with artillery ensued for two hours, when Gen. Kilpatrick withdrew in the direction of Mechanicsville, burning the trestle work of the railroad across the Chickahominy on his route.

The detachment under Col. Dahlgren penetrated as far as the farm of James A. Seddon, Confederate Secretary of War, and burned his barn and stables, and the flour and saw mills in the vicinity. On the canal a number of freight and other boats were destroyed, and a lock cut. A large number of horses were also seized. The ignorance or evil intention of their negro guide had misled the command, so that it was unable to join Gen. Kilpatrick at Ashland, and aid in the attack on Richmond, where it was supposed the enemy had few troops. It was afternoon, however, before he reached the vicinity of Richmond, advancing by the Westham or river road. As he approached nearer he was confronted on every road by superior numbers, and obliged to fall back.

He then attempted to reach the Peninsula through King's and Queen's county, where he encountered on the next day the 9th Virginia, Lieut.-Col. Pollard, and a sharp skirmish ensued. Col. Dahlgren was killed, and about

sixty of his men captured. The remainder of the command, and the force of Gen. Kilpatrick, who had been obliged to move during the night by the pressure of the enemy, met a cavalry force sent out by Gen. Butler, from Williamsburg, near Tunstall's station on the York River railroad, and retired down the Peninsula. Their loss was about one hundred and fifty men killed and wounded, besides Col. Dahlgren. A number of prisoners were captured. The newspaper press at Richmond subsequently published the following address and orders, and asserted that they were found in the pocket of Col. Dahlgren. His connection with them has been denied, in the most positive manner, by the friends of Col. Dahlgren :

HEADQUARTERS, THIRD DIVISION. }
CAVALRY CORPS, 1864. }

Officers and Men—You have been selected from brigades and regiments as a picked command to attempt a desperate undertaking—an undertaking which, if successful, will write your names on the hearts of your countrymen in letters that can never be erased, and which will cause the prayers of our fellow soldiers now confined in loathsome prisons to follow you and yours wherever you may go. We hope to release the prisoners from Belle Isle first, and, having seen them fairly started, we will cross the James River into Richmond, destroy the bridges after us, and, exhorting the released prisoners to destroy and burn the hateful city, will not allow the rebel leader Davis and his traitorous crew to escape. The prisoners must render great assistance, as you cannot leave your ranks too far, or become too much scattered, or you will be lost. Do not allow any personal gain to lead you off, which would only bring you to an ignominious death at the hands of citizens. Keep well together and obey orders strictly, and all will be well; but on no account scatter too far, for in union there is strength. With strict obedience to orders and fearlessness in their execution you will be sure to succeed. We will join the main force on the other side of the city, or perhaps meet them inside. Many of you may fall; but if there is any man here not willing to sacrifice his life in such a great and glorious undertaking, or who does not feel capable of meeting the enemy in such a desperate fight as will follow, let him step out, and he may go hence to the arms of his sweetheart, and read of the braves who swept through the city of Richmond. We want no man who cannot feel sure of success in such a holy cause. We will have a desperate fight; but stand up to it when it does come, and all will be well. Ask the blessing of the Almighty, and do not fear the enemy.

U. DAHLGREN, Colonel Commanding.

SPECIAL ORDERS AND INSTRUCTIONS.

Guides and pioneers, with oakum, turpentine, and torpedoes, signal officer, quartermasters, commissaries, scouts and pickets, and men in rebel uniforms—these will remain on the north bank and move down with the force on the south bank, not get ahead of them, and if the communication can be kept up without giving an alarm, it must be done; but every thing depends upon a surprise, and no one must be allowed to pass ahead of the column. Information must be gathered in regard to the crossings of the river, so that, should we be repulsed on the south side, we will know where to recross at the nearest point.

All mills must be burned and the canal destroyed, and also every thing which can be used by the rebels must be destroyed, including the boats on the river. Should a ferry boat be seized which can be worked, have it moved down. Keep the force on the south side posted of any important movement of the enemy,

and in case of danger, some of the scouts must swim the river and bring us information. As we approach the city the party must take great care that they do not get ahead of the other party on the south side, and must conceal themselves and watch our movements. We will try and secure the bridge to the city, one mile below Belle Isle, and release the prisoners at the same time. If we don't succeed they must then dash down, and we will try to carry the bridge by storm. When necessary the men must be filed through the woods and along the river bank. The bridge once secured and the prisoners loose and over the river, the bridges will be burned and the city destroyed.

The men must be kept together and well in hand, and once in the city, it must be destroyed and Jeff Davis and his Cabinet killed. Pioneers will go along with combustible material. The officer must use his discretion about the time of assisting us. Horses and cattle which we do not need immediately must be shot, rather than left.

Every thing on the canal and elsewhere, of service to the rebels, must be destroyed.

As Gen. Custer may follow me, be careful not to give a false alarm. The signal officer must be prepared to communicate at night by rockets, and in other things pertaining to his department. The Quartermasters and Commissaries must be on the lookout for their departments, and see that there are no delays on their account. The engineer officer will follow and survey the road as we pass over it, &c. The pioneers must be prepared to construct a bridge or destroy one. They must have plenty of oakum and turpentine for burning, which will be soaked and rolled into balls and be given to the men to burn when we get into the city. Torpedoes will only be used by the pioneers for burning the main bridges, &c. They must be prepared to destroy the railroads.

Men will branch off to the right with a few pioneers and destroy the bridges and railroads south of Richmond, and then join us at the city. They must be well prepared with torpedoes, &c.

The line of Falling Creek is probably the best to march along, or, as they approach the city, Good's Creek, so that no reinforcements can come up on any cars.

No one must be allowed to pass ahead, for fear of communicating news.

Rejoin the command with all haste, and if cut off, cross the river above Richmond and rejoin us. Men will stop at Bellona Arsenal and totally destroy it and every thing else but hospitals; then follow on and rejoin the command at Richmond with all haste, and, if cut off, cross the river and rejoin us. As Gen. Custer may follow me, be careful and not give a false alarm.

On the approach of Gen. Kilpatrick Richmond was in a defenceless condition. The Departments of the Government were closed and the clerks armed for defence. Men were collected from every quarter to oppose him. At the same time great consternation prevailed.

On the 29th of February an act of Congress to revive the grade of Lieutenant-General was approved by President Lincoln. He immediately sent the nomination of Maj.-Gen. Ulysses S. Grant to the Senate for confirmation. On March 3d this nomination was confirmed by the Senate. Gen. Grant was then in command of the army in Tennessee. He at once left his Department for Washington, and visited the President on March 9th. On presenting to him the commission as Lieutenant-General, in the presence of the Cabinet, Gen. Halleck, Gen. Rawlins, and Col. Comstock, of Gen. Grant's staff, the son of Gen. Grant, Mr. Lovejoy, of

the House of Representatives, and others, the President rose and said:

GEN. GRANT: The nation's appreciation of what you have done, and its reliance upon you for what remains to do, in the existing great struggle, are now presented with this commission, constituting you Lieutenant-General in the Army of the United States. With this high honor devolves upon you, also, a corresponding responsibility. As the country herein trusts you, so, under God, it will sustain you. I scarcely need to add that with what I here speak for the nation, goes my own hearty personal concurrence.

To which Gen. Grant replied:

MR. PRESIDENT: I accept this commission with gratitude for the high honor conferred.

With the aid of the noble armies that have fought on so many fields for our common country, it will be my earnest endeavor not to disappoint your expectations.

I feel the full weight of the responsibilities now devolving on me, and I know that if they are met, it will be due to those armies, and, above, all to the favor of that Providence which leads both nations and men.

On the 11th of March Gen. Grant returned to Nashville, Tennessee. On the 12th, the following order was issued at Washington:

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE, }
WASHINGTON, March 12. }

General Orders No. 98.

The President of the United States orders as follows: 1. Maj.-Gen. Halleck is, at his own request, relieved from duty as General-in-Chief of the Army, and Lieut.-Gen. U. S. Grant assigned to the command of the Armies of the United States. The headquarters of the army will be in Washington and also with Lieut.-Gen. Grant in the field.

2. Maj.-Gen. Halleck is assigned to duty in Washington as Chief-of-Staff of the Army, under the direction of the Secretary of War and the Lieutenant-General commanding. His orders will be obeyed and respected accordingly.

3. Maj.-Gen. W. T. Sherman is assigned to the command of the military division of the Mississippi, composed of the Department of the Ohio, the Cumberland, the Tennessee, and the Arkansas.

4. Maj.-Gen. J. B. McPherson is assigned to the command of the Department and Army of the Tennessee.

5. In relieving Maj.-Gen. Halleck from duty as General-in-Chief, the President desires to express his approbation and thanks for the zealous manner in which the arduous and responsible duties of that position have been performed.

By order of the Secretary of War.

E. D. TOWNSEND, Ass't Adj't Gen.

On the 17th, Gen. Grant issued the following order:

HEADQUARTERS ARMIES OF UNITED STATES, }
NASHVILLE, March 17, 1864. }

General Orders No. 1.

In pursuance of the following order of the President—

EXECUTIVE MANSION, }
WASHINGTON, D. C., March 10, 1864. }

Under the authority of the act of Congress to revive the grade of Lieutenant-General of the United States Army, approved February 29th, 1864, Lieut.-Gen. U. S. Grant, U. S. A., is appointed to the command of the Armies of the United States.

(Signed)

A. LINCOLN.

I assume command of the Armies of the United States. My headquarters will be in the field, and until further orders will be with the Army of the Potomac. There will be an officers' headquarters in Washington, to which all official communications

will be sent, except those from the army where headquarters are at the date of this address.

(Signed) U. S. GRANT, Lieut.-Gen. U. S. A.

On the 19th Gen. Grant left Nashville for Washington, and proceeded thence to the Army of the Potomac. On the 24th the following order was issued by Gen. Meade, in command of the Army of the Potomac:

HEADQUARTERS ARMY OF THE POTOMAC, }
Thursday, March 24, 1864. }

General Orders No. 10.

The following order has been received from the War Department:

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE, }
WASHINGTON, March 23, 1864. }

General Orders No. 15.

By direction of the President of the United States the number of army corps comprising the army of the Potomac will be reduced to three, viz., the 2d, 5th, and 6th corps; and the troops of the other two corps, viz., the 1st and 3d, will be temporarily reorganized and distributed among the 2d, 5th and 6th by the commanding general, who will determine what existing organizations will retain their corps badges and other distinctive marks. The staff and officers of the 2d corps, which are temporarily broken up, will be assigned to vacancies in the other corps, so far as such vacancies may exist. Those for whom there are no vacancies will cease to be considered as officers of the general staff of army corps.

2. Maj.-Gen. G. K. Warren is assigned by the President to the command of the 5th corps.

3. The following general officers are detached from the Army of the Potomac, and will report for orders to the Adjutant General of the army, viz.: Maj.-Gen. George Sykes, U. S. V.; Maj.-Gen. W. H. French, U. S. V.; Maj.-Gen. John Newton, U. S. V.; Brig.-Gen. J. R. Kenly, U. S. V.; Brig.-Gen. F. Spinola, U. S. V., and Brig.-Gen. Solomon Meredith, U. S. V.

By order of the Secretary of War.

E. D. TOWNSEND, Ass't Adj't Gen.

The following arrangements are made to carry out the provisions of the foregoing order:

The 2d, 5th, and 6th army corps will each be consolidated into two divisions. The 1st and 2d divisions of the 3d corps are transferred to the 2d corps, preserving their badges and distinctive marks. The 3d division of the 3d corps is transferred permanently to the 6th corps. The three divisions now forming the 1st corps are transferred to the 5th corps, preserving their badges and distinctive marks, and on forming the 5th corps they will be consolidated into two divisions.

The commanders of divisions transferred to the 2d, 5th, and 6th corps will at once report to the commanders of those corps for instructions. Brig.-Gen. J. B. Carr will report to Maj.-Gen. Hancock, commanding 2d corps, and Brig.-Gen. H. Prince to Maj.-Gen. Sedgwick, commanding 6th corps. The chief of artillery will assign eight batteries each to the 2d, 5th, and 6th corps; the batteries to be taken from those now with the corps and with the 1st and 3d corps. The batteries with the several corps in excess of the above allowance will join the artillery reserve.

The consolidation of divisions called for in this order will be made by the corps commanders concerned, who are authorized to rearrange the brigades of their respective commands in such manner as they may think best for the service. The reassignment of officers of the staff departments consequent upon the reorganization of the army, will be made upon the nomination of chiefs of the staff departments at these headquarters.

Special instructions will be given hereafter with respect to staff officers of the 2d corps, temporarily broken up.

The Major-General Commanding avails himself

of the occasion to say that, in view of the reduced strength of nearly all the regiments serving in this army, the temporary reduction of the army corps to three is a measure imperatively demanded by the best interests of the service, and that the reasons for attaching the 1st and 3d corps for the time being to other corps, were in no respect founded on any supposed inferiority of those corps to the other corps of the army. All the corps have equally proved their valor in many fields, and all have equal claims to the confidence of the Government and the country. The 1st and 3d corps will retain their badges and distinctive marks, and the Major-General Commanding indulges the hope that the ranks of the army will be filled at an early day, so that those corps can again be reorganized.

By command of Maj.-Gen. MEADE.
S. WILLIAMS, Ass't Adj't Gen.

A concentration of troops was now commenced in preparation for a campaign against Richmond, in Virginia, by the Army of the Potomac, under Gen. Meade, and a campaign against Atlanta, in Georgia, by the Army of Tennessee, under Gen. Sherman. Gen. Grant continued to be present with the Army of the Potomac during the year. Gen. Meade was as truly the commander of that army as Gen. W. T. Sherman of the army operating in Georgia, and both these officers were equally under the command of Gen. Grant. His presence with the Army of the Potomac naturally led to his assuming a more direct and personal supervision of affairs in Virginia than he was able to do of the co-operative movement of Gen. Sherman in Georgia. The orders of Gen. Grant to Gen. Meade were of the most general character. The manner of executing them was left to the judgment and skill of the latter. It was now nine months since the Army of the Potomac had fought a general battle, and seven months since the Western army marched into Chattanooga—the last battle for the possession of which was fought in November.

The month of April passed in reorganizing both armies, and in making preparations for the campaign against Richmond and Atlanta.

It was the middle of March when Gen. Grant turned over the military division of the Mississippi, comprising the departments of the Cumberland, the Tennessee, and the Ohio, to Major-General W. T. Sherman, who had previously commanded the department of the Tennessee, to which Major-General McPherson was soon after assigned. In the succeeding month the general plan of the summer campaign, which contemplated a simultaneous advance upon Richmond by the army of the Potomac, and upon Atlanta from Chattanooga, by the several western armies, was matured, and Gen. Sherman at once bent every energy to the perfecting and enlargement of the communications between Nashville and Chattanooga, his primary and secondary bases, and to the accumulation in the latter place of a sufficient quantity of provisions and military stores. These went forward with great rapidity, and by the end of April the depots in Chattanooga were reported abundantly supplied for all immediate purposes.

At this time the headquarters of the armies of the Tennessee, the Cumberland, and the Ohio, were respectively at Huntsville, Chattanooga, and Knoxville; and on the 27th, Gen. Sherman having been notified by Gen. Grant that the Army of the Potomac would march from Culpepper on or about May 5th, and that he wished the movement from Chattanooga to commence at the same time, put his troops in motion toward the latter place. The total force under his command for offensive purposes, was as follows:

Army of the Cumberland, Major-Gen. Thomas Commanding.

Infantry.....	54,568
Artillery.....	2,377
Cavalry.....	3,828
Total.....	60,773
Guns.....	130

Army of the Tennessee, Major-Gen. McPherson Commanding.

Infantry.....	22,437
Artillery.....	1,404
Cavalry.....	624
Total.....	24,465
Guns.....	96

Army of the Ohio, Major-Gen. Schofield Commanding.

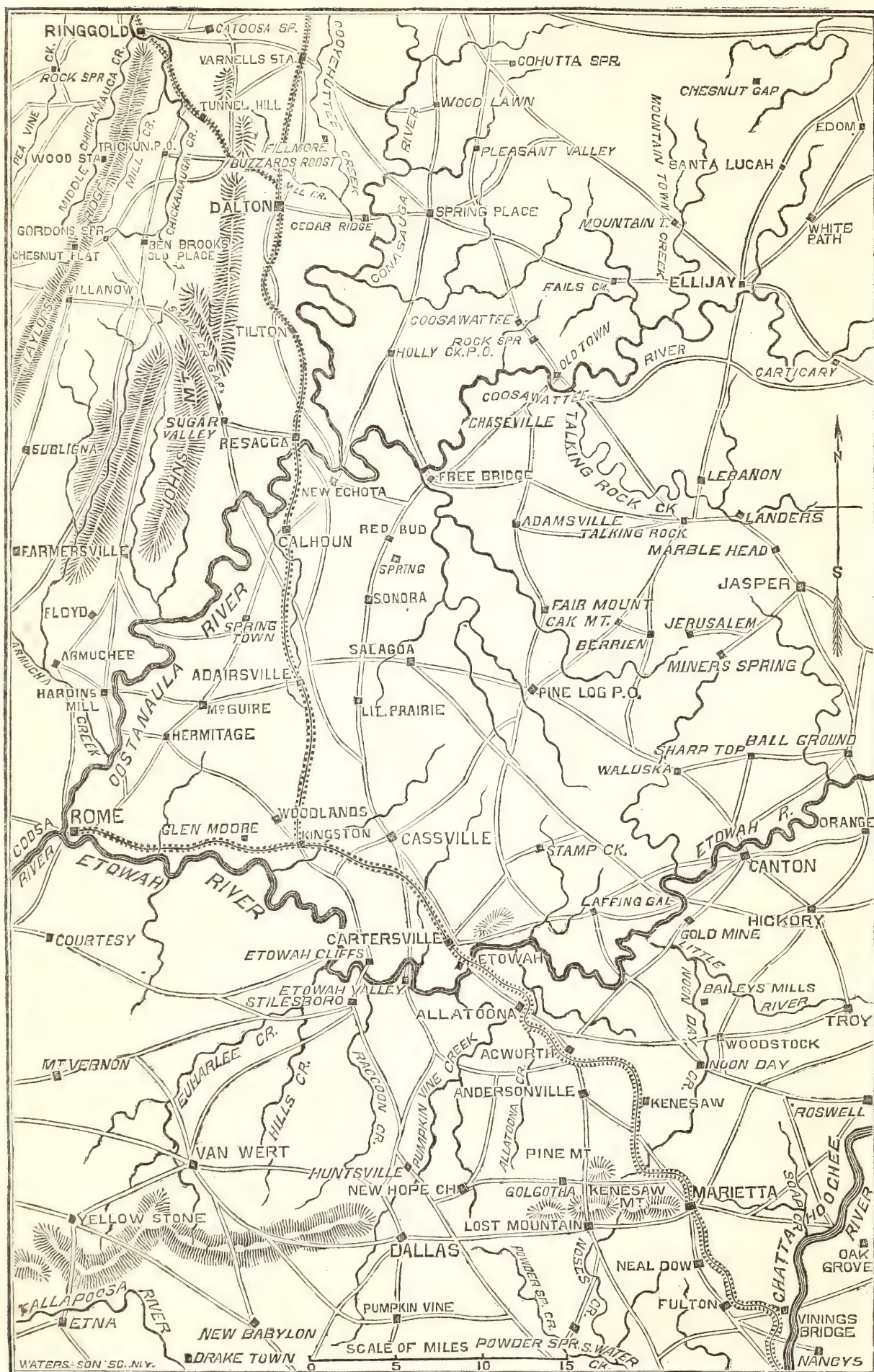
Infantry.....	11,183
Artillery.....	679
Cavalry.....	1,679
Total.....	13,559
Guns.....	28

making a grand aggregate of 88,188 infantry, 4,460 artillery, and 6,149 cavalry, or 98,797 men and 254 guns. The Army of the Cumberland comprised the 4th corps, Gen. Howard; the 14th corps, Gen. Palmer, and the 20th corps, Gen. Hooker; the Army of the Tennessee, the 15th corps, Gen. Logan; the 16th corps, Gen. Dodge; and later in the campaign, the 17th corps, Gen. Blair; and the Army of the Ohio, the 23d corps, Gen. Schofield. These armies were grouped on the morning of May 6th as follows: That of the Cumberland at Ringgold, on the Western and Atlantic Railroad, 23 miles southeast of Chattanooga; that of the Tennessee at Gordon's Mill, on the Chickamauga, eight miles west of Ringgold; and that of the Ohio, near Red Clay, on the Georgia line, about ten miles northeast of Ringgold. The enemy, comprising Gens. Hardee's, Hood's, and Polk's corps of infantry and artillery, and Wheeler's division of cavalry, the whole commanded by Lieut.-General Joseph E. Johnston, of the Confederate Army, lay in and about Dalton, fifteen miles south of Ringgold, on the railroad, the advance being at Tunnel Hill, a station about midway between the two places. Their cavalry were estimated by Gen. Sherman at 10,000 men, and the infantry and artillery at from 45,000 to 50,000, of whom much the greater part were veteran troops.

Topographically considered, the State of Georgia admits of three distinct divisions: 1. A mountainous region, embracing the northwest corner of the State, and which terminates at the Kenesaw Mountain, near Marietta, 120 miles from Chattanooga; 2. A gently undulat-

ing country extending from the mountainous region to a line passing in a northeasterly direction through Columbus, Macon, and Augusta; and 3. A level country extending to the seaboard, for the most part sandy and thickly covered with pine woods, and along the coast bordered by extensive swamps. The northwestern portion of the State, as far south as Atlanta, is almost exclusively a grain and grass-bearing region; the middle and eastern divisions being devoted chiefly to the cultivation of cotton. But its mineral wealth, particularly in iron ores, which abound among the mountains, has, since the commencement of the war, rendered the possession of this first-mentioned division a matter of prime importance to the Confederates. At Etowah, Rome, and Atlanta were large iron works in the employ of the rebel government, the capture and permanent occupation of which by a Union force would be likely to cause much embarrassment, not to speak of cotton and woollen mills at Roswell, Rome, and elsewhere, which turned out large quantities of fabrics for the use of the rebel troops.

Atlanta, lying near the boundary between the northwestern and middle divisions had, previous to the war, become an important centre of railroad communication and trade between the western and Atlantic and Gulf States, and one of the chief manufacturing towns of the South. It is laid out in a circle, two miles in diameter, in the centre of which was the passenger depot (since destroyed) of railroads radiating to Chattanooga, Augusta, Macon, and Montgomery; and the business portion of the town contained many fine blocks of warehouses for storing goods consigned from the north and northwest to the cotton regions of the South. Here also were established the machine shops of the principal railroads, the most extensive rolling mill in the South, foundries, pistol, and tent factories, and numerous works under the direction of the Confederate Government for casting shot and shell, and the manufacture of gun-carriages, cartridges, caps, shoes, clothing, and other military supplies. The population, numbering in 1860 about 15,000, had, subsequent to the commencement of the war, been increased by the arrival of refugees and government officials and employes to fully 20,000. In any event the capture of the place, with its vast stores and costly machinery, would so cripple the rebel resources, that the simple suggestion of such a contingency sent a thrill of alarm through the entire Confederacy. In the opinion of many its importance was not second even to that of Richmond. Strenuous efforts were accordingly put forth for its defence, and the line of approach along the Western and Atlantic Railroad, which is crossed by the Oostanaula and Etowah, branches of the Coosa River, which in turn is a branch of the Alabama, and by the Chattahoochee, and is girt as far as Marietta by ranges of rugged hills, was rendered as difficult for Sherman as the abundant



resources at the disposal of Johnston would admit. Should the mountain region be traversed or turned, and the Chattahoochee be crossed by an invading army, the enormous strength of Atlanta itself still gave promise of a long and perhaps successful defence, while an active cavalry force operating on Sherman's flanks might so seriously interrupt his communications as to compel him to retrace his steps and abandon the campaign. His forces were also liable to daily depletion as he advanced by the necessity of garrisoning captured places as well as of guarding the line of railway, while Johnston, moving constantly nearer to his supplies and reinforcements, would probably be relatively stronger when he reached Atlanta than when he started. The consequences which defeat would entail upon either party seemed so disastrous that the campaign was watched with an interest hardly inferior to that attending the more extensive operations around Richmond.

For the convenience of reference the following table of stations on the Western and Atlantic Railroad, with their distances from Chattanooga, is appended :

	Miles.		Miles.
Boyce.....	5	Kingston.....	79
Chickamauga.....	10	Cass.....	86
Johnson.....	18	Cartersville.....	91
Ringgold.....	23	Etowah.....	95
Tunnel Hill.....	31	Altoona.....	98
Dalton.....	38	Ackworth.....	102
Tilton.....	47	Big Shanty.....	103
Resaca.....	56	Marietta.....	119
Calhoun.....	60	Vining's.....	130
Adairsville.....	69	Atlanta.....	138

A reconnoissance by Gen. Sherman of Gen. Johnston's position at Dalton satisfied him that an attack in front was impracticable, even should the enemy abandon their works at Tunnel Hill. Directly south of this eminence, through which passes the railroad by a tunnel eighteen hundred feet in length, opens a level valley about three miles long by half to three-quarters of a mile in width, bounded at its further extremity by "Rocky Faced Ridge," a steep, thickly-wooded and rugged eminence, which commands the approach to Dalton both by railroad and wagon road, and extends as an impassable barrier along its west side for many miles. The outlet to this valley is through a narrow mountain pass called Buzzard Roost, nearly midway between Tunnel Hill and Dalton, which by means of abatis, a formidable series of batteries, and a line of rifle-pits at its northern entrance, had been rendered absolutely impregnable to a force advancing along the railroad. On its northeast side Dalton was defended by strong works on Mill Creek. Gen. Sherman accordingly directed Gen. McPherson, with the Army of the Tennessee, to move rapidly southward from his position at Gordon's Mill, *via* Ship's Gap, Villanov, and Snake Creek Gap, upon Resaca, a station eighteen miles below Dalton, or upon any other point on the railroad which might prove more accessible. This movement, he supposed, would compel Gen. Johnston to evacuate Dalton, when Gen.

McPherson would be in a position to harass the enemy's flank, while the main body of the Federal army pressed him from the north. While this flanking movement was in progress a strong feint of attack was to be made by Gen. Thomas in front of Buzzard Roost, and Gen. Schofield, with the Army of the Ohio, was directed to close up upon the latter's left.

On the 7th Gen. Thomas advanced from Ringgold toward Tunnel Hill, which was carried by the 14th corps under Gen. Palmer, after a brief skirmish, with the loss of a few men wounded. The slight resistance offered by the enemy indicated that they had no intention of defending the position, but only sought to hold Gen. Thomas in check until they could make good their retreat to the stronger position of Buzzard Roost. The Federal line was established on the same evening about a mile south of Tunnel Hill. On the 8th a demonstration in force was made against Rocky Faced Ridge and Buzzard Roost, which, on the 9th, was pushed almost to a battle. The 4th (Howard's) corps succeeded in carrying the ridge, but found the crest too narrow to enable it to attack the pass with any prospect of success. Gen. Schofield meanwhile came up on Gen. Thomas's left, which was held by Gen. Howard, and a brigade of his cavalry, while demonstrating against the enemy's right flank, met with some loss in an encounter with a superior force of rebel infantry.

On the 8th Gen. McPherson passed through Snake Creek Gap, surprising a rebel cavalry force sent to hold the position, and approached within a mile of Resaca, which he found too strong to be carried by assault. Apprehending, also, that if he should attempt to cross over to the railroad he might expose his left flank to an attack from the direction of Dalton, he fell back to a strong position at the west end of Snake Creek Gap, and reported to Gen. Sherman. The latter, finding that the demonstration on the enemy's flank had failed to compel him to evacuate his strong position, immediately determined to put the remainder of his army in motion for Snake Creek Gap; and on the 10th Gen. Hooker's (20th) corps, which held the right of Gen. Thomas's line, started for that place, followed on the succeeding day by the rest of Thomas's troops, with the exception of two divisions of Howard's corps and some cavalry, who were left to threaten the enemy in front of Buzzard Roost, and by Gen. Schofield's army; the three armies thus holding the same relative positions occupied by them at the commencement of the campaign. The Federal loss in the actions of the 8th and 9th was between 700 and 800 killed, wounded, and missing, the greater number being only slightly wounded.

Resaca, toward which Sherman was now moving, is situated on the Oostanaula, in a peninsula formed by the junction of that river with its northwest fork, the Conasauga, and across this peninsula the rebels had erected

continuous lines of rifle-pits with strong field fortifications, particularly about the town, by means of which their flanks were protected on either river, and a line of retreat preserved across the Oostanaula. Friday, May 13th, was occupied by the troops in deploying through Snake Creek Gap and getting into position in Sugar Valley, a fertile tract beyond, much broken by hills, which are covered by a dense undergrowth, and on that account difficult of approach. The movement was covered by the cavalry under Gen. Kilpatrick, who, while pressing the enemy toward Resaca, fell into an ambuscade and received a severe flesh wound, which incapacitated him for several months for active duty. During the day the Federal lines were advanced toward Resaca, the right under McPherson resting on the Oostanaula, about two miles below the town, and extending thence northward so as to face it; the centre, under Gen. Thomas, closing up upon Gen. McPherson's left, and the left, under Schofield, striking the Conasauga near Tilton, a station on the railroad about midway between Dalton and Resaca. Beside the protection afforded by the two rivers, both flanks of the army were covered by heavy bodies of cavalry. The scene of these operations was a rugged, thickly-wooded country, abounding in steep hills and narrow ravines, through one of which, directly in front of the rebel lines, flows Camp Creek, a small stream emptying into the Oostanaula near Resaca.

Gen. Johnston was not long in detecting the object of Sherman's flanking march, and judging the position at Dalton to be no longer tenable, he moved rapidly southward on the 12th, and having the shorter line of march, reached Resaca with his entire force before the Union army had debouched from Snake Creek Gap. The divisions of Howard's corps left to watch Buzzard Roost, soon after occupied Dalton, which was found thoroughly stripped of supplies and almost deserted, and moving in the enemy's rear, effected a junction on the 14th with the Federal left, near Tilton. The successful turning of the rebel position at Dalton was justly considered a great step gained in the movement upon Atlanta; and even among the rebel troops there were many who thought that if their leader could not hold for more than four days a place so strongly fortified by nature, he would be unable to maintain himself for a long time at any of the remaining points north of Atlanta, no one of which was perhaps so capable of defence as Dalton.

The night of the 13th was employed by the rebels in strengthening their already formidable position by additional earthworks, and on the morning of the 14th they were in complete readiness for an attack, their right wing being held by Gen. Hardee, their centre by Gen. Hood, and their left by Gen. Polk. Skirmishing commenced at an early hour, and the object of Gen. Sherman being to press Resaca at all points, while a force of infantry and cav-

alry crossed the Oostanaula and threatened Calhoun in the rear, the firing toward noon grew heavy along the whole rebel line. The Federal general had hoped to be able to turn the rebel left wing, and thus cut off their retreat, but the nature of the ground rendered this impossible. At 1 P. M. an attempt was made by Palmer's corps, holding the left centre, to break the enemy's line, and force him from an elevated position in the immediate front. To reach this point it was necessary to descend a hill in full range of rebel artillery, ford a stream thickly bordered with undergrowth and interlacing vines, and then, crossing a valley full of ditches and other obstructions, to mount the opposite eminence. In the teeth of a murderous fire of musketry and artillery, Palmer's troops charged down the hill and across the creek; but becoming speedily entangled in the obstructions, and unable to find shelter or to return with effect the plunging fire of the enemy, which caused havoc in their ranks, they were forced to retire, with a loss estimated at upwards of a thousand. About the same time, further to the left, Gen. Judah's division of the 23d corps and Newton's of the 4th corps, moving over comparatively level ground, succeeded, after a desperate struggle, in forcing the enemy to abandon an important position on their outer line. Although the Federal troops were unable to hold this, they succeeded in advancing their line and getting their artillery into a position to prevent the enemy from reoccupying the works. On the extreme left, that portion of the 4th corps which had arrived from Dalton, in concert with Gen. Schofield, maintained heavy skirmishing with the rebel right, the dense woods in that direction preventing the use of artillery, and effectually concealing the movements of troops on either side. The operations on Gen. McPherson's end of the line were, during the morning, of the same character.

At about 3 o'clock in the afternoon Gen. Johnston, perceiving that no serious impression had been made upon his lines, quietly massed a heavy force on the road to Tilton, with a view of turning the Federal left flank, held by Stanley's division of the 4th corps. The attack was delivered with impetuosity and in such overwhelming numbers, that Stanley's troops, after a stubborn resistance, were forced in confusion from a hill upon which they were posted. The rebels rushed on with loud yells across an open field west of the hill, and for a few moments matters wore a critical aspect. Fortunately, however, the movement of the rebel right had been early detected, and Hooker's corps sent from the centre to reënforce the Federal left. The timely arrival of a portion of his troops checked the rebel advance, and the scattered division of Stanley having been partially rallied, the rebels were at dusk driven back within their lines with severe loss. Meanwhile Gen. McPherson, taking advantage of the enemy's occupation with this movement, ordered Logan's (15th) corps, with a portion of the 16th, to

cross Camp Creek and carry a hill and a line of rifle-pits on the enemy's extreme left, in front of Resaca, which was effected with slight loss. As the position was one which would enable the Federal General to pour a destructive enfilading fire upon the rebel works, and also to command the railroad and trestle bridges across the Oostanaula, a desperate effort was made soon after dark to retake it. Heavy columns of infantry with fixed bayonets moved up to the very crest of the hill, but recoiled under the steady fire of the Federal troops, and finally retired in confusion. At 10 P. M. the fighting terminated for the day. The result of the day's work was on the whole satisfactory to Gen. Sherman, as the Federal lines had nowhere been permanently forced back, while on their left and centre the rebels had lost positions of importance.

The night of the 14th was occupied by both armies in strengthening their positions, and the morning of the 15th opened with heavy skirmishing along the Federal centre, under cover of which troops were massed for an assault upon two fortified hills commanding each other, on the enemy's extreme right, which were considered the key to the whole position. For this purpose Gen. Hooker's corps had been shifted to the extreme left, and Gens. Howard's, Schofield's, and Palmer's troops moved to the right to fill up the gap occasioned by the withdrawal of Gen. Hooker. Shortly after 1 o'clock in the afternoon Gen. Hooker sent forward Butterfield's division as the assaulting column, supported by the divisions of Gens. Geary and Williams, and after several unsuccessful attacks the enemy were driven from a portion of their lines, and a lodgment was secured under the projecting works of a lunette, mounting four pieces of artillery. So severe, however, was the fire from rifle-pits beyond and on either side of this work, forming the inner rebel line, that further advance was impossible, and the Federal troops were fain to seek such shelter as was available, and content themselves with holding the position they had gained. Toward the close of the afternoon Gen. Hood's corps made a determined but unsuccessful effort to dislodge them, and subsequently, under cover of the darkness, a number of rebel prisoners were brought up, the ends dug out of the works, and the guns hauled out by means of ropes, under a destructive fire from the rebels. As soon as a breach was made our forces rushed in and captured the lunette after a desperate engagement. The guns seized were twelve-pounders. The flags of the 35th and 38th Alabama regiments were captured, with over two hundred prisoners. While these operations were in progress the enemy's attention was occupied by heavy skirmishing along the whole line.

During the night the enemy quietly abandoned Resaca, leaving behind a four-gun battery and a quantity of stores, and by dawn were well on their way to Kingston, thirty-two miles

south on the railroad. Gen. Thomas's troops immediately occupied the town, and succeeded in saving the road bridge, but the railroad bridge, the most costly structure of the kind between Chattanooga and Atlanta, was destroyed by the enemy, with the exception of the stone piers. The total Federal loss in the two days' fighting was between 4,000 and 5,000 killed and wounded, upward of 2,000 of the latter being so slightly injured that they were returned to duty in two or three weeks. The rebel loss was stated by themselves at 2,500, which is probably not far from the mark. Fighting for the most part behind earthworks, and having the advantage of position, they necessarily suffered less than their opponents. Beside the eight guns and the stores already mentioned, they left about 1,000 prisoners in the hands of the Federals. According to Gen. Sherman nothing saved Gen. Johnston's army at Resaca but the impracticable nature of the surrounding country, which made the speedy passage of troops across the valley from Snake Creek Gap an impossibility. This fact enabled the rebel army to reach Resaca from Dalton along comparatively good roads, constructed beforehand by the foresight of their general. The latter was nevertheless severely criticized for this second abandonment of what was considered a defensible position, notwithstanding that the Richmond newspapers explained that his peculiar forte consisted in drawing an enemy after him, and then overwhelming him by a sudden attack. They also endeavored to derive consolation from a reputed caution of Gen. Scott to a Federal commander: "Beware of Lee advancing, and watch Johnston at a stand; for the devil himself would be defeated in the attempt to whip him retreating," which was extensively quoted in the Southern papers.

Soon after the discovery of Gen. Johnston's retreat, the cavalry divisions of Gens. Stoneman and McCook were thrown forward in pursuit, and during the 16th the army was occupied in crossing the Oostanaula. Gen. Thomas made the passage at Resaca, Gen. McPherson at Lay's Ferry, a few miles to the southwest, while Gen. Schofield, moving to the left of Thomas, crossed the Conasauga and Coosawattee, which unite near Resaca to form the Oostanaula. In this order the army marched southward on roads parallel to the railroad, finding no trace of the enemy until reaching the neighborhood of Adairsville, thirteen miles below Resaca, where Newton's division of the 4th corps had a smart skirmish with the rebel rear guard, who had posted their sharpshooters in an octagon cement building called "Graves House," for the purpose of delaying the advance. By the aid of artillery they were driven out, and on the 18th the 4th corps reached Kingston, four miles beyond which place the enemy were again discovered in considerable force on open ground. At Cassville, five miles east of Kingston, they were known to have constructed strong works; and on the 19th, in

anticipation of a general engagement, Gen. Sherman directed Gen. Schofield to move down toward this place from the north, while Gen. Thomas closed up upon his right, and McPherson marched to Kingston to be in close support of Thomas. Gen. Johnston, however, declined the offer of battle, and during the night retreated across the Etowah, burning the road and railroad bridges behind him. A few days' halt for rest and refreshment was now allowed the army, and as the country north of the Etowah had been completely stripped by Gen. Johnston, it was necessary to await the arrival of supplies by railroad. The latter fortunately had received little injury at the hands of the enemy, and by the energetic labors of the repairing parties, who followed close behind the army, was put in running order to Kingston on the 20th, on which day trains arrived laden with supplies. By this means the army was soon restored to a condition of complete efficiency, and relieved of the necessity of looking after the wounded, who were sent back to Chattanooga. In like manner telegraphic communication with the latter place was kept open as the army advanced.

While these operations were in progress, Gen. Jeff. C. Davis, of Palmer's corps, on the 17th marched southwesterly from Resaca toward Rome, fifteen miles west of Kingston, which place he occupied on the 19th after a sharp fight, gaining possession of several forts, eight or ten guns of heavy caliber, large quantities of stores, and the valuable mills and foundries employed in the service of the Confederate Government.

Gen. Johnston had meanwhile taken a strong position at Allatoona Pass, in the Etowah Mountains, south of the Etowah River, which formed an almost impregnable barrier to a direct advance upon Atlanta by railroad. Gen. Sherman accordingly resorted to the same tactics which had proved so successful at Dalton; and having supplied his wagons with twenty days' provisions, and left garrisons at Rome and Kingston, he put his army in motion on May 23d for Dallas, a town lying about fifteen miles southwest of Allatoona Pass, and eighteen miles directly west of Marietta, a station on the railroad forty miles below Kingston, and twenty-four south of the Etowah River. He expected thus, by threatening Marietta, to compel the evacuation of Allatoona. The country between Dallas and the railroad is of the same impracticable character as that in which previous operations of the campaign had been conducted, being for the most part densely wooded, traversed by ranges of rugged hills, and cut up by frequent ravines. The roads were few and poor. Through this region, admirably adapted for defence, and of which the topography was scarcely known to the Federal general, the advance in the presence of a vigilant enemy had necessarily to be made with much caution, and it will be seen that several days were occupied with manoeuvring for position and other movements, before any practical results were obtained.

In marching upon Dallas, Gen. McPherson, still holding the Federal right, made a somewhat wide detour to the southwest through Van Wert, while Gen. Thomas took a course nearly due south, having Gen. Schofield on his left flank. The movement had scarcely commenced before it was detected by Gen. Johnston, who having the shorter line to Dallas, marched in the direction of that place to cover the approaches to Marietta. On the 25th Hooker's corps, approaching Pumpkin Vine Creek on the main Dallas road, came into collision with parties of Hood's and Hardee's corps, and a severe engagement took place for the possession of a point known as the New Hope Church, where three roads meet from Ackworth [four miles south of Allatoona by rail], Marietta, and Dallas. By means of earthworks the enemy successfully resisted the advance of Gen. Hooker, and the night closing with a heavy rain storm, no further attempt was made to force the position. In this affair Hooker sustained a loss of about six hundred killed and wounded. Gen. Sherman then ordered McPherson to move up to Dallas, and Gen. Thomas to make a bold demonstration against New Hope Church, while Schofield overlapped the enemy's right wing. Owing to the difficult nature of the country, the 26th and 27th were occupied in perfecting these dispositions, and on the evening of the latter day his line extended in a semicircular direction northeast from Dallas, the enemy having his right resting on the road from Ackworth to Dallas, at a point three miles northeast of New Hope Church, and his left at a point nearly due east of Dallas. Heavy skirmishing attended these manoeuvres, but as the density of the surrounding woods rendered the use of artillery impracticable, the casualties were not numerous. On the 28th, just as Gen. McPherson was on the point of closing up to Gen. Thomas in front of New Hope Church, in order to enable a further development of the Federal left wing, he was attacked by a heavy rebel force, whose repeated and desperate, though fruitless assaults had the effect of checking temporarily the contemplated movement. The Federal troops, protected by their breastworks, finally drove the enemy back with a loss of upward of two thousand killed and wounded.

After a brief pause, interrupted only by the customary skirmishing, renewed orders were given for the shifting of the Federal line to the left. The movement was now effected with comparative ease, and on June 1st, the roads to Allatoona and Ackworth being occupied, the cavalry divisions of Stoneman and Garrard were pushed forward to Allatoona Pass, which was carried with slight loss. Orders were immediately given to rebuild the railroad bridge over the Etowah, at Etowah Station, and on June 4th Gen. Sherman moved directly upon Ackworth. This manoeuvre compelled Gen.

Johnston to abandon his intrenchments at New Hope Church, and move westward to the railroad to cover Marietta, and on the 6th the Federal army reached Ackworth, where it rested for several days. Allatoona Pass was at once fixed upon as a secondary base, and put in a defensible condition. A well-informed correspondent, summing up the results of the campaign to this date, observes: "We have in a month's time, with a force not very much superior to his, forced the enemy back nearly one hundred miles, obliging him to abandon four different positions of unusual strength and proportions; have fought him six times; have captured twelve guns, three colors, over two thousand prisoners, with considerable forage, provisions, and means of transportation; have placed at least fifteen thousand of his men *hors de combat*, and have destroyed several important foundries, rolling mills, iron works, &c., at Rome, and in the Allatoona Mountains."

On the 8th Gen. Blair reached Ackworth with two divisions of the 17th army corps, which were attached to Gen. McPherson's command, and a brigade of cavalry belonging to Gen. Garrard's division. These accessions compensated for the Federal losses in battle, and the garrisons left at Resaca, Rome, Kingston, and Allatoona, and on the 9th the army, refreshed by three days' much needed rest, and abundantly supplied with stores, moved forward to Big Shanty, the next railroad station south of Ackworth. Between this place and Marietta intervenes a mountainous district of vast natural strength, having three detached and well-defined summits, where Gen. Johnston had made his next stand. Kenesaw Mountain, the most easterly of these summits, is a double-peaked eminence, about 1,200 feet high, lying directly north and northwest of Marietta, and west of the railroad, and sending out a spur for several miles in a northeasterly direction. West of Marietta, on the road to Dallas, is Lost Mountain, and midway between the latter and Kenesaw, half a mile further to the north, is Pine Mountain, a rugged, cone-shaped peak, which may be said to form the apex of a triangle, of which Kenesaw and Lost Mountains constitute the base. The three eminences are connected by several ranges of lesser heights, seamed with ravines, and covered with a dense growth of oak and hickory, and upon their summits the rebels had erected signal stations which commanded an excellent view of all the general operations of the Federal forces. As the latter drew in sight, the most assailable points in this succession of mountain fortresses appeared bristling with cannon, and the spurs were alive with men constructing earthworks, felling timber for obstructions, and otherwise preparing for an obstinate resistance. The rebel front extended westward from the railroad, on which their right rested, about four miles, and comprised several successive lines of intrenchments. They had also some works

works," says the correspondent above quoted, "consisted of log barricades, protected by earth thrown against them, with a formidable abatis, and in many places a *chevaux-de-frise* of sharpened fence-rails besides. The thickness of this parapet (which really resembled a parallel) was generally six to eight feet at top, on the infantry line, and from twelve to fifteen feet thick at top where field guns were posted, or where fire from our artillery was anticipated."

The controlling point of the whole region is Kenesaw Mountain, which covers the railroad and the town of Marietta so effectually that a direct advance upon the latter place from the north would be well-nigh impossible. As the rebel lines were drawn, it constituted a stronghold or citadel in a deep reëntrant, Pine and Lost Mountains and the connecting ridges being in the nature of outworks, useful in retarding the approach of an enemy, but not absolutely essential as portions of a system of defences. The accounts of prisoners, deserters, and scouts, placed Gen. Johnston's force at nine divisions of seven thousand men each, which was probably somewhat above the mark; in addition to which an auxiliary force of fifteen thousand Georgia militia, called out by Governor Brown, was placed at his disposal. The latter, though comparatively undisciplined, did good service as laborers on fortifications, and were capable of offering considerable resistance behind earthworks. Hardee's corps occupied their right, Polk the centre, and Hood the left. Their cavalry, estimated at fifteen thousand, operated on the flanks, and in the Federal rear.

The order of the Federal advance was somewhat different from that previously observed during the campaign. Gen. McPherson's command was now transferred to the extreme left, and moved toward Marietta, having its right on the railroad, while Gen. Schofield, shifting to the right wing, marched for Lost Mountain. Gen. Thomas kept his old position in the centre, and moved on Kenesaw and Pine Mountains. Gens. Stoneman and Garrard covered the right and left wings with their cavalry, and McCook guarded the communications and rear. From the 9th to the 14th the Federal lines were gradually closed up toward the rebel position, Sherman's first object being to break the line between Kenesaw and Pine Mountains; and on the latter day, during a heavy cannonade by the 4th corps, the rebel Gen. Polk, commanding on Pine Mountain, was killed by the explosion of a shell. On the same night, the rebels, perceiving that Hooker's corps was moving around the base of the mountain to cut off their retreat, abandoned their works without loss of guns or material of war, and on the morning of the 15th the position was quietly occupied by Stanley's division of the 4th corps. A paper was found affixed to a stake, stating, "Here Gen. Polk was killed by a Yankee shell;" and from the reports of deserters it appeared that Gens. Johnston and

Hardee were standing near Gen. Polk when he was struck, and narrowly escaped death.

Gen. Johnston now drew back his centre about a mile, to a strong line of intrenchments in the rugged hills connecting Kenesaw and Lost Mountains, keeping his flanks on these two eminences. The 15th, 16th, and 17th, were occupied with incessant skirmishing, which told upon the spirits and endurance of the Federal army almost as much as a pitched battle. "The enemy," says a correspondent, "seems to have marked out this whole country, from the Allatoona Mountains to the Chattahoochee, with line after line of rifle-pits and intrenchments and fortification. No sooner do we take possession of one formidable line of works than another confronts us, and each seems to be stronger than the preceding." On the extreme right during the afternoon of the 15th, Gen. Schofield carried the first line of the rebel works at the foot of Lost Mountain. During the 17th, the left and centre remained quiet, its line being so far advanced that a general engagement would otherwise have resulted. The right and right centre were pushed forward more than a mile, occupying a heavy line of intrenchments which the rebels had evacuated, and their main line at the foot of Lost Mountain, without serious loss. Toward evening, after much heavy skirmishing, the enemy's left was dislodged from the strong intrenchments at the Lost Mountain and in the rear of Kenesaw, and driven back upon his centre, the Federal army swinging around so as to threaten his flank. The movement occupied the whole day, and was rendered difficult by the thick growth of timber and underwood and the pertinacity of the skirmishers of the enemy. During the 18th, the right crowded the rebel left still further backward. The possession of the Dallas and Marietta road was secured, and the enemy pushed so hard at dusk that the 20th corps was in a line perpendicular to their own. The Federal troops met with considerable loss during the day, as in many places it was necessary to construct opposing works under the fiercest fire, especially from the enemy's sharpshooters; but from extreme right to extreme left the rebel skirmishers were steadily driven, and many of them killed and wounded. Several hundred prisoners were also taken. These made the number taken since the 11th about one thousand.

Apprehending that his position on Lost Mountain was in danger of being enveloped, Gen. Johnston, on the night of the 18th, under cover of the darkness and a violent storm of rain, drew in his left flank toward Kenesaw, which he made his salient, his right wing being thrown back to cover Marietta, and his left behind Nose's Creek, for the purpose of guarding his railroad communication with the Chattahoochee. The abandoned works on Lost Mountain, and the line of breastworks connecting it with Kenesaw, were at once occupied by the Federal troops, and during the 19th the

enemy was steadily pressed at all points. On the evening of that day our left held the base of Kenesaw on its north face, and the first ridge of hills running thence to the northeast, while our right lay to the west and rear of Kenesaw, and within three miles of Marietta. During these operations the rain fell almost incessantly, and the roads were rendered so heavy that a general movement would have been impossible. The most that could be attempted was to press the enemy without cessation, and harass him by constant skirmishing. The fact that under such discouraging circumstances so many strong positions were carried, testifies to the discipline and endurance of the troops.

The operations of the 20th and 21st were of a similar character to those above described, but on the 22d the enemy made a sudden attack upon portions of Gens. Hooker's and Schofield's troops on the Federal right, near what is known as the "Kulp House," and was handsomely repulsed, leaving his dead, wounded, and many prisoners behind him. The Federal centre was now established squarely in front of Kenesaw, but it required so many men to hold the railroad and the line running along the base of the mountain, that but a small force was left with which to attempt a flank movement to the right. So small was it that Gen. Sherman hesitated to push it vigorously toward the railroad, in the rear of Marietta, for fear that it might be altogether detached from the army and exposed to disaster. He therefore contented himself with extending his right along the enemy's flank, hoping that Gen. Johnston would thereby be induced to weaken his centre sufficiently to render an assault in that direction practicable. "Although inviting the enemy at all times," says Gen. Sherman in his official report, "to make such mistakes, I could not hope for him to repeat them after the examples of Dallas and the 'Kulp House;' and upon studying the ground, I had no alternative but to assault his lines or turn his position. Either course had its difficulties and dangers. And I perceived that the enemy and our own officers had settled down into a conviction that I would not assault fortified lines. All looked to me to 'outflank.' An army to be efficient must not settle down to one single mode of offence, but must be prepared to execute any plan which promises success. I waited, therefore, for the moral effect, to make a successful assault against the enemy behind his breastworks, and resolved to attempt it at that point where success would give the largest fruits of victory." The general point selected was the rebel left centre, in the belief that if this should be once forced, a road to the railroad below Marietta would be opened to the assaulting column, the enemy's retreat cut off, and their army overwhelmed in detail. Simultaneous with this an attack was directed to be made on Little Kenesaw by McPherson. The 27th was selected for the movement, and three days were allowed for preparation.

At 6 A. M., on the appointed day, Gen. Blair's (17th) corps, holding the extreme left of Gen. McPherson's line, moved toward the eastern point of the mountain to threaten the enemy's right, while Gen. Dodge's (16th) corps and Gen. Logan's (15th) corps assaulted the northern slope adjoining. The brunt of the attack was borne by three brigades of the 15th corps, which immediately scattered the enemy's skirmishers, and pushing on up the hill with impetuosity, carried part of the rebel rifle-pits. Some of the retreating enemy were captured while endeavoring to escape to a gorge which intervenes between the right and left halves of Kenesaw. Still pressing forward our troops arrived at the foot of a perpendicular cliff thirty feet high, from the crest of which the enemy formed in line of battle, poured a destructive plunging fire, and rolled down huge stones. Seeing it impossible to scale these cliffs our line halted, retired a short distance, and fortified on the extreme right. For the second and more important attack portions of Gen. Newton's division of the 4th corps, and of Gen. Davis's of the 14th corps, were selected. At a given signal the troops rushed forward with buoyant courage, charged up the face of the mountain amidst a murderous fire from a powerful battery on the summit and through two lines of abatis, carried a line of rifle-pits beyond, and reached the works. The colors of several regiments were planted before the latter, and some of the men succeeded in mounting the ramparts, but the deaths of Gens. Wagner and Harker, and the wounding of Gen. McCook, the destructive fire of both musketry and artillery, and the difficulty of deploying the long columns under such fire, rendered it necessary to recall the men. Gen. Newton's troops returned to their original line, while Gen. Davis's 2d brigade threw up works between those they had carried and the main line of the enemy, and there remained. The whole contest lasted little more than an hour, but cost Gen. Sherman nearly three thousand in killed and wounded, while the enemy, lying behind well-formed breastworks, suffered comparatively slight loss. During the day Gen. Schofield had sharp skirmishing with the enemy's left wing, and Gen. Cox's division of the 23d corps pushed forward to a point nine miles south of Marietta and three from the Chattahoochee; but the important fighting was in the centre. The failure of the attack is to be attributed to the fact that Gen. Johnston did not allow himself to be deceived by the lengthened line which Gen. Sherman opposed to him. From his elevated position on the summit of Kenesaw he could see plainly that the main posts still confronted him, and that the flanking movement to his left was not in earnest. Contenting himself, therefore, with sending a single corps to watch the right wing, he held his main body to repel the assault on his centre.

It was not, however, the intention of Gen. Sherman to rest long under the imputation of defeat, and he almost immediately commenced

preparations to turn the enemy's left, amusing Gen. Johnston, meanwhile, by a show of approaching his centre by saps. On July 1st, Gens. Hooker and Schofield advanced to the right some two miles, and on the 2d Gen. McPherson received orders to rapidly shift his whole force from the extreme left to the extreme right of the Federal lines, and push on to Nickajack Creek, which flows into the Chattahoochee, four miles below the railroad bridge. His place on the left, in front of Kenesaw, was occupied by Gen. Garrard's cavalry, while Gen. Stoneman's cavalry moved on his flanks to strike the river near Turner's Ferry, two miles and a half below the railroad bridge. The object of the movement was speedily detected by Gen. Johnston, who at once prepared to evacuate Kenesaw and fall back to the Chattahoochee. On the night of the 2d his rear guard abandoned the works which for upward of three weeks had been so resolutely assailed and defended, and before dawn of the 3d the Federal pickets occupied the crest of the mountain. Orders were immediately given for Gen. Thomas to move forward along the railroad to Marietta, and thence southward to the Chattahoochee, the rest of the army pressing rapidly toward Nickajack Creek to harass the enemy in flank and rear, and if possible to assail him in the confusion of crossing the river. Gen. Sherman himself, accompanying the Army of the Cumberland, entered Marietta at 9 o'clock on the morning of the 3d. During the retreat about two thousand prisoners, principally stragglers, fell into the hands of the Federal troops.

Gen. Johnston was too good a general to leave his movement uncovered, and Gen. Thomas pushing forward in pursuit, found him intrenched behind a fortified line at Smyrna, half way between the river and Marietta, having his flanks protected by Nickajack and Rottenwood Creeks. This, however, was but an advance line, his intention being to make his real stand in a series of works on the left bank of the river, and at the railroad bridge, where he had constructed a strong *tête de pont*. Again a flanking movement to the right was attempted, and with such success that on the night of the 4th Gen. Johnston fell back to the river, across which the main body of his army passed, Gen. Hardee's corps remaining on the right bank. Gen. Sherman then moved up to the Chattahoochee, and on the evening of the 5th Gens. Thomas's and McPherson's troops occupied a line extending from a short distance above the railroad bridge to the mouth of Nickajack Creek, while Gen. Schofield was posted in the rear near Smyrna as a reserve. Cavalry demonstrations were extended as far south as Campbelltown, fifteen miles below the railroad bridge. By these several manoeuvres, and particularly by the shifting of Gen. McPherson's troops to the right, Gen. Sherman aimed to convey to Gen. Johnston the impression that it was his *left* flank that was to be turned; and in pursuance of the same strategy the Fed-

eral general having determined that the enemy's position was unassailable except by a flank movement across the river, amused his enemy by demonstrations south of the railroad bridge, as if he intended crossing there. His real object was, by rapidly shifting masses of troops from extreme right to extreme left, to turn the enemy's *right* flank, and seize and hold the vital strategic points in that direction.

Gen. Schofield was, accordingly, directed to move due eastward from his position at Smyrna to the Chattahoochee, and to make a crossing near the mouth of Soap Creek, eight miles north of the railroad bridge. This was successfully accomplished on the 7th, with the capture of a gun and a number of prisoners, and a lodgment was effected on high ground on the left bank, and a substantial bridge constructed. At the same time Gen. Garrard occupied Rosswell, a town near the Chattahoochee, nearly due north of Atlanta, and about seven miles above Gen. Schofield's crossing, where he destroyed some woollen and cotton mills which had supplied the rebel armies. In accordance with Gen. Sherman's orders he secured the ford at this place until a corps could be sent thither from the Army of the Tennessee on the right wing. On the 9th, while the enemy were amused by feints extending from Power's Ferry, four miles above the railroad bridge, to Turner's Ferry, three miles below it, a crossing was effected at Rosswell, and the river firmly bridged; and under cover of the same demonstrations Gen. Howard was enabled to throw a bridge across at Power's Ferry. Gen. Johnston at length took the alarm, and during the night of the 9th gave orders for another retreat. His heavy guns were removed to Atlanta, seven miles distant, Gen. Hardee's corps was safely crossed to the left bank, and at daylight of the 10th the railroad bridge, the road bridge, and the pontoons, were in flames. The rebel army then fell back toward the fortifications of Atlanta, abandoning the whole line of the river, although its left wing kept in the neighborhood of Turner's Ferry, in the expectation of an attack from that quarter. Leaving Gen. Johnston to his delusion, Gen. Sherman rapidly and quietly moved the rest of the Army of the Tennessee behind the line of our forces, to its old position on the extreme left, and busied himself with strengthening his bridges and collecting supplies, which, as early as the 8th, were brought by railroad within a mile of the railroad bridge.

A week's rest was now allowed the army, a sufficient force being detailed to the left bank of the Chattahoochee to secure the several positions there and occupy the works of the enemy. These proved to be of the most formidable character, and had evidently cost many months of labor, the lines extending for upward of five and a half miles along the river, with almost impenetrable abatis in front. The sudden abandonment of them caused more consternation to the enemy than any previous disaster of

the campaign, as it was anticipated that here, in the immediate neighborhood of his supplies, Gen. Johnston could make a long and probably successful stand; or at least keep Gen. Sherman at bay until reinforcements from other parts of the confederacy should arrive. The catastrophe completed the long catalogue of complaints against this general which his enemies had sedulously arrayed before the public, and his removal was clamored for as indispensable to the salvation of the cause. The inhabitants of Atlanta in particular urged that the retreating policy had been followed far enough. It can hardly admit of a doubt, however, that he had conducted the campaign with prudence and skill, and considering his inferiority in numbers to Gen. Sherman, who was always in a condition to outflank him, he had probably delayed the Federal advance as long as it was possible.

On the 17th the whole army was across the Chattahoochee, with the exception of Gen. Davis's division of the 14th corps, left to watch the railroad bridge and the rear, and prepared to move upon Atlanta. The Army of the Cumberland now occupied the right wing and right centre, resting on the river just above the railroad bridge, the Army of the Ohio the left centre, and the Army of the Tennessee the left. In this order a grand right wheel was commenced, the right wing of the Army of the Cumberland serving as the pivot, which, on the evening of the 17th, brought the Federal line into a position about northeast of the railroad bridge, along what is known as the old Peach Tree road. On the 18th the left wing, swinging rapidly around, struck the Georgia Railroad, which connects Atlanta with Augusta, at a point two miles west of Stone Mountain, a vast elevation of granite towering over the surrounding country, fifteen miles northeast of Atlanta. With the aid of Gen. Garrard's cavalry, which moved on his flank, Gen. McPherson broke up a section of about four miles of the road, while Gen. Schofield occupied Decatur, six miles east of Atlanta, and Gen. Thomas brought his troops close up to Peach Tree Creek, a small stream rising five or six miles northeast of Atlanta, and flowing southwesterly into the Chattahoochee, near the railroad bridge. In these manœuvres our extreme left encountered little else than cavalry, supported by a few guns and a very inadequate force of infantry, an evidence that the enemy was still laboring under the delusion that his left and not his right was the real point of attack, and that Atlanta was to be approached from the southwest instead of from the northeast. Under these circumstances Gens. McPherson and Schofield were enabled, on the 19th, to pass with little trouble westward of Decatur, within the naturally strong defensive lines of Nance's and Peach Tree Creeks. Gen. Thomas, moving more directly from the north of Atlanta, found the enemy in larger force, but succeeded on the same day in crossing Peach Tree Creek in front of their intrenched lines.

The Federal line then held the arc of a circle, extending from the railroad between Atlanta and the river to some distance south of the Georgia Railroad, and in a direction north and northeast of Atlanta.

Meanwhile, on the 17th, Gen. Johnston had, in accordance with orders from the confederate war department, turned over his command to Gen. Hood, accompanying the act with the following farewell address to his troops :

HEADQUARTERS, ARMY OF TENNESSEE, }
July 17, 1864. }

In obedience to the orders of the War Department, I turn over to Gen. Hood the command of the Army and Department of Tennessee. I cannot leave this noble army without expressing my admiration of the high military qualities it has displayed so conspicuously—every soldierly virtue, endurance of toil, obedience to orders, brilliant courage.

The enemy has never attacked but to be severely repulsed and punished. You, soldiers, have never argued but from your courage, and never counted your fears. No longer your leader, I will still watch your career, and will rejoice in your victories. To one and all I offer assurances of my friendship, and bid an affectionate farewell.

J. E. JOHNSTON, General.

General Hood, on assuming command, issued the following address :

HEADQUARTERS, ARMY OF TENNESSEE, }
July 18, 1864. }

SOLDIERS: In obedience to orders from the War Department, I assume command of this Army and Department. I feel the weight of the responsibility so suddenly and unexpectedly devolved upon me by this position, and shall bend all my energies and employ all my skill to meet its requirements. I look with confidence to your patriotism to stand by me, and rely upon your prowess to wrest your country from the grasp of the invader, entitling yourselves to the proud distinction of being called the deliverers of an oppressed people. J. B. HOOD, General.

With this change in commanders commenced a change in the method of conducting the campaign, by which it was expected that the *morale* of the rebel army, weakened by the persistent Fabian policy of Gen. Johnston, would be fully reestablished. The time for retreating had passed when the chief city of western Georgia lay almost in the grasp of Gen. Sherman; and the rebel army, which, to give Gen. Johnston due credit, had been kept in a compact body, and had experienced but insignificant losses of guns or material of war, was to be launched, after their well-known tactics, in fierce assaults upon the invader. With this view the command was given to Gen. Hood, who had an unequalled reputation among their generals for energy and impetuous bravery.

On the 20th the Federal lines converged still more closely around the northern and eastern sides of Atlanta, and as a gap existed between Gens. Schofield and Thomas, Stanley's and Wood's division of Gen. Howard's corps were moved to the left to connect with Gen. Schofield, leaving Gen. Newton's division of Gen. Howard's corps, with inadequate force, to hold an important position on the road leading from Atlanta to Buckhead. This weak point was soon detected by Gen. Hood, who determined to signalize his appointment to the chief com-

mand by an assault which, at one blow, should retrieve the disasters of the campaign. Gen. Sherman also was well aware that his line was vulnerable at this point; and as there were indications during the morning of a concentration of troops on the enemy's right, as if to attack the left, orders were sent to Gen. Newton and the rest of the Army of the Cumberland to close rapidly up in the latter direction. Gen. Newton accordingly pushed forward to a prominent ridge, where, about two o'clock in the afternoon his troops stacked arms and made a temporary halt. Some prisoners, gathered up by the skirmishers, having reported that there was no considerable force of the enemy within a mile and a half, no apprehension of an attack seems to have been felt, and no preparations had been made beyond the accustomed piles of logs and rails, which the Federal troops constructed as a matter of course, whenever halting for any considerable time on new ground in presence of the enemy. Gen. Hood had meanwhile been massing his main body in the woods immediately in front of Gen. Newton and of Gen. Hooker, who was approaching from the right, expecting, by a sudden and overwhelming attack upon the columns while in motion, to cut the Federal army in twain. At 4 o'clock he advanced from his covert without skirmishers, and pushed directly for Gen. Newton's position. Notwithstanding the unexpectedness of his appearance, the Federal troops sprang instantly to their arms, and from behind their breastworks poured deliberate and deadly volleys into the dense masses of the Confederates, who were further kept in check by well-served batteries which Gen. Newton had posted on each of his flanks.

Almost at the instant of the attack on Gen. Newton, Gen. Geary's division of Gen. Hooker's corps was struck by the advancing columns of the enemy and thrown back in some confusion. But quickly rallying, it recovered its ground and kept the enemy in check until Ward's division could arrive to its assistance. The latter met the enemy's charge by a counter charge, and the two columns mingling in the shock of battle, the enemy, after a brief and fierce struggle, were driven back. Further to the right, and next to Geary, Williams' division, though attacked with desperation, stood manfully up to the work, and repulsed with heavy loss every onset of the enemy. After four hours of incessant fighting, the latter retired precipitately to his intrenchments, leaving on the field upward of six hundred dead, one thousand severely wounded, seven regimental flags, and a number of prisoners. His total loss was estimated by Gen. Sherman at five thousand. That of the Federal troops was one thousand nine hundred, of which the greater part fell on Gen. Hooker's corps, which fought wholly on open ground, and bore the brunt of the battle.

During the 21st the enemy kept within his intrenched position, commanding the open valley of Peach Tree Creek, his right beyond the

Georgia railroad to the east; and his left extended toward Turner's Ferry, at a general distance of four miles from Atlanta. In the course of the day a steep and strongly-fortified hill, about five hundred yards in advance of the skirmish line of the extreme Federal left, was gallantly carried by Gen. Leggett's division of the 17th corps, though with a loss of seven hundred and fifty men. Four desperate attempts were made by the division of Gen. Cleburne to regain the position, which completely commanded Atlanta and the two principal roads leading north and south from the city; but the enemy finally retired, baffled and severely crippled, leaving his dead and most of his wounded on the slope of the hill. He also lost about a hundred prisoners. Gen. McPherson immediately threw out working parties to the hill, with the intention of occupying it with strong batteries.

On the 22d the whole advanced line of the enemy was found abandoned, a circumstance which at first led Gen. Sherman to believe that they intended to surrender Atlanta without further contest. Gen. Hood, however, was only preparing to repeat, on a larger scale, the experiment of the 20th. By a show of retreating upon the city he hoped to decoy Gen. Sherman into a rapid advance, and then suddenly, with heavy masses of troops, to strike the Federal army while in motion, at such weak points as should present themselves. "It is now quite evident," says an army correspondent, writing on the 24th, "that the enemy, when they fell back out of their works, did not retire to the inner line around the city at all, though by taking that direction, and showing themselves in large numbers upon their works, they intended to make us believe they had done so. Gen. Hardee's corps, instead, marched during the night away round to the eastward, sweeping entirely the circle of the Federal left wing, and then, as we closed in around the city, and before the left wing had got in position, struck us upon the front, and also upon the flanks." Unsuspicious of this deep laid plan for his discomfiture, Gen. Sherman pushed his troops beyond the abandoned works, and found the enemy occupying in force a line of finished redoubts completely covering the approaches to Atlanta, and busily occupied in connecting these redoubts with curtains strengthened by rifle trenches, abatis, and chevaux-de-frise. This satisfied him that Gen. Hood meant to fight, and he immediately resumed the dispositions previously commenced for pressing the city on its eastern and northern fronts. As the Federal line closed in, the circle which it formed became so contracted, that the 16th corps, Gen. Dodge, which formed the right of the Army of the Tennessee, was thrown out of position, and fell behind the 15th corps, the latter thus closing up with Gen. Schofield, who held the centre. Gen. McPherson accordingly ordered Gen. Dodge to shift his position to the extreme left of the line, and occupy the hill carried by the 17th corps on

the previous day, and which was still held by Gen. Leggett's division. At about 11 A. M., soon after this movement had commenced, Gen. McPherson met the commander-in-chief near the centre of the lines. "He described to me," says Gen. Sherman in his official report, "the condition of things on his flank and the dispositions of his troops. I explained to him that if we met serious resistance in Atlanta, as present appearances indicated, instead of operating against it by the left, I would extend to the right, and that I did not want him to gain much distance to the left. He then described the hill occupied by Gen. Leggett's division of Gen. Blair's (17th) corps as essential to the occupation of any ground to the east and south of the Augusta railroad, on account of its commanding nature. I therefore ratified his disposition of troops, and modified a previous order I had sent him in writing to use Gen. Dodge's corps, thrown somewhat in reserve by the closing up of our line, to break up railroad, and I sanctioned its going, as already ordered by Gen. McPherson, to his left, to hold and fortify that position."

At noon Gen. McPherson rode off to the left, where the enemy appeared to be making a slight cavalry demonstration. He had not been gone half an hour when the desultory skirmishing which had been going on in that quarter all the morning suddenly deepened into a loud crash of musketry, followed by rapid artillery firing, indicating the presence of the enemy in large force. Gen. Hood had in fact secured the opportunity which he desired, and apprehending rightly that a demonstration was least expected on the left flank, had massed Gens. Hardee's and Stewart's corps under the cover of the thick woods which skirt the railroad, and was preparing to attack the 16th and 17th corps while they were getting into position, his forts meanwhile holding the Federal centre and right in check. Gen. Sherman instantly transmitted orders to Gens. Schofield and Thomas to keep the enemy employed on all parts of their front, and the former was directed to hold as large a force as possible in reserve to sustain the left, should aid be needed.

Gen. McPherson, upon reaching the left, found the 16th corps just about moving into position to prolong the flank, and temporarily facing to the left in a direction perpendicular to our main line. Between the right of the 16th and the left of the 17th corps was a wooded space of about half a mile which was not occupied by any troops. Shortly after twelve o'clock the enemy emerged from the dense woods in front of these corps in three solid columns, and marched directly upon the 16th corps for the purpose of turning our whole line. Three desperate assaults were repelled by Gen. Dodge, in the last of which the enemy suffered severe loss from the well-directed fire of the Federal batteries. Finding that the attempt to break the lines had failed at this point, Gen. McPherson

son took advantage of a temporary lull in the fighting to ride through the woods to Gen. Giles A. Smith's division, which held the left of the 17th corps. A report that the enemy in heavy force were moving around the left of the 17th corps, and were pushing in through the gap above mentioned, as existing between it and the 16th (the attack on the 16th corps having, in fact, been a feint to draw attention from the real point of attack), induced him to hasten in that direction. After reaching the gap he gave directions to the only member of his staff who accompanied him, the rest having been sent with orders to different portions of the field, to obtain a brigade from Gen. Logan's command and throw it across the gap, and then, with a single orderly, struck into a cross road leading directly to Gen. Smith's position. Already, however, unknown to him, the enemy's skirmish line had advanced close up to this road, and when it was too late to retrace his steps he found himself within fifty feet of it. The rebel officer in command called upon him to surrender, but he only dashed his horse to the right of the road, and was almost immediately brought to the ground, mortally wounded, by a volley from the skirmishers. His body was for a time in the possession of the enemy, but was subsequently recovered and brought within the Federal lines. Upon hearing of this disaster, Gen. Sherman ordered Gen. Logan to assume command of the Army of the Tennessee.

The brigade (Wangelin's) ordered up from Gen. Logan's corps, arrived in time to partially check the enemy, but could not prevent him from getting a portion of his force in the rear of the 17th corps, while heavy masses of troops, principally from Gen. Stewart's corps, were pushed against the works held by Gen. Leggett on the hill, wrested from Gen. Cleburne the day before, and which they were evidently determined to retake at any sacrifice. Sweeping up in their advance the working party engaged upon the fortifications, the enemy bore heavily against Gens. Smith's and Leggett's divisions, which, attacked in front and rear, were obliged to fire alternately from behind their own breastwork and the old abandoned parapet of the enemy. Gen. Leggett's troops clung firmly to their important position on the top of the hill, against the fortified angle of which the rebels dashed their columns with desperate but fruitless energy. Gen. Smith had meanwhile been compelled to abandon his more exposed lines, but by a skilful movement he gradually withdrew his men, regiment by regiment, to a new line connecting on the right with Gen. Leggett, his left, refused, facing to the southeast. In executing this movement he was obliged to abandon two guns to the enemy. Against this new formation of the 17th corps the enemy could make no impression, but recoiled again and again before the deadly fire of the Federal troops, which mowed down whole ranks at a time, and covered the ground and ditches with dead and

wounded men. A part of the rebel force that pushed for the gap between the 16th and 17th corps renewed the attack upon the right flank of the former, and upon its first advance captured a six-gun battery of the regular army, which was moving along unsupported and unapprehensive of danger. Gens. Sweeney's and Fuller's divisions soon checked the enemy's advance, and finally drove him back in confusion with the loss of many prisoners. At a critical period of the battle several of Gen. Sweeney's regiments were found to be without ammunition; but as it was indispensable that they should hold their position, their commander ordered them to meet the enemy with the bayonet, whereupon the latter broke and fled to the rear. At about half-past three o'clock the enemy desisted from his attack on our left flank, having gained no ground and suffered enormous losses, for which his capture of eight guns ill compensated.

Meanwhile two divisions of Gen. Wheeler's cavalry, with a section of artillery, took a wide circuit to the east and fell upon Decatur, now three miles in our rear, where Col. Sprague, with three infantry regiments, and a battery, was guarding a number of wagon trains filled with commissary and ammunition supplies. By a skilful disposition of his small force, Col. Sprague held the enemy in complete check until every wagon except three was sent to the rear of Gens. Schofield and Thomas, when he also fell back nearer the main body, having inflicted considerable damage upon the enemy and secured a number of prisoners. Gen. Wheeler's unopposed approach to Decatur was owing to the absence of Gen. Garrard's cavalry on a raid southeast of Atlanta.

About 4 P. M. a pause occurred in the battle, occasioned by Gen. Hood's massing troops for an assault upon Gen. Logan's (15th) corps, temporarily commanded by Gen. Morgan L. Smith, which held the right of the Army of the Tennessee behind substantial breastworks, immediately adjoining the 17th corps. At half-past 4 P. M., while just enough of an attack was maintained against the extreme left to occupy the attention of the troops in that quarter, a heavy force two lines deep marched directly toward the left of the 15th corps, driving before it a couple of regiments of skirmishers and capturing two guns. Protected by their works, Gen. Lightburn's brigade, which held this part of the line, for half an hour kept the enemy at bay by well-directed discharges from a battery of 20-pounder Parrotts; but a second strong rebel column now approached, which scarcely faltered beneath the volleys which ploughed its ranks in long furrows, and presently, to add to the perplexity of the situation, a third column was seen pouring in at the rear through a deep cut in the Georgia railroad. Finding that to hold their position would insure capture, Gen. Lightburn's troops retired in considerable confusion to the second line of breastworks, five hundred yards from

the main line, and the abandoned works, with two batteries, fell into the hands of the enemy. The position gained by the latter, if allowed to be held by them, threatened such serious disaster that Gen. Sherman sent orders to Gen. Logan, which had already been anticipated by that general, to make the 15th corps regain its lost ground at any cost. In aid of this movement he posted certain batteries from Gen. Schofield's corps where they could shell the enemy and the works beyond, so as to prevent reinforcements. Just as the enemy were preparing to turn the captured Parrotts upon the inner Federal line, the 15th corps, supported by portions of Gen. Schofield's troops, advanced with loud cheers upon them; and after a desperate struggle, in the course of which both Federals and rebels at times fought hand to hand across the narrow parapet, the latter were driven out of the works and the guns retaken. Their retreat was accelerated by repeated discharges of grape and canister among their crowded ranks which caused an awful carnage. With this repulse the battle terminated.

This was by far the bloodiest battle yet fought in Georgia; and notwithstanding the complete defeat of the enemy at all points, the Federal army sustained an irreparable loss in the death of Gen. McPherson, described by Gen. Sherman as "a noble youth, of striking personal appearance, of the highest professional capacity, and with a heart abounding in kindness that drew to him the affections of all men." The heroic conduct of the Army of the Tennessee during the whole battle was in no slight degree owing to the desire to avenge the fall of their commander. The total Federal loss on the 22d was 3,722, of whom much the greater portion were killed and wounded. The enemy's dead alone in front of our lines numbered 2,200 from actual count, and of these 800 were delivered to the enemy under flag of truce. Their total loss in killed was computed by Gen. Logan at 3,240. Upwards of 3,000 prisoners, including 1,000 wounded, and many commissioned officers of high rank, beside 18 colors and 5,000 small arms, fell into the hands of the Federals. The enemy of course removed many of their dead and most of their wounded. Owing to the closeness and desperation of the conflict, the proportion of wounded to killed was much less than usual—probably not more than two to one—which would make their loss in wounded about 6,500, and their total loss in killed, wounded, and prisoners, more than 12,000.

As an important feature in his campaign, Gen. Sherman had contemplated, in addition to offensive operations against the enemy in the field, a series of expeditions against the several railroads by which supplies or reinforcements were brought to Atlanta. The first line of rebel communications selected to be broken was the railroad system connecting Atlanta with the southwest, comprising the Atlanta and West

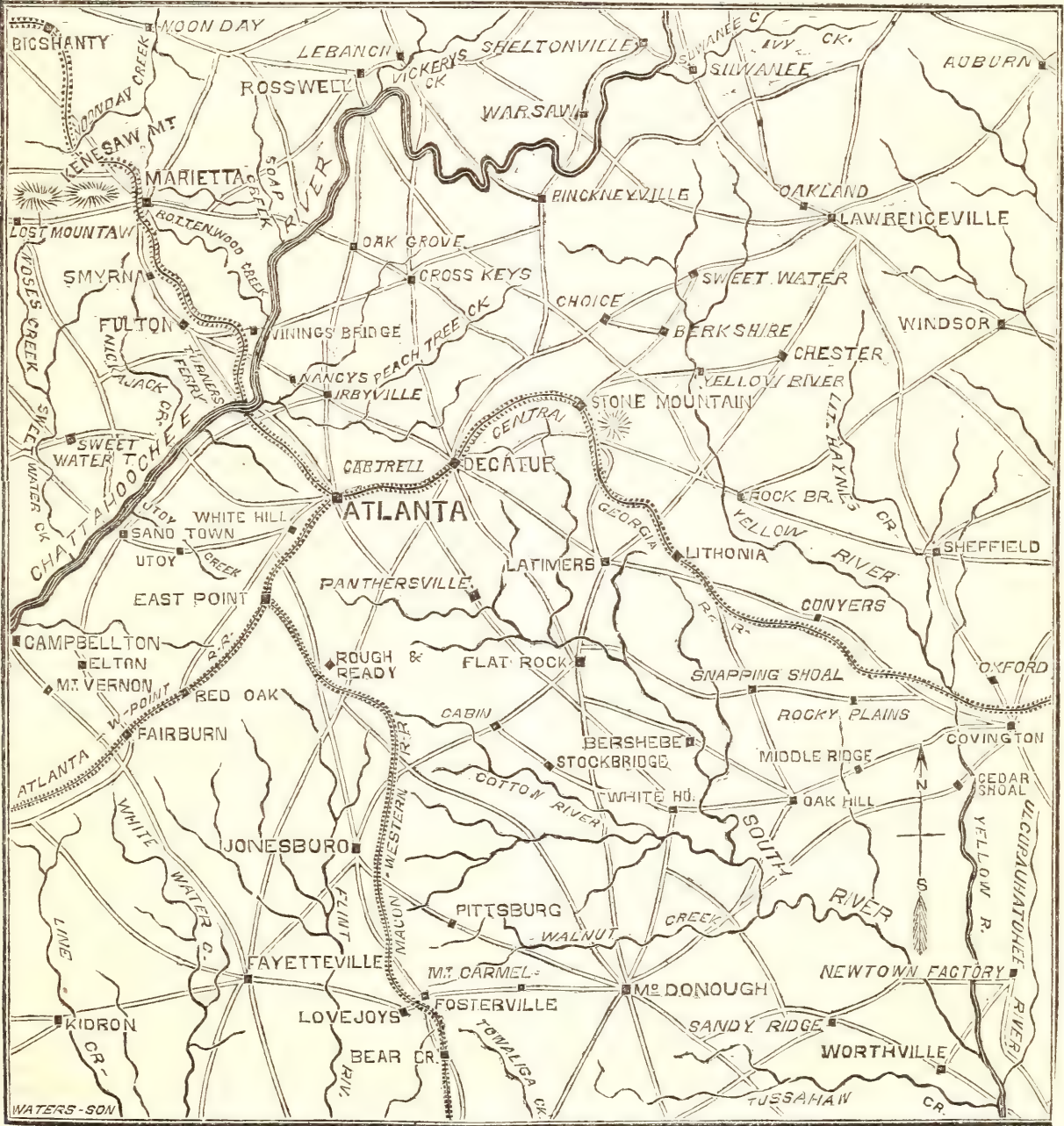
Point and the West Point and Montgomery roads; and on July 10, in accordance with orders long previously issued by Gen. Sherman, a body of 2,000 Federal cavalry, under Gen. Rousseau, started from Decatur, Ala., for Opelika, a station on the latter of these roads, in eastern Alabama, whence a road diverges east to the important manufacturing town of Columbus, Geo., and thence to Macon. On the 13th Gen. Rousseau crossed the Coosa near the Ten Islands, routing a body of Alabama cavalry; passed rapidly through Talladega; skirmished again with the enemy at the crossing of the Tallapoosa; and on the 16th struck the West Point and Montgomery road at Loachapoka, ten miles west of Opelika. From this point to Opelika the railroad was well broken up, and the bridges and culverts destroyed, beside three miles of the branch toward Columbus and two toward West Point. Gen. Rousseau then turned north, and brought his command in safety to Marietta on the 22d, with a loss of less than thirty men.

The next operation was to more thoroughly disable the Georgia railroad. This had been broken up between Decatur and Atlanta as the army closed around the city; but as Gen. Sherman already contemplated prolonging his right toward the west and south of the town, and possibly abandoning his hold on the railroad, it became necessary to render the latter unavailable to the rebels. Gen. Garrard was therefore detached on the 21st, and ordered to proceed with his cavalry to Covington, forty-one miles east of Atlanta, and destroy the railroad bridges over the Yellow and Ucopauhatchee Rivers, branches of the Ocmulgee. He returned in safety on the 24th, having completely destroyed the two bridges, of which that over the Yellow River was 550 feet in length, and the other 250 feet, and broken up the railroad for seven miles between the two. He also burned three trains of cars, numerous depots, minor bridges and culverts, 2,000 bales of cotton, a new and extensive hospital building at Covington, and a considerable quantity of commissary and quartermaster's stores, and brought in with him several hundred prisoners and negroes and many horses. He lost but two men in the expedition.

Having rendered the Georgia road useless to the enemy Gen. Sherman next turned his attention to the Macon and Western Railroad, connecting Atlanta with Macon, and the only avenue left for the conveyance of stores and ammunition to the rebel army. For the purpose of effectually crippling this, he organized his cavalry in two large bodies, to move in concert from each wing of the army, while simultaneously with this movement the Army of the Tennessee was to be shifted by the right toward East Point, a station six miles south of Atlanta, where the Atlanta and West Point and Macon and Western Railroads diverge from a common track. Gen. Stoneman was transferred to the left flank, and assumed command of his own

cavalry and Gen. Garrard's, comprising an effective force of 5,000 men, while Gen. McCook, on the right flank, received his own command and the cavalry brought by Gen. Rousseau, amounting in the aggregate to 4,000 men. This joint force Gen. Sherman supposed was fully adequate to look after Gen. Wheeler's rebel cavalry, and to accomplish the work allotted to it, which was to rendezvous at Lovejoy's station on the Macon road, thirty miles south of Atlanta, on the night of July 28th, and there make such a complete destruction of the road as would lead to the speedy abandonment of Atlanta. At the moment of starting, Gen. Stoneman asked permission, after fulfilling his orders, to proceed with his own command to Macon and Andersonville, and release the Federal prisoners of war confined at those places. After some hesitation Gen. Sherman consented, stipulating, however, as a condition precedent, that the railroad should be effectually broken up and Wheeler's cavalry put *hors de combat*.

On the 27th the two expeditions started forth, Gen. Stoneman making for McDonough, a town about ten miles east of Lovejoy's, and sending Gen. Garrard to Flat Rock to cover his movement; and Gen. McCook keeping down the right bank of the Chattahoochee. Gen. Stoneman, however, almost immediately turned off toward the Georgia Railroad, which he followed as far as Covington, whence he struck due south, and to the east of the Ocmulgee, for Macon, distant sixty miles, in the neighborhood of which he arrived on the 30th. A detachment was sent east to Gordon, a station on the Georgian Central Railroad, where eleven locomotives and several trains loaded with quartermasters' stores were destroyed, together with several bridges between that place and Macon. But as he learned that the prisoners in Macon had on the previous day been sent to Charleston, Gen. Stoneman decided to return at once by the way he had come, without attempting to reach Macon or Andersonville. On the even-



ing of the 30th he turned northward again, skirmishing on the way; and on the morning of the 31st, when about twenty miles from Macon, encountered a heavy force in his front. The country being unfavorable for cavalry operations, he dismounted a portion of his command, and threw them forward as skirmishers, but soon found himself surrounded. After various fruitless attempts to make head against the enemy, he gave directions to the greater part of his force to break through the opposing lines, and escape in the readiest manner possible, while he, with several hundred men and a section of artillery, occupied the attention of the enemy. He was finally overpowered and compelled to surrender. Of his three brigades one arrived safely within the Federal lines, one was attacked and somewhat scattered on the way back, and the third was captured with him. Gen. Garrard meanwhile, after waiting at Flat Rock for orders from Stoneman until the 29th, moved toward Covington, and learning that he had gone south from that point, returned to his position on the left flank of the army.

Gen. McCook, after reaching the neighborhood of Rivertown on the Chattahoochee, crossed on pontoons and made for Palmetto Station on the Atlanta and West Point Railroad, twenty-five miles south of Atlanta, where he destroyed a section of the road. He thence moved eastward upon Fayetteville and burned five hundred wagons belonging to the rebel army, besides killing eight hundred mules and capturing several hundred quartermasters' men, and reached Lovejoy's on the night of the 28th. Here he destroyed a section of the Macon and Western Railroad, but, hearing nothing from Stoneman, and finding his progress eastward barred by a constantly accumulating force of the enemy, he turned off to the southwest, and at Newman, a station on the Atlanta and West Point Railroad fifteen miles south of Palmetto, encountered a rebel infantry force coming up from Mississippi to Atlanta. After a severe fight with superior numbers he finally cut his way out, with the loss of five hundred men and all his prisoners, and reached the Chattahoochee, whence he arrived safely within the Federal lines. The damage done by the several expeditions scarcely compensated for the severe losses sustained by Gens. Stoneman and McCook, amounting to upward of fifteen hundred. Owing to the failure of Gen. Stoneman to concentrate with Gen. McCook at Lovejoy's, the communications with Atlanta were only temporarily interrupted, and the enemy gained at least a month's respite from their final catastrophe.

While the cavalry raid was in progress, the Army of the Tennessee was, pursuant to instructions, drawn out of its intrenchments on the left flank and moved *en echelon* to a position on the extreme right, the right flank being held by Gen. Logan's corps. This movement was directed by Gen. Howard, who on the

27th, by appointment of the President, assumed the command vacated by the death of Gen. McPherson. The line was thus prolonged due south, facing east, and south of Proctor's Creek. Apprehending that Gen. Hood might again improve the opportunity to attack the Federal army while in motion, Gen. Sherman on the 28th disposed of Gen. Davis's division of the 14th corps so that it might be within easy supporting distance of the flank of Gen. Howard's new line, in the event of a strong rebel demonstration in that quarter. The enemy was not slow to perceive that Gen. Sherman was gradually swinging around toward the Macon road, and to oppose the movement massed his troops in the same direction. About noon of the 28th Gen. Stewart's corps came out from Atlanta by the Bell's Ferry road, and, forming on open ground, advanced in long parallel lines upon Gen. Logan's troops, fortunately sheltered behind the customary breastworks of rails, expecting to find his flank "in air." For upward of four hours a series of desperate attacks were made upon Gen. Logan's position, which were uniformly repelled with loss. Again and again the rebel columns were brought up to the breastworks, only to recoil shattered and bleeding before the steady volleys of musketry and the incessant discharges of grape and canister by which they were assailed. The few officers and men who reached the rail piles were either killed or taken prisoners. Shortly after 4 o'clock the enemy retired, leaving his killed and wounded in our hands, and having experienced a total loss estimated by Gen. Sherman at five thousand. The Federal loss was under six hundred. By some inadvertency Gen. Davis's division failed to come up to the support of Gen. Logan, whereby an opportunity was lost to strike the assailing rebel columns in flank, and probably to put them to a disastrous rout.

About this time Gens. Hooker and Palmer resigned the command of their corps, and were succeeded, the former by Gen. Slocum, and the latter by Gen. Jeff. C. Davis. Gen. Slocum, however, being absent at Vicksburg, the command of the 20th corps was temporarily assumed by Gen. H. S. Williams. Gen. D. S. Stanley also succeeded Gen. Howard in command of the 4th corps.

Failing to dislodge Hood from Atlanta in this way, Gen. Sherman next resorted to a further extension of his right, in the hope of flanking him in that direction. The 23d corps, supported by the 14th, was accordingly, on the 5th and 6th of August, transferred from the left to a position somewhat below Utoy Creek, a small affluent of the Chattahoochee, where it joined on Gen. Logan's right and formed our right flank. Demonstrations of more or less importance were made against the enemy's works during the prolongation of the right, but everywhere he was found well protected behind an admirably constructed line of defences, within which was a second line, comprising a series of redoubts of great thickness of parapet and good

command, connected throughout by a continuous infantry parapet, covered by abatis, chevaux-de-frise, and other impediments of the most approved kind. This inner line of works completely enveloped Atlanta, and thence extended for six miles along the railroad track to East Point, previously described as jointly used by the Atlanta and West Point and Macon and Western Roads, thus covering the latter. The Federal army, instead of threatening the city on the north and east, was now so shifted from its first position that, while the extreme left covered the northern approaches to Atlanta, the extreme right was southwest of it, running parallel to the railroad. The Federal lines were drawn at an average distance of two and a half miles from the city, and between them and the rebel works intervened a narrow belt of rough and wooded country, the scene of constant skirmishing between the opposing forces. Thus Gen. Hood, though in inferior force to Gen. Sherman, having the advantage of interior lines, and acting strictly on the defensive behind almost impregnable works, seemed able to hold his position for an indefinite period. He had recently been reënforced by some veteran troops and by a body of several thousand Georgia militia, and had also added considerably to his fighting material by arming and organizing laborers, teamsters, and quartermasters' men, whose places were supplied by negroes.

A survey of the situation satisfied Gen. Sherman that Gen. Hood's lines could only be carried at a fearful sacrifice of life, and that in order to reach the Macon Road and control the supplies of Atlanta, a new movement by the right flank, in which nearly the whole army should participate, must be attempted. He accordingly determined to withdraw one corps to the intrenched position at the railroad bridge over the Chattahoochee, to protect communication with his base, and with his remaining troops to march rapidly to the southwest and south of the city, and crossing the two railroads, break them up in such a manner that immediate repairs would be impossible. The movement thus resolved itself into a raid, as the term is understood in modern military parlance, on a truly gigantic scale, and, if successful, would probably cut off Atlanta for months from its supplies and compel its evacuation. It involved, in brief, to use Gen. Sherman's own words, "the necessity of raising the siege of Atlanta, taking the field with our main force, and using it against the communications of Atlanta, instead of against its intrenchments." By the 16th of August his plans were completed; but, before commencing to put them in execution, he ascertained that Gen. Wheeler, with nearly the whole force of rebel cavalry, had moved round in a northeasterly direction to cut his communications between Marietta and Chattanooga. Thinking that in the absence of Gen. Wheeler the Federal cavalry might perhaps accomplish the task he had marked out for the whole army, he temporarily

suspended his orders and directed Gen. Kilpatrick, recently returned to duty, to move across the railroads and tear them up thoroughly. Gen. Kilpatrick started on the 18th with a force of five thousand men, struck the Atlanta and West Point Road at Fairburn and the Macon road at Jonesboro, and Lovejoy's; but, being harassed by the enemy at each place, could effect no permanent damage. He finally returned on the 22d by way of Decatur, bringing one hundred prisoners, three flags, and one piece of artillery.

This satisfied Gen. Sherman that his original plan must be adhered to, and preparations for carrying it out were pressed with renewed activity. A battery of 4½-inch rifled guns was meanwhile put in position, and by its well-directed discharges impressed the enemy with the belief that regular siege operations were in progress, thus aiding to mask the new movement. It also materially interrupted the running of the rebel supply trains on the Macon road, and was the cause of several conflagrations in Atlanta. Notwithstanding the latter, the enemy held resolutely to their forts, with the evident intention of suffering the city to perish rather than abandon their position. On the night of the 25th, every thing being in readiness, and the wagons loaded with fifteen days' provisions, the 4th and 20th corps, occupying the extreme left, were moved quietly out of their intrenchments, and marched, the former to a position in the rear of the Army of the Tennessee, and the latter to the railroad bridge over the Chattahoochee and the adjacent ferries, which it was appointed to guard. On the succeeding night the 4th corps was moved southward toward Red Oak and Fairburn stations, on the Atlanta and West Point road, twelve or fifteen miles south of Atlanta, followed by the Army of the Tennessee, and on the morning of the 27th the whole front of the city was uncovered, except that portion occupied by the 23d corps, which alone remained within its intrenchments. In like manner the 23d corps was withdrawn from its intrenchments and formed the left of the new line, of which the Army of the Cumberland held the centre, and the Army of the Tennessee the right. These operations were viewed with undisguised wonder by the rebel troops from within their fortifications, and seemed to give color to the belief that Gen. Sherman had commenced a retreat. A skirmish line sent out toward the bridge, after the withdrawal of Gens. Thomas and Howard, encountered the 20th corps intrenched behind a strong *tête de pont*, and returned more bewildered if possible than before.

On the morning of the 28th, the Armies of the Cumberland and the Tennessee lay between Fairburn and Red Oak in a line facing east and north. The day was devoted to a thorough destruction of the West Point Railroad between these points, and some distance above. "It was done," says Gen. Sherman, "with a

will. Twelve and a half miles were destroyed, the ties burned, and the iron rails heated and tortured by the utmost ingenuity of old hands at the work. Several cuts were filled up with trunks of trees, with logs, rock and earth, intermingled with loaded shells prepared as torpedoes, to explode in case of an attempt to clear them out." On the 30th the army was again in motion in a southeasterly direction, aiming to strike the Macon Railroad from Rough and Ready to Jonesboro. Gen. Hood now began to understand the object of Gen. Sherman's movement; but still ignorant, apparently, that nearly the whole Federal army was moving upon his communications, he contented himself with sending Gens. Hardee and S. D. Lee's corps to Jonesboro, where they intrenched, remaining in Atlanta with Gen. Stewart's corps and the militia. Gen. Howard, marching due east from Fairburn, arrived within half a mile of Jonesboro on the evening of the 30th; but encountering Gens. Hardee and Lee, he halted for the night in a strong position, and proceeded to throw up intrenchments. The remainder of the army, moving *en echelon* to the left, did not succeed in reaching the railroad.

Meanwhile the 15th corps, having seized a prominent hill which formed the key to the enemy's position, took post in the centre of the Army of the Tennessee, the 16th somewhat retired, holding the extreme right, and the 17th the left. The 15th corps spent the night in intrenching, and early next day, before the right and left flanks had taken up their advanced position, the enemy burst in masses on the 15th corps, but were steadily and repeatedly repulsed, losing several general officers, including Major-Gen. Anderson, mortally wounded, and five colonels and majors (wounded) taken prisoners, besides upward of three thousand rank and file killed, wounded, and captured. The Federal loss was slight, as the men fought behind breastworks. It was observed that the rebel attacks lacked the enthusiasm and dash which had characterized the severe assaults before Atlanta. During the 31st the 23d and 4th corps reached the railroad near Rough and Ready, and commenced destroying it north and south from that point, in the same thorough manner which had characterized their operations on the West Point road.

Upon the repulse of the enemy on the afternoon of the 31st, Gen. Sherman directed Gen. Howard to hold him in his fortifications until the remainder of the army could close in upon him. The 14th corps only, having a comparatively short distance to travel, succeeded in getting up to Jonesboro on September 1st, the other two being too far from the field, and too much embarrassed by the difficult character of the country and the want of good roads, to move with rapidity. At 4 p. m. the 14th corps, which had taken position on the left of the Army of the Tennessee, was ordered to assault the enemy's works, Gen. Sherman fearing that, if he waited for the arrival of Gens. Schofield and

Stanley, darkness might intervene, and the enemy escape without a fight. The troops steadily advanced under a withering fire of musketry and artillery, and after a desperate conflict of two hours drove the enemy from their works, capturing two batteries—one of them Loomis' battery, captured at Chickamauga, some battle flags, and a large number of prisoners, including Gen. Govan and the greater part of his brigade, forming part of the celebrated "fighting division" of Gen. Cleburne. Darkness now setting in, Gen. Hardee was enabled to fall back seven miles to Lovejoy's, where he intrenched himself in a naturally strong position. Had Gens. Stanley and Schofield succeeded in coming up in season, he would in all probability have been overwhelmed and forced to capitulate.

Meanwhile, in Atlanta on the 1st, all was excitement and consternation, as it gradually transpired that the main body of the Federal army lay between the city and Gen. Hardee. Gen. Hood at once gave orders for the evacuation of his works, and the destruction of such stores and ammunition as could not be removed. The removal of all the supplies and ammunition that the transportation facilities of the army would permit commenced early in the morning, and was continued throughout the day. Large quantities of provisions were also distributed to the people, and the several bodies of troops, as they were withdrawn from the defences and went through the city, were allowed access to the public stores. The rolling stock of the railroads, consisting of about one hundred cars and six engines, was concentrated near the rolling mill before dark, by which time all the troops had passed through, with the exception of the rear guard, left to prevent straggling. The cars were then laden with the surplus ammunition, and together with the locomotives, depots, and store houses, and every thing, in fine, which would be of use to the Federal army, fired about midnight. The flames lit up the heavens for many miles, and the explosion of the ordnance trains was distinctly heard by the army in front of Jonesboro, and by Gen. Slocum at his position on the Chattahoochee. The latter sent out a heavy reconnoitring column at daybreak on the 2d, which, pushing forward without opposition, entered the city at 9 o'clock, where it was met by the mayor, who made a formal surrender, at the same time requesting protection for non-combatants and private property. This having been freely granted, Gen. Ward's division marched into the city with drums beating and colors displayed, and the national flag was raised over the Court House amidst hearty cheers. Eleven heavy guns were found in the fortifications, beside a number subsequently exhumed; and among the additional spoils were three uninjured locomotives, three thousand muskets in good order, a quantity of tobacco, and other stores. Of the valuable machinery in the workshops part had been removed to

Augusta and Macon, and part destroyed. "We have," says Gen. Sherman, in his despatch announcing the capture of Atlanta, "as the result of this quick, and, as I think, well-executed movement, twenty-seven guns, over three thousand prisoners, and have buried over four hundred rebel dead, and left as many wounded that could not be removed. The rebels have lost, besides the important city of Atlanta and their stores, at least five hundred dead, twenty-five hundred wounded, and three thousand prisoners; whereas our aggregate loss will not foot up fifteen hundred. If that is not success I don't know what is."

Of the losses in killed, wounded, and missing, sustained by the Federal army up to this period, the following table, based upon the most trustworthy information at present attainable, may be considered to give a fair estimate:

Skirmishing from Chattanooga to Resaca.....	1,200
Battle of Resaca.....	4,500
Skirmishing from Resaca to Allatoona.....	500
Battles around Dallas.....	3,000
Battle of Kenesaw Mountain, July 27th.....	3,000
Lesser contests around Kenesaw, June 9th to July 1st	4,500
Skirmishing between Kenesaw and the Chattahoochee	1,000
Battle of July 20th.....	1,900
" of July 22d.....	3,700
" of July 23th.....	600
Skirmishing from July 17th to August 28th.....	3,000
Fighting at Jonesboro, August 31st and Sept. 1st....	1,500
Losses in cavalry raids.....	2,000
	<hr/> 30,400

Of the total number, less than one-sixth come under the head of missing. The loss in cannon was fifteen pieces—ten in the battle of July 22d, three taken from Stoneman, and two abandoned by McCook. Notwithstanding these casualties, amounting to nearly a third of the force with which he set out from Chattanooga, Gen. Sherman was enabled to report, after the fall of Atlanta, that by the arrival of reinforcements, recruits, furloughed men and convalescents, he had maintained his original strength. Of the rebel losses it is more difficult to form an estimate, but the following is believed to be reasonably correct:

Loss in skirmishing from Chattanooga to Atlanta....	6,000
Battles at Resaca.....	2,500
" around Dallas.....	3,500
Battle of Kenesaw Mountain.....	1,000
" of July 20th.....	5,000
" of July 22d.....	12,000
" of July 28th.....	5,500
Lesser contests around Atlanta.....	1,500
Battles at Jonesboro.....	5,000
	<hr/> 42,000

The enemy lost more than twenty general officers, killed and wounded, according to their own showing, besides from forty to fifty pieces of cannon, of which eight were 64-pounders, and over 25,000 stand of small arms. Their loss in colors was also much greater than that of the Federals.

Gen. Hood, upon abandoning Atlanta, directed his march toward McDonough, whence moving west he succeeded in forming a junction with Gens. Hardee and Lee. On the 2d Gen. Sherman followed in Gen. Hardee's traces, but finding him intrenched in a position of great strength, and learning the capitulation of the

city, he desisted from further attack, and on the 4th gave orders for the army to proceed by easy marches in the direction of Atlanta. On the 8th the Army of the Cumberland encamped around the city, that of the Tennessee about East Point, and that of the Ohio at Decatur. Atlanta itself was held by Gen. Slocum's (20th) corps.

Previous to the departure of the cavalry under Gen. Wheeler, on their raid against the railroad communications of Gen. Sherman, as mentioned above, the latter had enjoyed a comparative immunity from such demonstrations. This was mainly the result of the skilful dispositions which he had made for guarding the road between Atlanta and Chattanooga. In the latter place he had also wisely accumulated a sufficient quantity of stores to render him in a measure independent of Nashville, in the event of any interruption of travel between the two places. He consequently felt little immediate uneasiness upon hearing of the departure of Gen. Wheeler, but rather congratulated himself that he was at a critical moment superior to the enemy in cavalry. Gen. Wheeler left Atlanta soon after the miscarriage of Gen. Stoneman's raid, with a mounted force of six thousand men, and moving around to the northeast, struck the Western and Atlanta road near Adairsville, just midway between Atlanta and Chattanooga. Here he succeeded in capturing nine hundred beef cattle. He next approached the road at Calhoun, nine miles north of Adairsville, where he committed some damage, and on August 14th made his appearance at Dalton, of which place, "to prevent the effusion of blood," he demanded the immediate and unconditional surrender. Col. Leibold, who held the town with five hundred or six hundred men, replied that he had "been placed there to defend the post, but not to surrender." Apprising Gen. Steedman, in command at Chattanooga, of his danger, he kept Gen. Wheeler at bay until the next day, when reinforcements arrived from that place, by whose aid the enemy were driven off in confusion. Gen. Wheeler then passed up into East Tennessee, leaving the Federals to repair at their leisure the damage he had done, and in a few days the railroad was again in good running order between Atlanta and Chattanooga. He subsequently destroyed a considerable portion of the road between Chattanooga and Knoxville, and moving west during the latter part of August and first week of September, made strenuous efforts to interrupt railroad and telegraph communication between Chattanooga and Nashville; but being pursued by Gens. Rousseau, Steedman, and Granger, he was speedily driven toward Florence, and thence into Northern Alabama. The damage committed by him between Chattanooga and Atlanta was so slight, that Gen. Sherman, writing from the latter place on September 15th, was enabled to say, "Our roads and telegraphs are all repaired, and the cars run with regularity and speed."

The news of the capture of Atlanta reached

Washington on Sept. 2d, and immediately elicited the following expression of thanks from President Lincoln :

EXECUTIVE MANSION, WASHINGTON, Sept. 2.

The national thanks are tendered by the President to Maj.-Gen. Sherman and the gallant officers and soldiers of his command, before Atlanta, for the distinguished ability, courage, and perseverance displayed in the campaign in Georgia, which, under Divine Power, resulted in the capture of the city of Atlanta.

The marches, battles, sieges, and other military operations that has signalled this campaign, must render it famous in the annals of war, and have entitled those who have participated there, to the applause and thanks of the Nation.

(Signed)

ABRAHAM LINCOLN.

Orders were also given for the firing of national salutes at the principal arsenals, and the 11th of September was appointed a day of solemn national thanksgiving for the signal successes of Gen. Sherman in Georgia, and of Admiral Farragut at Mobile. The following is Gen. Sherman's congratulatory address to his troops :

HEADQUARTERS MILITARY DIVISION OF THE MISS., }
IN THE FIELD, ATLANTA, GA., Sept. 8. }

Special Field Orders No. 68.

The officers and soldiers of the Armies of the Cumberland, Ohio, and Tennessee, have already received the thanks of the nation through its President and Commander-in-Chief; and it now remains only for him who has been with you from the beginning, and who intends to stay all the time, to thank the officers and men for their intelligence, fidelity, and courage displayed in the campaign of Atlanta.

On the first of May our armies were lying in garrison, seemingly quiet, from Knoxville to Huntsville, and our enemy lay behind his rocky-faced barrier at Dalton, proud, defiant, and exulting. He had had time since Christmas to recover from his discomfiture on the Mission Ridge, with his ranks filled, and a new commander-in-chief, second to none of the Confederacy in reputation for skill, sagacity, and extreme popularity.

All at once our armies assumed life and action, and appeared before Dalton; threatening Rocky Face we threw ourselves upon Resaca, and the rebel army only escaped by the rapidity of its retreat, aided by the numerous roads with which he was familiar, and which were strange to us.

Again he took post at Allatoona, but we gave him no rest, and by a circuit toward Dallas and subsequent movement to Ackworth, we gained the Allatoona Pass. Then followed the eventful battles about Kenesaw, and the escape of the enemy across Chattahoochee River.

The crossing of the Chattahoochee and breaking of the Augusta road was most handsomely executed by us, and will be studied as an example in the art of war. At this stage of our game our enemies became dissatisfied with their old and skilful commander, and selected one more bold and rash. New tactics were adopted. Gen. Hood first boldly and rapidly, on the 20th of July, fell on our right at Peach Tree Creek, and lost.

Again, on the 22d, he struck our extreme left, and was severely punished; and finally again, on the 28th, he repeated the attempt on our right, and that time he must have been satisfied, for since that date he has remained on the defensive. We slowly and gradually drew our lines about Atlanta, feeling for the railroads which supplied the rebel army and made Atlanta a place of importance.

We must concede to our enemy that he met these efforts patiently and skilfully, but at last he made the mistake we had waited for so long, and sent his cavalry to our rear, far beyond the reach of recall. Instantly our cavalry was on his only remaining

road, and we followed quickly with our principal army, and Atlanta fell into our possession as the fruit of well-concerted measures, backed by a brave and confident army.

This completed the grand task which had been assigned us by our Government, and your General again repeats his personal and official thanks to all the officers and men composing this army, for the indomitable courage and perseverance which alone could give success.

We have beaten our enemy on every ground he has chosen, and have wrested from him his own Gate City, where were located his foundries, arsenals, and workshops, deemed secure on account of their distance from our base, and the seeming impregnable obstacles intervening. Nothing is impossible to an army like this, determined to vindicate a Government which has rights wherever our flag has once floated, and is resolved to maintain them at any and all costs.

In our campaign many, yea, very many of our noble and gallant comrades have preceded us to our common destination, the grave; but they have left the memory of deeds on which a nation can build a proud history. Gens. McPherson, Harker, McCook, and others dear to us all, are now the binding links in our minds that should attach more closely together the living, who have to complete the task which still lies before us in the dim future.

I ask all to continue as they have so well begun the cultivation of the soldierly virtues that have ennobled our own and other countries. Courage, patience, obedience to the laws and constituted authorities of our Government; fidelity to our trusts, and good feeling among each other; each trying to excel the other in the practice of those high qualities, and it will then require no prophet to foretell that our country will in time emerge from this war, purified by the fires of war, and worthy its great founder, Washington. W. T. SHERMAN, Maj.-Gen. Com'g.

Upon arriving in Atlanta, Gen. Sherman determined that the exigencies of the service required that the place should for the present be appropriated exclusively for military purposes, and orders were immediately issued for the departure of all civilians, both male and female, excepting those in the employment of the Government. The following conveys the intentions of Gen. Sherman :

HEADQUARTERS POST OF ATLANTA, }
ATLANTA, GA., Sept. 5, 1864. }

General Order No. 3.

All families living in Atlanta, the male representatives of which are in the service of the Confederate States, or who have gone south, will leave the city within five days. They will be passed through the lines and go south.

All citizens from the North, not connected with the army, and who have not authority from Maj.-Gen. Sherman or Maj.-Gen. Thomas to remain in the city, will leave within the time above mentioned. If found within the city after that date, they will be imprisoned.

All male residents of this city, who do not register their names with the city Provost-Marshal within five days and receive authority to remain here, will be imprisoned. WM. COGSWELL,

Col. Commanding Post.

A truce of ten days was accordingly proposed, in a letter from the Federal general to Gen. Hood, then encamped near Lovejoy's, to which the latter made the following reply :

HEADQUARTERS ARMY OF THE TENNESSEE, }
OFFICE CHIEF OF STAFF, Sept. 9, 1864. }

Major-Gen. Sherman, Comm'g U. S. forces in Georgia :

GENERAL: Your letter of yesterday's date, borne by James W. Ball and James R. Crew, citizens of

Atlanta, is received. You say therein: "I deem it to be to the interest of the United States that the citizens residing in Atlanta should remove," etc. I do not consider that I have any alternative in the matter. I therefore accept your proposition to declare a truce of ten days, or such time as may be necessary to accomplish the purpose mentioned, and shall render all the assistance in my power to expedite the transportation of citizens in this direction. I suggest that a staff officer be appointed by you to superintend the removal from the city to Rough and Ready, while I appoint a similar officer to control their removal further south; that a guard of 100 men be sent by either party, as you propose, to maintain order at that place; and that the removal begin next Monday.

And now, sir, permit me to say that the unprecedented measure you propose, transcends in studied and ingenious cruelty all acts ever before brought to my attention in the dark history of war.

In the name of God and humanity I protest, believing that you will find you are expelling from their homes and firesides the wives and children of a brave people.

I am, General, very respectfully, your obedient servant,

J. B. HOOD, General.

Official: McA. HUMMETT, Lieutenant, etc.

Accompanying the above letter was one addressed to Col. Calhoun, Mayor of Atlanta, as follows:

HEADQUARTERS ARMY OF THE TENNESSEE, }
September 9, 1864. }

Hon. James M. Calhoun, Mayor:

SIR: I have the honor to acknowledge the receipt of your letter touching the removal of the citizens of Atlanta, as ordered by Gen. Sherman. Please find inclosed my reply to Gen. Sherman's letter. I shall do all in my power to mitigate the terrible hardships and misery that must be brought upon your people by this extraordinary order of the Federal commander. Transportation will be sent to Rough and Ready to carry the people and their effects further South.

You have my deepest sympathy in this unlooked for and unprecedented affliction.

I am, sir, very respectfully, your obedient servant,

J. B. HOOD, General.

The following is Gen. Sherman's reply to Gen. Hood:

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI, }
IN THE FIELD, ATLANTA, GA., Sept. 10, 1864. }

Gen. J. B. Hood, Commanding Army of the Tennessee, Confederate Army:

GENERAL: I have the honor to acknowledge the receipt of your letter of this date at the hands of Messrs. Ball and Crew, consenting to the arrangements I had proposed to facilitate the removal south of the people of Atlanta, who prefer to go in that direction. I inclose you a copy of my orders, which will, I am satisfied, accomplish my purpose perfectly. You style the measure proposed "unprecedented," and appeal to the dark history of war for a parallel as an act of "studied ungenerous cruelty." It is not unprecedented; for Gen. Johnston himself very wisely and properly removed the families all the way from Dalton down, and I see no reason why Atlanta should be excepted. Nor is it necessary to appeal to the dark history of war, when recent and modern examples are so handy. You, yourself, burned dwelling-houses along your parapet, and I have seen today fifty houses that you have rendered uninhabitable, because they stood in the way of your forts and men.

You defended Atlanta on a line so close to the town, that every cannon-shot, and many musket-shots from our line of intrenchments, that overshot their mark, went into the habitations of women and children. Gen. Hardee did the same at Jonesboro, and Gen. Johnston did the same, last summer, at

Jackson, Miss. I have not accused you of heartless cruelty, but merely instance those cases of very recent occurrence, and could go on and enumerate hundreds of others, and challenge any fair man to judge which of us has the heart of pity for the families of "brave people." I say it is a kindness to those families of Atlanta to remove them now at once from scenes that women and children should not be exposed to; and the brave people should scorn to commit their wives and children to the rude barbarians, who thus, as you say, violate the laws of war, as illustrated in the pages of its dark history.

In the name of common sense, I ask you not to appeal to a just God in such a sacrilegious manner—you who, in the midst of peace and prosperity, have plunged a nation into civil war, "dark and cruel war," who dared and badgered us to battle, insulted our flag, seized our arsenals and forts that were left in the honorable custody of a peaceful Ordnance Sergeant, seized and made prisoners of war the very garrisons sent to protect your people against negroes and Indians, long before any overt act was committed by the "to you" hateful Lincoln government, tried to force Kentucky and Missouri into the rebellion in spite of themselves, falsified the vote of Louisiana, turned loose your privateers to plunder unarmed ships, expelled Union families by the thousand, burned their houses, and declared by act of Congress the confiscation of all debts due Northern men for goods had and received. Talk thus to the marines, but not to me who have seen these things, and will this day make as much sacrifice for the peace and honor of the South as the best-born Southerner among you. If we must be enemies, let us be men, and fight it out as we propose to-day, and not deal in such hypocritical appeals to God and humanity. God will judge me in good time, and He will pronounce whether it be more humane to fight with a town full of women, and the families of a "brave people" at our backs, or to remove them in time to places of safety among their own friends and people.

I am, very respectfully, your obedient servant,

W. T. SHERMAN, Maj.-Gen. Com'g.

The following is the truce agreed upon between the two generals:

HEADQUARTERS MILITARY DIVISION, MISSISSIPPI, }
IN THE FIELD, ATLANTA, GA., Sept. 10, 1864. }

Special Field Order No. 70.

1. Pursuant to an agreement between Gen. J. B. Hood, commanding the Confederate forces in Georgia, and Maj.-Gen. W. T. Sherman, commanding this Army, a truce is hereby declared to exist from daylight of Monday, September 12, until daylight of Thursday, September 22—ten (10) full days—at a point on the Macon Railroad known as Rough and Ready, and the country round about for a circle of two (2) miles radius, together with the roads leading to and from, in the direction of Atlanta and Lovejoy station, respectively, for the purpose of affording the people of Atlanta a safe means of removal to points south.

2. The Chief Quartermaster at Atlanta, Col. Easton, will afford all the citizens of Atlanta who elect to go south all the facilities he can spare to remove them, comfortably and safely, with their effects, to Rough and Ready station, using cars and ambulances for that purpose; and commanders of regiments and brigades may use their regimental and staff teams to carry out the object of this order; the whole to cease after Wednesday, 21st inst.

3. Maj.-Gen. Thomas will cause a guard to be established on the road out beyond the camp ground, with orders to allow all wagons and vehicles to pass that are used manifestly for this purpose; and Maj.-Gen. Howard will send a guard of one hundred men, with a field officer in command, to take post at Rough and Ready during the truce, with orders, in concert with a guard from the Confederate army of like size, to maintain the most perfect order in that vicinity

during the transfer of these families. A white flag will be displayed during the truce, and a guard will cause all wagons to leave at 4 P. M. of Wednesday, the 21st instant, and the guard to withdraw at dark, the truce to terminate the next morning.

By order of Maj.-Gen. W. T. SHERMAN.
L. M. DAYTON, Aide-de-Camp.

The civic authorities made a final appeal to Gen. Sherman to revoke or modify his order, which, with his reply, is here appended:

ATLANTA, GA., September 11, 1864.

Major-General W. T. Sherman:

SIR: The undersigned, Mayor, and two members of Council for the City of Atlanta, for the time being the only legal organ of the people of the said city to express their wants and wishes, ask leave most earnestly but respectfully to petition you to reconsider the order requiring them to leave Atlanta. At first view it struck us that the measure would involve extraordinary hardship and loss, but since we have seen the practical execution of it, so far as it has progressed, and the individual condition of many of the people, and heard the statements as to the inconvenience, loss, and suffering attending it, we are satisfied that the amount of it will involve in the aggregate consequences appalling and heart-rending.

Many poor women are in an advanced state of pregnancy; others having young children, whose husbands, for the greater part, are either in the army, prisoners, or dead. Some say: "I have such a one sick at my house; who will wait on them when I am gone?" Others say: "What are we to do; we have no houses to go to, and no means to buy, build, or rent any; no parents, relatives, or friends to go to." Another says: "I will try and take this or that article of property; but such and such things I must leave behind, though I need them much." We reply to them: "Gen. Sherman will carry your property to Rough and Ready, and then Gen. Hood will take it thence on," and they will reply to that: "But I want to leave the railroad at such a place, and cannot get conveyance from thence on."

We only refer to a few facts to illustrate, in part, how this measure will operate in practice. As you advanced, the people north of us fell back, and before your arrival here a large portion of the people here had retired south; so that the country south of this is already crowded, and without sufficient houses to accommodate the people, and we are informed that many are now staying in churches and other out-buildings. This being so, how is it possible for the people still here (mostly women and children) to find shelter, and how can they live through the winter in the woods? no shelter or subsistence; in the midst of strangers who know them not, and without the power to assist them much if they were willing to do so.

This is but a feeble picture of the consequences of this measure. You know the woe, the horror, and the suffering cannot be described by words. Imagination can only conceive of it, and we ask you to take these things into consideration. We know your mind and time are continually occupied with the duties of your command, which almost defers us from asking your attention to the matter, but thought it might be that you had not considered the subject in all of its awful consequences, and that, on reflection, you, we hope, would not make this people an exception to mankind, for we know of no such instance ever having occurred—surely not in the United States. And what has this helpless people done, that they should be driven from their homes, to wander as strangers, outcasts, and exiles, and to subsist on charity?

We do not know as yet the number of people still here. Of those who are here, a respectable number, if allowed to remain at home, could subsist for several months without assistance; and a respectable

number for a much longer time, and who might not need assistance at any time.

In conclusion, we most earnestly and solemnly petition you to reconsider this order, or modify it, and suffer this unfortunate people to remain at home and enjoy what little means they have.

Respectfully submitted,

JAMES M. CALHOUN, Mayor.

E. E. RAWSON, }
S. C. WELLS, } Councilmen.

GEN. SHERMAN'S REPLY.

HEADQUARTERS MILITARY DIVISION OF THE
MISSISSIPPI, IN THE FIELD,
ATLANTA, GA., September 12, 1864. }

James M. Calhoun, Mayor, E. E. Rawson, and S. C. Wells, representing City Council of Atlanta:

GENTLEMEN: I have your letter of the 11th, in the nature of a petition, to revoke my orders removing all the inhabitants from Atlanta. I have read it carefully, and give full credit to your statements of the distress that will be occasioned by it, and yet shall not revoke my order, simply because my orders are not designed to meet the humanities of the case, but to prepare for the future struggles in which millions, yea, hundreds of millions of good people outside of Atlanta have a deep interest. We must have Peace, not only at Atlanta, but in all America. To secure this we must stop the war that now desolates our once happy and favored country. To stop war we must defeat the rebel armies that are arrayed against the laws and Constitution, which all must respect and obey. To defeat these armies we must prepare the way to reach them in their recesses provided with the arms and instruments which enable us to accomplish our purpose.

Now, I know the vindictive nature of our enemy, and that we may have many years of military operations from this quarter, and therefore deem it wise and prudent to prepare in time. The use of Atlanta for warlike purposes is inconsistent with its character as a home for families. There will be no manufactures, commerce, or agriculture here for the maintenance of families, and sooner or later want will compel the inhabitants to go. Why not go now, when all the arrangements are completed for the transfer, instead of waiting till the plunging shot of contending armies will renew the scene of the past month? Of course I do not apprehend any such thing at this moment, but you do not suppose that this army will be here till the war is over. I cannot discuss this subject with you fairly, because I cannot impart to you what I propose to do, but I assert that my military plans make it necessary for the inhabitants to go away, and I can only renew my offer of services to make their exodus in any direction as easy and comfortable as possible. You cannot qualify war in harsher terms than I will.

War is cruelty, and you cannot refine it; and those who brought war on our country deserve all the curses and maledictions a people can pour out. I know I had no hand in making this war, and I know I will make more sacrifices to-day than any of you to secure peace. But you cannot have peace and a division of our country. If the United States submits to a division now, it will not stop, but will go on till we reap the fate of Mexico, which is eternal war. The United States does and must assert its authority wherever it has power; if it relaxes one bit to pressure it is gone, and I know that such is not the national feeling. This feeling assumes various shapes, but always comes back to that of Union. Once admit the Union, once more acknowledge the authority of the National Government, and instead of devoting your houses, and streets, and roads, to the dread uses of war, I, and this army, become at once your protectors and supporters, shielding you from danger, let it come from what quarter it may. I know that a few individuals cannot resist a torrent of error and passion such as has swept the South into rebellion; but you can point out, so that we may know those

who desire a Government and those who insist on war and its desolation.

You might as well appeal against the thunder-storm as against these terrible hardships of war. They are inevitable, and the only way the people of Atlanta can hope once more to live in peace and quiet at home is to stop this war, which can alone be done by admitting that it began in error, and is perpetuated in pride. We don't want your negroes, or your horses, or your land, or any thing you have, but we do want and will have a just obedience to the laws of the United States. That we will have, and if it involves the destruction of your improvements, we cannot help it. You have heretofore read public sentiment in your newspapers, that live by falsehood and excitement, and the quicker you seek for truth in other quarters, the better for you.

I repeat, then, that, by the original compact of government, the United States had certain rights in Georgia which have never been relinquished and never will be; that the South began war by seizing forts, arsenals, mints, custom-houses, &c., &c., long before Mr. Lincoln was installed, and before the South had one jot or tittle of provocation. I myself have seen in Missouri, Kentucky, Tennessee, and Mississippi hundreds and thousands of women and children fleeing from your armies and desperadoes, hungry and with bleeding feet. In Memphis, Vicksburg, and Mississippi, we fed thousands upon thousands of the families of rebel soldiers left on our hands, and whom we could not see starve. Now that war comes home to you, you feel very different; you deprecate its horrors, but did not feel them when you sent car-loads of soldiers and ammunition, and molded shell and shot, to carry war into Kentucky and Tennessee, and desolate the homes of hundreds and thousands of good people, who only asked to live in peace at their old homes, and under the Government of their inheritance.

But these comparisons are idle. I want peace, and believe it can only be reached through Union and war; and I will ever conduct war purely with a view to perfect and early success.

But, my dear sirs, when that peace does come, you may call on me for any thing. Then will I share with you the last cracker, and watch with you to shield your homes and families against danger from every quarter. Now you must go, and take with you the old and feeble, feed and nurse them, and build for them in more quiet places proper habitations to shield them against the weather until the mad passions of men cool down, and allow the Union and peace once more to settle on your old homes at Atlanta.

Yours in haste,

W. T. SHERMAN, Major-General.

In another communication to the Mayor Gen. Sherman ordered the latter to announce to the citizens:

The Government will furnish transportation south as far as Rough and Ready; north, as far as Chattanooga. All citizens may take their movable property with them. Transportation will be furnished for all movables. Negroes who wish to do so may go with their masters; other male negroes will be put in Government employ, and the women and children sent outside the lines.

For the purpose of contributing to the comfort of those who were under orders to remove, an extension of the truce was subsequently obtained. The difficult and delicate task of superintending the departure of these persons was not effected without charges of cruelty and peculation against the Federal officers, with which for several weeks the Southern press teemed. The following letter from Gen. Sherman on the subject shows how little foundation the calumniators had to build upon:

ATLANTA, September 25th, 1864.

To the Louisville Agent of the N. Y. Associated Press:

Your press despatches of the 21st embrace one from Macon of the 14th, announcing the arrival of the first train of refugees from Atlanta, with this addition, "that they were robbed of every thing before being sent into the rebel lines." Of course this is false, and it is idle to correct it as far as the rebels are concerned, for they proposed it as a falsehood to create a mischievous public opinion.

The truth is that during the truce 446 families were moved south, making 705 adults, 860 children, and 470 servants, with 1,651 pounds of furniture and household goods on the average to each family, of which we have a perfect recollection by name and articles. At the end of the truce, Col. Warner, of my staff, who had general supervision of my business, received from Major Clan, of Gen. Hood's staff, the following letter:

ROUGH AND READY, September 21, 1864.

Colonel: Our official communication being about to close, you will permit me to bear testimony to the uniform courtesy you have shown on all occasions to me and my people, and the promptness with which you have corrected all irregularities arising in our intercourse. Hoping at some future time to be able to reciprocate your courteousness, and in many instances your positive kindness,

I am, with respect, your obedient servant,

W. T. CLAN, Major and A. A. G. of Gen. Hood's Staff.

Lieut. Col. WILLARD WARNER, of Gen. Sherman's Staff.

I would not notice this, but I know the people of the North, liable to be misled by a falsehood calculated for special purposes, and by a desperate enemy, will be relieved by this assurance, that not only care, but real kindness, has been extended to families who lost their homes by the acts of their male protectors.

W. T. SHERMAN, Maj.-Gen. Commanding.

The Army of the Potomac, under Gen. Meade, in its reorganization was reduced to three corps, as stated on previous pages. Maj.-Gen. Warren was assigned to the command of the 5th army corps.

The consolidation of divisions and arrangement of brigades was made as follows: The commanding officer of the 1st division of the old 5th corps was ordered to consolidate the three brigades into two brigades, to be designated as the 1st and 2d brigades, 1st division, 5th army corps. The old 2d division, 5th corps, was consolidated into one brigade, and designated as the 3d brigade, 1st division, 5th corps, commanded by Brig.-Gen. R. B. Ayres. The old 3d division, 5th corps, remained as the new 3d division, 5th army corps. The 2d brigade of the 3d division, 1st army corps, was transferred to the 2d division, 1st army corps, and this division afterwards designated as the 2d division, 5th army corps. The 1st brigade of the 3d division, 1st army corps, was transferred to the 1st division, 1st army corps, and this division afterwards designated as the 4th division, 5th army corps. The designating flags of the old 3d brigade, 1st division, 5th army corps; of the old 2d division, 5th army corps; of the old 2d brigade 2d division, 5th army corps, and of the 3d division, 1st army corps, were ordered to be turned in to the corps quartermaster.

The following was the assignment of general officers to commands in the consolidated corps:

1—Brig.-Gen. J. S. Wadsworth, commanding 4th division.

2—Brig.-Gen. S. W. Crawford, commanding 3d division.

- 3—Brig.-Gen. J. C. Robinson, commanding 2d division.
- 4—Brig.-Gen. Charles Griffin, commanding 1st division.
- 5—Brig.-Gen. R. B. Ayres, commanding 3d brigade, 1st division.
- 6—Brig.-Gen. L. Cutter, commanding 1st brigade, 4th division.
- 7—Brig.-Gen. Henry Baxter, commanding 2d brigade, 2d division.
- 8—Brig.-Gen. J. J. Bartlett, commanding 2d brigade, 1st division.
- 9—Brig.-Gen. James Barnes, commanding 1st brigade, 1st division.
- 10—Brig.-Gen. J. C. Rice, commanding 2d brigade, 4th division.

The 2d corps was commanded by Maj.-Gen. Hancock. The original regiments of the 2d corps were consolidated into two divisions, with a new assignment of division and brigade commanders.

The division formerly known as the 1st division of the 3d corps, commanded by Maj.-Gen. Birney, was designated as the 3d division of the 2d corps. The division formerly known as the 2d division of the 3d corps, to which Brig.-Gen. Carr had been assigned as commander, was afterwards known as the 4th division of the 2d corps. Each of these divisions had been reduced to two brigades. The following was the arrangement of divisions and assignment of commanders:

FIRST DIVISION.

- Brig.-Gen. T. C. Barlow.
- First Brigade—Col. N. A. Miles, 61st New York.
- Second Brigade—Col. T. A. Smyth, 1st Delaware volunteers.
- Third Brigade—Col. P. Frank, 52d New York.
- Fourth Brigade—Col. J. R. Brooke, 55th Pennsylvania.

SECOND DIVISION.

- Brig.-Gen. John Gibbon.
- First Brigade—Brig.-Gen. A. S. Webb.
- Second Brigade—Brig.-Gen. J. P. Owens.
- Third Brigade—Col. S. S. Carroll, 8th Ohio.

THIRD DIVISION.

- Maj.-Gen. D. B. Birney.
- First Brigade—Brig.-Gen. J. H. Ward.
- Second Brigade—Brig.-Gen. A. Hayes.

FOURTH DIVISION.

- Brig.-Gen. J. B. Barr.
- First Brigade—Brig.-Gen. G. Mott.
- Second Brigade—Col. W. R. Brewster, 73d New York.
- Chief of Artillery, Col. Tibball.

Sixth corps was commanded by Gen. Sedgwick.

The old 3d division, 6th corps, was broken up, one brigade (Shaler's) going to the 1st division; the 2d (Wheaton's and Eustis') going to the 2d division. The 3d division, 3d corps, was transferred to the 6th corps, and Gen. Prince was assigned to the command of it. The three brigades of this division were consolidated into two, under Gen. Russell and Gen. Morris.

FIRST DIVISION.

- Brig.-Gen. H. G. Wright.
- First Brigade—Brig.-Gen. A. T. A. Torbett.
- Second Brigade—Col. E. Upton, 121st New York.
- Third Brigade—Col. H. Burnham, 5th Maine volunteers.
- Fourth Brigade—Brig.-Gen. A. Shaler.

SECOND DIVISION.

- Brig.-Gen. G. W. Getty.
- First Brigade—Brig.-Gen. F. Wheaton.
- Second Brigade—Col. L. A. Grant, "Fremont Brigade."
- Third Brigade—Brig.-Gen. T. H. Neill.
- Fourth Brigade—Brig.-Gen. A. L. Eustis.

THIRD DIVISION.

- Brig.-Gen. H. Prince.
- First Brigade—Brig.-Gen. W. H. Morris.
- Second Brigade—Brig.-Gen. D. A. Russell.
- Col. C. H. Tompkins, 1st Rhode Island artillery, commanding artillery.

The cavalry corps of this army was placed under the command of Gen. P. H. Sheridan, previously in service at the West. Brig.-Gen. Kilpatrick, in command of the 3d cavalry division, was transferred to the command of the cavalry in the Army of the Cumberland, under Major-Gen. Sherman; Gen. Pleasanton was relieved from the command of his cavalry corps, and ordered to report to Gen. Rosecrans; Gen. Sykes was ordered to report to Gen. Curtis; Gen. Newton was ordered to report to Gen. Sherman; Gen. French was ordered to report at Philadelphia; Gen. Meredith was ordered to report at Cairo; Gens. Ricketts, Gibbon, and Wadsworth, were ordered to report to Gen. Meade for assignments to command.

The following were the addresses of Gens. Pleasanton, Newton, and French, on parting with their commands:

HEADQUARTERS CAVALRY CORPS, ARMY OF }
THE POTOMAC, March 25, 1864. }

General Orders No. 14.

Having been relieved from duty with the Army of the Potomac, the regret of separation from the many personal associations established in the cavalry corps becomes more impressive by the devotion, generosity, and noble daring that has been exhibited throughout one of the most eventful periods in the history of the war. The brave seek no higher tribute than the confidence of their commander. Your glorious deeds testify to the trust you have maintained so sacredly. Continue to be animated by the same spirit that now guides your colors to victory, and you will reap the reward of duty to yourselves, your country, and your God.

A. PLEASANTON, Major-General.

HEADQUARTERS FIRST CORPS, March 25, 1864.

In relinquishing command, I take occasion to express the pride and pleasure I have experienced with you, and my profound regret at our separation.

Identified by its services with the history of this war, the 1st corps gave at Gettysburg a crowning proof of valor and endurance, in saving from the enemy the strong position upon which the battle was fought. The terrible losses suffered by the corps on the 1st of July, attest its supreme devotion to the country. Though the title of the corps may not survive the present changes, history will not be silent upon the magnitude of its services.

JOHN NEWTON, Major-General.

HEADQUARTERS THIRD ARMY CORPS, }
BRANDY STATION, March 24, 1864. }

General Orders No. 26:

Having been detached from the Army of the Potomac, in consequence of its reorganization into three corps, I desire to express the personal feelings of regret with which the order is received. The consolidation of the corps gives this army greater strength. The generals to command them are conspicuous for their gallantry and ability. Only known in the department where bullets whistle, there is a strong probability that I may soon meet in the field

those brave soldiers with whom I have been so long associated with pride and distinction.

WM. H. FRENCH, Major-Gen. Volunteers.

The following officers composed the staff of Gen. Grant in the field :

Brig.-Gen. John A. Rawlins, Chief of Staff; Lieut.-Col. T. S. Bowers, Ass't Adj't Gen.; Lieut.-Col. C. B. Comstock, Senior Aide-de-Camp; Lieut.-Col. O. E. Baca Babcock, Aide-de-Camp; Lieut.-Col. F. T. Dent, Aide-de-Camp; Lieut.-Col. Horace Porter, Aide-de-Camp; Lieut.-Col. W. L. Dupp, Ass't Insp.-Gen.; Lieut.-Col. W. R. Rowley, Sec.; Lieut.-Col. Adam Badeau, Sec.; Capt. E. S. Parker, Ass't Adj't-Gen.; Capt. George K. Leet, Ass't Adj't-Gen., in charge of office at Washington; Capt. P. T. Hudson, Aide-de-Camp; Capt. H. W. Jones, Ass't Quartermaster, on duty at headquarters; First-Lieut. Wm. Dunn, jr., 83d Indiana volunteers, Acting Aide-de-Camp.

At the same time the 9th corps of the army, at Annapolis, was filled up, partly with colored troops, and placed under the command of Major-Gen. Burnside, its former commander.

About the 23d of April, this corps moved to Washington, were reviewed by President Lincoln, and proceeded to Culpepper Court House, and were united to the Army of the Potomac.

Early in March Major-Gen. Sigel had been placed in command of the active forces in the Department of Western Virginia, for the purpose of coöperating with Gen. Grant by way of the Shenandoah valley. Those forces were largely increased.

The forces of Major-Gen. Butler, in command at Fortress Monroe, were also largely increased. Major-Gen. W. F. Smith, from the Western army, was assigned to the command of the 18th corps, and Major-Gen. Q. A. Gilmore, from the Department of the South, was assigned to the command of the 10th corps. Major-Gen. Foster was ordered to the command of the Department of the South. He had previously been in command in North Carolina.

On the 21st of April the Governors of Ohio, Indiana, Illinois, and Iowa, tendered to the President the services of one hundred thousand men for one hundred days. The object of this tender of men, the service in which they were to be engaged, and the reasons for the same, are fully stated in the following proclamation of the Governor of Illinois:

To the people of the State of Illinois :

On the 21st of April, the Governors of Ohio, Indiana, Illinois, Iowa, and Wisconsin, submitted to the President of the United States a proposition to furnish volunteers from their respective States for the coming campaigns :

WAR DEPARTMENT, WASHINGTON, April 21, 1864.

To the President of the United States :

First—The Governors of Ohio, Indiana, Illinois, Iowa, and Wisconsin, offer to the President infantry troops for the approaching campaign.

Second—The term of service to be a hundred days, reckoning from the date of muster into the service of the United States, unless sooner discharged.

Third—The troops to be mustered into the United States service by regiments, when the regiments are filled up according to regulations to the minimum strength. The regiments to be organized according to the regulations of the War Department. The whole number to be furnished within twenty days from date of notice of the acceptance of this proposition.

Fourth—The troops to be clothed, armed, equipped, sub-

sisted, transported, and paid as other United States infantry volunteers, and to serve in fortifications or wherever their services may be required, within or without their respective States.

Fifth—No bounty to be paid the troops, nor the service charged or credited on any draft.

Sixth—The draft for three years service to go on in any State or district where the quota is not filled up; but, if any officer or soldier in the special service should be drafted, he shall be credited for the service rendered.

JOHN BROUGH, Governor of Ohio.

O. H. MORTON, Governor of Indiana.

RICH'D YATES, Governor of Illinois.

W. M. STONE, Governor of Iowa.

The foregoing proposition of the Governors is accepted, and the Secretary of War is directed to carry it into execution.

A. LINCOLN.

APRIL 23d, 1864.

I shall not set forth the various reasons which induced the Executive of these States to submit their proposition. It will be sufficient for you to know that it is evident from the circumstances which surround us, that the battles which are to decide the fate of the country are soon to be fought. The enemy has, during the past winter, been concentrating all his strength for the summer campaign which is before us. It is of the utmost importance to meet them with the greatest force, and with the most overwhelming numbers which it is possible to bring to bear.

You are also aware that the country which has already been wrested from the grasp of the enemy is of vast extent, embracing many States and Territories, many thousands of miles of seacoast, and the whole length of the Mississippi River, and of most of her tributaries, and that to hold this country and these long lines of sea and river coast requires large stationary forces.

The strongholds, forts, garrisons, cities, and towns, situated as they are in the midst of populations which are for the most part disloyal, and ready to rise upon the withdrawal of our troops, are almost innumerable, and require by far the greater part of our immense army in their protection and defence. In this view of the case, the Executives of the most Western States believed that the efficiency of the army might be immensely increased by a volunteer force, to be immediately raised, which should occupy the points already taken, and release our veteran troops, and send them forward to join the main body of the army, which is soon to engage the forces of the enemy. It will be apparent also that, while these forces are to be employed in fortifications, and at such points as the Government may require them now, in the future, also, they will place in the hands of the States the means to repel invasion from their borders, suppress insurrection, and maintain the peace.

The mode of enlistments, places of rendezvous, and all information pertaining to organization, &c., will be communicated to you by the adjutant-general of the State.

I make my appeal to the State of Illinois, to respond to the Government with her full quota of 20,000 men in the next twenty days. Although the State has thus far exceeded her quota under all calls by so many thousands, I doubt not she will stand ready to strengthen the arm of the Government in this trying hour, and that she will send this timely necessary relief to her gallant sons now in the field, and who have so distinguished her proud name upon every battle-field of the war. It is confidently hoped that by the timely aid which may thus be given our veteran army, the last blow may be given this wicked rebellion, and the Government reestablished, the Union restored, and all the blessings of a stable and lasting peace secured.

Though in the North and in the South the notes of preparation for the conflict fill the land, yet for the first time have I fully seen the beginning of the end of this frightful war. All that is now required is, that the Government put forth its power at the right time, and in the right place.

The people of Illinois have confidence in her sons, and in the great commander, Gen. Grant, whom she has given to the country, as well as in the armies under his command. Let us do all in our power to uphold and strengthen their arms.

Glorious Illinois, in every period of this war you have done your duty. The shining achievements of your sons are the admiration of the world. In this most eventful hour you will not fail.

RICHARD YATES, Governor.

The address of the Governor of Indiana was as follows:

EXECUTIVE DEPARTMENT, INDIANAPOLIS, April 23, 1864.

To the people of Indiana:

The Governors of Ohio, Illinois, Iowa, Wisconsin, and Indiana, have offered to raise for the service of the General Government eighty-five thousand men for the period of one hundred days, to perform such military service as may be required of them in any State. They will be armed, subsisted, clothed, and paid by the United States, but receive no bounty. They will be mustered into the service of the United States for the period designated, the time to commence from the date of muster.

The importance of making the approaching campaign successful and decisive is not to be over-estimated, and I feel confident that this call will be promptly and fully responded to.

I need not enter into the reasons which have induced the making of this offer, and its acceptance by the Government, as they will be suggested to all by the condition and position of our military affairs.

I therefore call for twenty thousand volunteers, to rendezvous at such places as may be hereafter designated, and to be organized under instructions given by the Adjutant-General. Existing organizations of the Indiana Legion, offering their services, will be preserved when the regiment or company is filled to the minimum number, under the regulations governing the army of the United States.

O. P. MORTON, Governor of Indiana.

The following order was issued in Ohio:

COLUMBUS, April, 24th, 1864.

General Orders No. 12.

The regiments, battalions, and independent companies of infantry of the National Guard of Ohio are hereby called into active service for the term of one hundred days, unless sooner discharged. They will be clothed, armed, equipped, transported, and paid by the United States Government. These organizations will rendezvous at the nearest eligible places in their respective counties, the place to be fixed by the commanding officer, and to be on a line of railroad where practicable, on Monday, May 2, 1864, and report by telegraph to these headquarters at four o'clock P. M. of the same day the number of men present for duty. The alacrity with which all calls for the military forces of the State have been heretofore met, furnishes the surest guarantee that the National Guard will be prompt to assemble at the appointed time. Our armies in the field are marshalling for a decisive blow, and the citizen soldiery will share the glory of the crowning victories of the campaign, by relieving our veteran regiments from post and garrison duty, to allow them to engage in the more arduous labor of the field. By order of the Governor,

B. R. COWEN, Adjutant-General of Ohio.

The plan of Gen. Grant was more comprehensive than the mere capture of the city of Richmond. His purpose was to secure the machinery of the Confederate Government, and to destroy the army of Gen. Lee. Other movements were therefore necessary in connection with the one made under his own direction. The first of these was to be made by Gen. Sigel up the Shenandoah Valley toward

Staunton with the view of taking possession of the Virginia Central Railroad, and ultimately holding Lynchburg on the Virginia and Tennessee Railroad. The next of these movements was to be made by Gen. Averill moving toward the same great railroad with the design of striking it near Salem or Wytheville. The next was to be made by Gen. Crook moving with a strong force and abundant supplies from Charleston, Va., toward Dublin Depot (Newbern), on the same railroad. The remaining movement on the west was to be made up the eastern side of the Big Sandy River, toward Abingdon, on the same railroad. It was intended that these different forces should strike the Virginia and Tennessee Railroad about the same time, at Abingdon, Wytheville, Dublin Depot, and Staunton, and should afterwards unite centrally west of Lynchburg, and march against that town. This combined movement comprehended a large aggregate of forces, to wit: 12,000 men by the Big Sandy route, under Gen. Burbridge; 4,000 under Gen. Crook, moving from the lower Kanawha; 2,500 cavalry under Gen. Averill, from northwest Virginia, and the army of Gen. Sigel, numbering nearly 12,000.

On the south side of Richmond it was intended by Gen. Grant to capture and hold Petersburg by a heavy force, under the command of Gen. B. F. Butler. Thus holding Petersburg and Lynchburg, all southern communication with Richmond would be cut off. The progress and results of these respective coöperating movements will be stated on a subsequent page.

On the 3d of May Gen. Meade issued the following address to the army:

HEADQUARTERS ARMY OF THE POTOMAC, May 3, 1864.

SOLDIERS: Again you are called upon to advance on the enemies of your country. The time and the occasion are deemed opportune by your Commanding-General to address you a few words of confidence and caution. You have been reorganized, strengthened, and fully equipped in every respect. You form a part of the several armies of your country—the whole under an able and distinguished general, who enjoys the confidence of the Government, the people, and the army. Your movement being in coöperation with others, it is of the utmost importance that no effort should be spared to make it successful.

Soldiers! The eyes of the whole country are looking with anxious hope to the blow you are about to strike in the most sacred cause that ever called men to arms. Remember your homes, your wives, and children; and bear in mind that the sooner your enemies are overcome the sooner you will be returned to enjoy the benefits and blessings of peace. Bear with patience the hardships and sacrifices you will be called upon to endure. Have confidence in your officers and in each other.

Keep your ranks on the march and on the battlefield, and let each man earnestly implore God's blessing, and endeavor by his thoughts and actions to render himself worthy of the favor he seeks. With clear conscience and strong arms, actuated by a high sense of duty, fighting to preserve the Government and the institutions handed down to us by our forefathers, if true to ourselves, victory, under God's blessing, must and will attend our efforts.

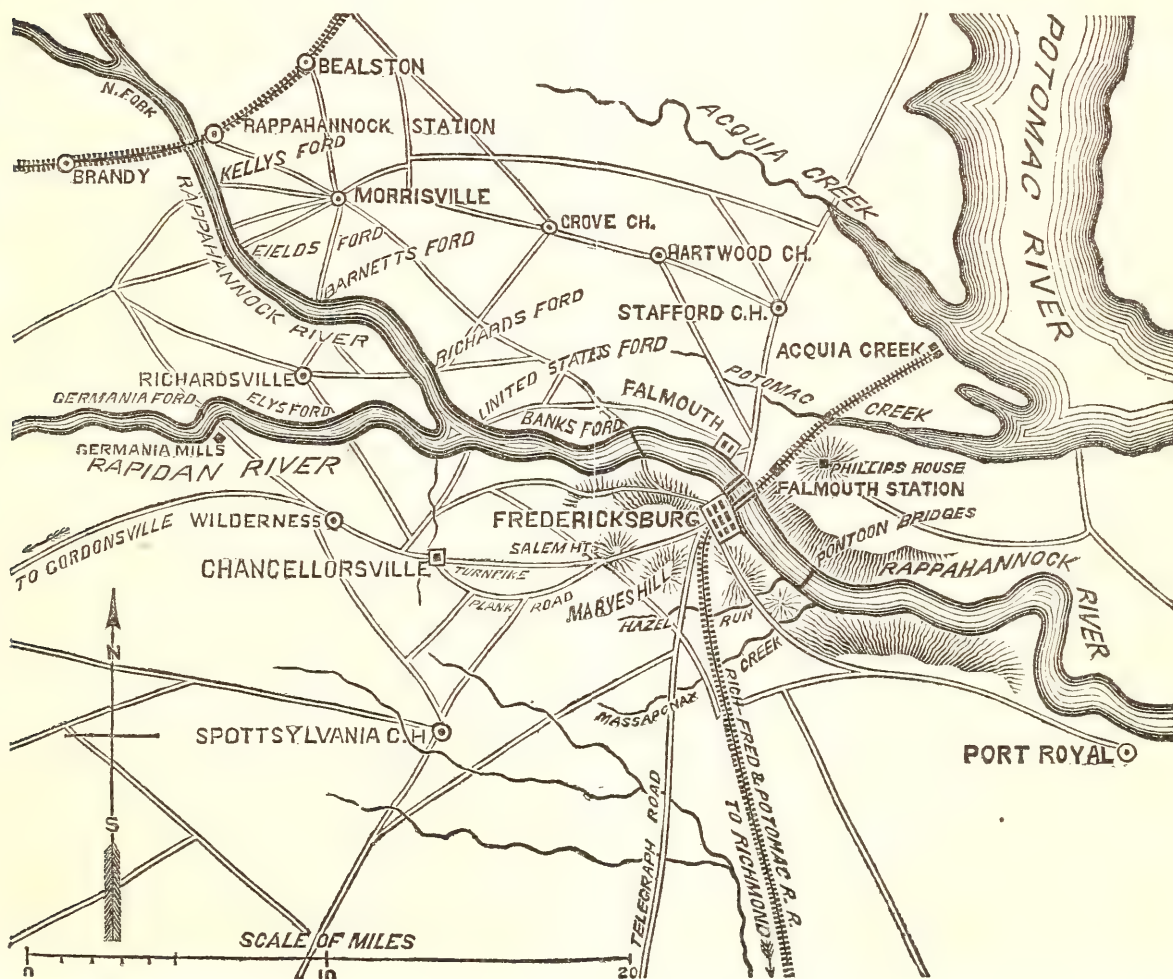
GEORGE G. MEADE, Maj.-Gen. Com'ding.

S. WILLIAMS, Ass't Adj.-Gen.

On the same day camp was broken up, and with six days' rations the army was put in motion in light marching order. About 2 p. m. the division of cavalry commanded by Gen. Gregg, with a part of the canvas pontoon train, moved toward Richardsville and were engaged till late at night in repairing the roads to Ely's Ford. Soon after midnight a crossing was prepared by throwing two bridges over to the south shore. At the same time Gen. Wilson, in command of the 3d cavalry division, advanced to Germania Ford, eight miles above, and there prepared another bridge with canvas pontoons. About midnight the 2d corps, under Maj.-Gen. Hancock, began to move down the Stevensburg and Richardsville road to Ely's Ford. The entire corps were on the march before 3 a. m., and crossed soon after daylight. At the same time the 5th corps, under Maj.-Gen. Warren, began to move. The advance, consisting of two divisions of infantry and a portion of artillery, passed through Stevensburg soon after midnight, closely followed by the remainder of the corps, and destined to Germania Ford. This corps was closely followed by the 6th corps, under Maj.-Gen. Sedgwick, which left its camp at 4 a. m. It was the forces at Culpepper Court House which moved by the old plank road and crossed at Germania Ford. Those at Brandy Station, Catlett's, &c., on the Alexandria railroad, moved by the old turnpike, crossing the

Rappahannock at Ely's Ford, four miles below the junction of the Rapidan and the Rappahannock rivers. Germania Ford is about twelve miles and Ely's Ford about four miles from Chancellorsville. Orange Court House is about twenty-seven miles and Wilderness Tavern about twenty-two miles from Chancellorsville. From points between Chancellorsville and Wilderness Tavern, roads lead to Gordonsville, Louisa Court House and Frederick's Hall, on the Virginia Central Railroad, in distances varying from twenty to thirty miles. From these places there are good roads leading direct to Richmond, which is distant between forty-two and fifty-four miles; and also good roads to Hanover Junction.

The crossing was effected during the day by these three corps without opposition. The pickets of the enemy withdrew quietly from the river, and the cavalry of Gen. Gregg advanced toward Chancellorsville without finding the enemy anywhere in force. Gen. Wilson's cavalry moved up the road to Parker's store, toward Orange Court House, the position of the enemy. The infantry and artillery followed in the direction of Chancellorsville and the Wilderness. The 2d corps camped on the old battle-field at Chancellorsville; the 5th at the old Wilderness Tavern, and the 6th at the Tavern and at Germania Ford.



The 9th corps, under Gen. Burnside, was encamped at Warrenton. On May 1st he issued the following address to his troops:

HEADQUARTERS 9TH ARMY CORPS,
WARRENTON JUNCTION, VA., May 1, 1864. }

The General commanding publishes the following instructions to the men just entering the service of the country. He expects that every old soldier who has learned their value by experience, will join in impressing their importance on those who are now to share with him the honor of a soldier's life.

On the march no soldier should quit the ranks, on any pretence whatever, without permission of his commanding officer. The army is about to move into the country of an active enemy, with no friendly force behind or near it, and every straggler runs the risk of Libby Prison or a bullet.

No soldier should leave camp without his musket; nor, on any consideration, whether on the march or in action, take off the haversack, canteen, or cartridge-box.

He should sleep with his arms within reach.

Washing the feet at night, soaping the stockings, and greasing the shoes will prevent foot-soreness.

Cavalry and artillery should husband their forage. Every soldier should endeavor to make his rations hold out longer than the time for which they were issued. A little saving may save a day's starving. It is well to make little bags, or some secure packages, for coffee, salt, and sugar. If mixed in the haversack they become worthless.

Blankets and overcoats should never be thrown away, no matter how tired or hot one may be. Cold nights follow hot days. The chief point in health and comfort is to sleep warm. At the same time the recruit should not overload his knapsack; by endeavoring to carry many comforts he may be compelled to throw away all.

He should never waste a cartridge nor a cap; the time may come when every one will tell.

When on picket duty he must remember that the safety of the whole army may depend upon his vigilance. He should observe and report every unusual sound. If attacked he must remember that a cool and determined party, acting on the defensive and properly protecting themselves, can keep at bay many times their number, and thus give time to their comrades to form and come to their support.

In action he should keep cool, not loading in haste, but tearing the cartridge and pouring in all the powder before putting in the ball. He should aim deliberately, aim low, and pull the trigger slowly. One shot in five minutes, well aimed, is better than five in a minute without aim.

He should never leave the ranks to carry off the wounded without permission of his officer; the ambulance attendants will take care of them, and he must feel that his first duty is to stand by his comrades in the fight.

Spies and persons in citizen's dress found lurking in our lines with hostile intent, should be immediately turned over to the Provost Guard.

Prisoners of war, wounded or not, should be treated with that soldierly kindness and consideration which the 9th corps has always honorably shown, and which is due to an open enemy.

The General Commanding desires to express to the 9th corps that he feels the same confidence in them now that he has ever felt in times past, and has ever found just cause for feeling. He believes that they will do their duty thoroughly and heartily on all occasions and under all circumstances.

By command of Maj.-Gen. BURNSIDE.
EDWARD M. NEILL, Ass't Adj.-Gen.

Acting as a reserve upon the advance of the army Gen. Burnside followed to the banks of the Rapidan, but did not cross over.

The army of Gen. Lee consisted of three corps

under Lieut.-Gens. Longstreet, A. P. Hill, and Ewell, and occupied a position around Orange Court House, south of Culpepper Court House.

The plan of Lieut.-Gen. Grant in his advance upon Richmond was to follow a line nearly corresponding to the route of the Fredericksburg and Richmond railroad, making his base at Aquia Creek. For this purpose he moved down the right of the position of Gen. Lee, and was prepared either to accept a battle from him on the Rapidan or to continue his march to Spottsylvania Court House. But Gen. Lee would not consent to be outflanked, and ultimately endanger his railroad communication with Richmond. He, therefore, prepared to resist the progress of Lieut.-Gen. Grant, and commenced a rapid movement of his forces parallel with the course of the river. Lieut.-Gen. Longstreet's corps started from Gordonsville, Lieut.-Gen. Hill took the plank road, and Lieut.-Gen. Ewell the old turnpike which joins the plank. The two latter arrived in front of Lieut.-Gen. Grant's forces on Thursday morning. Early on that morning his forces began to move. The 5th corps, under Maj.-Gen. Warren, advanced from its position near Wilderness Tavern along the roads leading to Orange Court House, five miles to Parker's Store. It is here that the Germania Ford road debouches into the old turnpike. This point is in Spottsylvania county, about eight miles above Chancellorsville, and twenty below Orange Court House. The whole face of the country in that neighborhood is thickly covered with an undergrowth of field pines, cedars, and scrub oaks, and therefore utterly unfit for the use of cavalry or artillery. Maj.-Gen. Sedgwick with the 6th corps was to follow, and Maj.-Gen. Hancock with the 2d corps was to stretch southwesterly from Chancellorsville toward Shady Grove Church. Gen. Sheridan covered the extreme left beyond Maj.-Gen. Hancock, with the object of finding the enemy's cavalry under Gen. Stuart. The effect of these movements was to bring Maj.-Gen. Sedgwick on the right, Maj.-Gen. Hancock on the left, and Maj.-Gen. Warren in the centre of the line extending nearly five miles. The centre was thrown a little forward, the wings not having reached the best position, and then the action commenced.

At noon, Gen. Griffin, whose advance had been driven in, was ordered to push the 1st division of the 5th corps out to the right and left of the turnpike and feel the enemy. An advance of less than a mile, stretching across the turnpike, brought them in contact with the enemy under Lieut.-Gen. Ewell, posted on a wooded declivity. A sharp engagement ensued for an hour, when the pressure of the enemy could no longer be resisted. Gen. Griffin's division was driven back, leaving two pieces of artillery in the enemy's hands. The 4th division, under Gen. Wadsworth, and the 2d, under Gen. Robinson, now advanced, relieving Gen. Griffin, and holding the enemy in check. The Federal loss was about one thousand men.

The next movement of the enemy was to press between the corps of Gens. Warren and Hancock on the left centre. Here the contest commenced about 3 P. M. In anticipation of this movement Gen. Hancock's advance had been checked, and his corps was rapidly moving to close the gap between it and the centre. One division of the 6th corps, under Gen. Getty, had been detached and moved to the left, taking position on the right of the Orange Court House plank road. The advance, consisting of the 1st brigade of the 2d division of the 2d corps, had scarcely formed a junction with Gen. Getty, when the enemy, belonging to Lieut.-Gen. Hill's corps, made a powerful attack upon them. The position was held with the utmost obstinacy. Meanwhile the remainder of Gen. Hancock's corps arrived and attacked on the enemy's front and right. The divisions of Gens. Birney, Barlow, and Gibbons, took an active part, and the contest became exceedingly bloody. Such was the nature of the undergrowth that there was little opportunity to use artillery. The furious fire of the enemy's musketry was seldom surpassed. After the contest had stubbornly continued for two hours, a portion of Gens. Wadsworth's and Robinson's divisions of the 5th, moved out to turn the flanks of Gen. Hill's corps. The contest continued here until late in the night, and closed with a loss of a thousand killed and wounded, among whom was Gen. Alexander Hayes. The effort of the enemy to penetrate the left centre failed.

On the right the fighting commenced with an attack by Gen. Sedgwick, who advanced his line. In the afternoon the enemy advanced to drive him back, during which they made a desperate effort to turn his right. In this extremity he sent a request to Gen. Burnside, who had that day crossed over, to close up and assist him. At this time the attack of the enemy was repulsed, but near nightfall it was renewed again with great vigor. A most desperate engagement ensued, which continued until two hours after dark, when the indecisive conflict closed. Three hundred of the enemy had been taken prisoners, and they in turn claimed the capture of a thousand during the day.

The following is Gen. Lee's despatch:

HEADQUARTERS ARMY NORTHERN VIRGINIA, May 5, 1864.

Hon. Secretary of War:

The enemy crossed the Rapidan at Ely's and Germania Fords. Two corps of this army moved to oppose him, Ewell's by the old turnpike and Hill's by the plank road. They arrived this morning in close proximity to the enemy's line of march. A strong attack was made upon Ewell, who repulsed it, capturing many prisoners and four pieces of artillery.

The enemy subsequently concentrated upon Gen. Hill, who with his and Wilcox's divisions, successfully resisted the repeated and desperate assaults. A large force of cavalry and artillery on our right were driven back by Rossan's brigade. By the blessings of God, we maintained our position against every effort until night, when the combat closed. We have to mourn the loss of many brave officers and men.

Gallant Brig.-Gen. J. M. Jones was killed, and Gen. Stafford, I fear, mortally wounded, while leading his command with conspicuous valor. R. E. LEE.

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No despatch was sent from Lieut.-Gen. Grant.

During the day the 9th corps, under Gen. Burnside, had come upon the field after a forced march. It was distributed as occasion required on the right, right centre and left centre. The Federal line continued substantially as during the day, stretching northwest and southeast, nearly parallel to a line from Germania Ford to Chancellorsville. Gen. Grant had thus been successful in covering the fords by which all his teams were yet to pass, and which it was absolutely necessary to keep open in order to preserve his line of communication, and which were threatened by the rapid and bold movement of Gen. Lee from west to east.

On the next day, Friday, May 6th, the battle consisted of a succession of fierce attacks made by each side. Both had more or less intrenched their positions by felling timber and covering it with earth, or with slight earthworks. An advance had been ordered on the right, at 5 A. M., by Gen. Grant, but before it took place the firing of the pickets had commenced and increased until six o'clock, when the engagement became general. The interval of ground between the opposing lines was fought over in some places as many as four or five times, the combatants driving each other in turn from the opposite lines of rifle-pits. Gen. Seymour with a provisional division on the extreme right, and Gen. Wright's 1st division of the 6th corps, next adjoining, were first engaged, and Gen. Ricketts' was next involved. An effort made on the part of the enemy to flank was repelled, and the line pushed a few hundred yards ahead, but without any decisive advantage. At 8 and half-past 10 o'clock the right was again pressed by the enemy. The firing at each period extended all along the line. The efforts of the enemy appeared to be intended to break through the separate corps. The gaps, however, were closed by the 9th corps. Earthworks were thrown up whenever and wherever practicable, and proved to be of invaluable service. On the left the engagement commenced at the same time as on the right. Gen. Hancock pressed the enemy some distance, until being reënforced they held their ground. Soon a severe assault was again made on the left, followed up along the line with such vigor as nearly to involve the whole in confusion. Reënforcements from Gen. Burnside checked the advance of the enemy, and relieved the left and centre. Before noon Gen. Wadsworth, commanding the 4th division of the 5th corps was shot in the forehead and instantly killed.

At noon the contest was comparatively suspended, and Gen. Grant concentrated his lines, interposing the greater part of Gen. Burnside's corps between Gens. Warren and Hancock. The left was also brought forward a little toward the centre from the Brock Road, to which it had been driven. These movements had hardly been completed when the forces of Gens. Longstreet and Hill renewed the attack on the left and centre with great fury, and drove them

back. The fight was fiercest at the junction of these two corps and Gen. Crawford's 3d division of the 5th corps. Gen. Carr's 4th division of the 2d corps, and Gen. Stevenson's division of the 9th corps, suffered the most heavily. The latter division being on Gen. Hancock's right gave way, and the enemy rushed through the gap. Their advance was checked by an attack on the flank by Col. Carroll's brigade of Gen. Hancock's corps, and they retired with much loss. The centre and left then recovered their former position.

Toward night the battle was renewed on the right. The assault of the enemy was sudden and furious, and the 2d brigade of the 3d division, under Gen. Seymour, on the extreme right, was panic-stricken, and, with Gen. Shaler's brigade, were overwhelmed and their commanders captured. Gen. Seymour had taken command of this brigade only on the previous night, and did every thing that skill and bravery could effect. The whole right wing, if not the whole army, was now in peril. Gen. Sedgwick, however, rallied and held his troops, thus saving the army from the threatened destruction. The enemy, not perceiving the havoc which they had made, or not knowing the condition of the right wing, and exhausted with the severe efforts of the day, retired in the darkness which now prevailed. No further effort was made to cut off the army from Germania Ford, even when it was nearly successful. The loss on the right wing was about 6,000, of which 4,000 occurred during this assault of the enemy. The total of the two days' battles was estimated at 15,000. Among the killed were Gens. Hayes, Wadsworth, and Webb of Gen. Grant's army. Of the enemy's, Gens. Jones, Jenkins, and Pickett were killed, and Gens. Longstreet, Pegram, and Hunter severely wounded. Gen. Longstreet was struck in the neck below the Adam's apple. The ball passed along the clavicle, fracturing it, and came out on the shoulder, cutting some important nerves of the arm. He was unable to take the field until near the close of the year.

At the close of the day both armies held substantially the same line as on the previous evening, and the intervening space was occupied by the dead and wounded. Gen. Grant had strengthened his left, and during the night preparations were made to strengthen the right, and to repair the disaster on that flank.

During these two days Gen. Grant's cavalry had occupied a position covering the rear and left, and prevented flanking movements by the cavalry of the enemy. On Friday, as Gen. Hancock's corps advanced to battle, the enemy charged and captured several hundred of the 18th Pennsylvania cavalry.

On Saturday, the 7th, brisk skirmishing ensued along the lines. Gen. Gordon's brigade of the enemy cut off the communication of Gen. Sedgwick with Germania Ford, and the latter was withdrawn toward Wilderness Tavern. Gen. Burnside's corps was moved out

on the road to Spottsylvania Court House. It was evident in the afternoon that Gen. Lee was withdrawing his main force toward Spottsylvania Court House, and orders were issued to the surgeons in charge of the hospitals to remove their sick and wounded to Ely's Ford, and the supply trains were ordered to move in the night to the vicinity of Todd's tavern. Subsequently Fredericksburg was occupied by some of Gen. Grant's forces, and made a depot for the wounded and a basis for supplies.

The following despatches were sent by Gen. Lee to Richmond:

HEADQUARTERS ARMY NORTHERN VIRGINIA, {
May 7, 1864—8 P. M. }

Honorable Secretary of War:

Gen. Gordon turned the enemy's extreme right yesterday evening and drove him from his rifle-pits. Among the prisoners captured are Gens. Seymour and Shaler. A number of arms were also taken. The enemy has abandoned the Germania Ford road and moved his pontoon bridge toward Ely's. There has been no attack to-day—only slight skirmishing along the line. (Signed) R. E. LEE.

HEADQUARTERS ARMY NORTHERN VIRGINIA, May 8.
Honorable Secretary of War:

The enemy have abandoned their position and are marching toward Fredericksburg. I am moving on the right flank. (Signed) R. E. LEE.

During the afternoon a battle took place between the cavalry. The loss was about two hundred and fifty on each side. At dark the 2d corps began to move by way of Brock's road, followed by the 5th corps on the same route. Gens. Burnside and Sedgwick moved on the old Chancellorsville road, and arrived on the field near Spottsylvania at noon on Sunday. Gen. Warren reached a point about three miles from Spottsylvania Court House, after marching all of Saturday night. About the same time Gen. Ewell's corps, with a portion of Gen. Longstreet's, had arrived. A sharply-contested action ensued in a field to the left of the Brock road, which stretched away to the east, toward the Spottsylvania and Fredericksburg road. The country was rolling, and dotted here and there with thick groves of pine and cedar for the distance of a mile from the point where the Wilderness terminates in the open country. A contest between cavalry had taken place in front of Gen. Warren, and some artillery was seen, but it was inaccurately reported that there was no infantry. As the advance of Gen. Warren passed down the road, shells were thrown at it with great activity, and the enemy fell back, making only a slight resistance. On reaching a triangular clearing known as Alsop's farm, of a hundred acres, the artillery of the enemy was found to be stationed there. Beyond the clearing was Ny Run, a small stream affording no obstacle to the advance of troops. The wooded ground rises beyond in ridges. The Union batteries were stationed to the right, commanding those of the enemy. The infantry advanced through the clearing and came upon three lines of the enemy, the last of which was behind earthworks. Here the struggle took

place with the greatest violence, and continued some hours, during which Gen. Warren held his ground. In the afternoon a brigade of the 6th corps came to his assistance, and the enemy were driven from their position. The Federal loss was thirteen hundred. Many officers were wounded, among whom was Gen. Robinson, who was shot in the knee. Several brigades lost their commanders, and the 4th Michigan was finally commanded by a first lieutenant. The 1st Michigan, two hundred strong, came out of the fight with twenty-three men. The day was intensely hot, and many suffered from sun-stroke.

Monday was comparatively quiet in the morning, followed by cannonading and skirmishing, but no general battle. While superintending the mounting of artillery, Gen. Sedgwick was killed by a ball from a sharpshooter entering his head. The centre of the line formed on Sunday was held by Gen. Warren, with the 2d corps, Gen. Hancock, on the right, and the 6th corps, Gen. Wright, lately Gen. Sedgwick, on the left. Toward night, on Monday, Gen. Grant ordered another advance on the enemy. The right, with Gens. Birney's and Gibbon's divisions in advance, followed by Gen. Carroll's brigade, crossed over to the south bank of a branch of the Po River. Here a severe battle with both infantry and artillery ensued. Each side alternately charged. At night the enemy held Spottsylvania Court House, and Gen. Hancock slowly retired his corps, after suffering heavy losses. During the day an attack, directed on Gen. Wilcox's division of the 9th corps, was met and repulsed.

The following despatches from Mr. Stanton, the Secretary of War, relative to the preceding operations, were sent to the public press:

WASHINGTON, May 8—9 A. M.

To Gen. John A. Dix, New York:

We have no official reports from the front; but the Medical Director has notified the Surgeon General that our wounded were being sent to Washington, and will number from six to eight thousand.

The Chief Quartermaster of the army of the Potomac has made requisition for seven days' grain, and for railroad construction trains, and states that the enemy is reported to be retiring. This indicates Gen. Grant's advance, and affords an inference of material success on our part.

The enemy's strength has always been most felt in his first blows, and his efforts having failed, and our forces, not only having maintained their ground, but preparing to advance, lead to the hope of full and complete success; for when either party falls back, disorganization by straggling and desertion commence, and the enemy's loss in killed and wounded must weaken him more than we are weakened. Nothing later than my last night's despatch has been received from Gen. Butler.

A despatch from Gen. Sherman, dated at 5 o'clock P. M. yesterday, states that Gen. Thomas had occupied Tunnel Hill, where he expected a battle, and that the enemy had taken position at Buzzard Roost Pass, north of Dalton. Skirmishing had taken place, but no real fighting.

Nothing later from Gen. Banks.

You may give such publicity to the information transmitted to you as you deem proper.

It is designed to give accurate official statements of what is known to the department in this great crisis, and to withhold nothing from the public.

EDWIN M. STANTON, Secretary of War.

WASHINGTON, May 8—5 P. M.

Maj.-Gen. John A. Dix, New York:

We are yet without any official despatches from the Army of the Potomac, except those referred to this morning from the Medical Director and Chief Quartermaster, and nothing additional has been received by the Department from any other source. It is believed that no fighting took place yesterday.

A part of the wounded arrived in ambulances this morning at Rappahannock Station, and are on the way in by railroad. The Department will probably receive despatches by that train, which will arrive to-night.

A despatch from Gen. Butler, just received, and which left him yesterday, states that a demonstration had been made by his forces on the railroad between Petersburg and Richmond, and had succeeded in destroying a portion of it, so as to break the connection; that there had been some severe fighting, but that he had succeeded. He heard from a rebel deserter that Hunter was dangerously wounded, Pickett also, and Jones and Jenkins were killed.

Nothing further has been heard from Gen. Sherman.

EDWIN M. STANTON, Secretary of War.

WASHINGTON, May 9—10:45 A. M.

Maj.-Gen. John A. Dix:

We have intelligence this morning, by agents direct from the army, as late as Saturday evening, but no official reports. The general result may be estimated as a success to our arms.

The fighting on Friday was the most desperate known in modern times.

I deeply regret to say that the country will have to mourn the death of that accomplished soldier, Brig.-Gen. Wadsworth, who was struck in the forehead by a ball, at the head of his command, while leading them against one of the enemy's strongest positions. His remains are in our hands in charge of Col. Sharpe. Gen. Webb was wounded. Gen. Jones, of the rebel army, was killed.

The condition of our army is represented to be most admirable. Their cool, determined courage, has in every instance proved too much for the desperate fury of the rebels, who have been driven at all points. There has been no straggling.

At the latest accounts Hancock was pushing forward rapidly, by the left, to Spottsylvania Court House, and yesterday heavy cannonading was heard at Aquia Creek from that direction.

We have lost some prisoners. One regiment, the 7th Pennsylvania reserves, charged through an abatis of the enemy, but were unable to get back, and most of them were captured. We have also taken a large number of prisoners, supposed to be more than we lost. The wounded had not yet arrived at the point where the trains were to receive them. The Medical Director reports that a large proportion are slightly wounded. Artillery was not used on either side the last two days.

There is nothing later from Gen. Butler than the dates of my last despatch.

Gen. Sherman was heard from last night. He had been all day reconnoitring the enemy's position, and would attack to-day.

EDWIN M. STANTON, Secretary of War.

WASHINGTON, May 9—11:30 A. M.

Maj.-Gen. John A. Dix:

This Department has just received from Gen. Butler the official report of Gen. Lee of the operations of Friday. He says their loss in killed is not large, but they have many wounded. He grieves to announce that Gen. Longstreet was severely wounded, Gen. Jenkins killed, and Gen. Pegram badly wounded on Thursday, and that it is supposed that Gen. Stafford will recover. He thanks a merciful God that every ad-

vance on their (Gen. Grant's) part has been repulsed. He states that our forces attacked them and caused some confusion. Gen. Wadsworth's body fell into their hands; but our reports this morning state that it is now in our possession, under charge of Col. Sharpe, as stated in my first despatch this morning.

The belief here is that Lieut.-Gen. Grant is achieving a complete victory.

EDWIN M. STANTON, Secretary of War.

WASHINGTON, May 9—4 P. M.

Maj.-Gen. John A. Dix :

Despatches have just reached here direct from Gen. Grant. They are not fully deciphered yet, but he is "on to Richmond." We have taken two thousand prisoners.

EDWIN M. STANTON, Secretary of War.

The last official despatch.

WASHINGTON, May 9—4, P. M.

A bearer of despatches from Gen. Meade's headquarters has just reached here. He states that Lee's army commenced falling back on the night of Friday. Our army commenced the pursuit on Saturday.

The rebels were in full retreat for Richmond by the direct road.

Hancock passed through Spottsylvania Court House at daylight yesterday.

Our headquarters at noon yesterday were twenty miles south of the battle field.

We occupy Fredericksburg. The 22d New York cavalry occupied that place at eight o'clock last night.

The depot for our wounded is established at Fredericksburg.

EDWIN M. STANTON, Secretary of War.

The President, on the 9th, also issued the following proclamation :

EXECUTIVE MANSION, WASHINGTON, May 9, 1864.

To the Friends of Union and Liberty :

Enough is known of the army operations within the last five days to claim our especial gratitude to God. While what remains undone demands our most sincere prayers to and reliance upon Him (without whom all human effort is vain), I recommend that all patriots, at their homes, in their places of public worship, and wherever they may be, unite in common thanksgiving and prayer to Almighty God.

ABRAHAM LINCOLN.

The excitement produced throughout the North by these despatches was very great. Washington also was almost wild with enthusiasm over what was regarded as a great victory achieved by the Army of the Potomac over the army under Gen. Lee. In the evening the feelings of the people found vent in a congratulatory visit to the President, which is thus reported :

"A procession was formed in front of Willard's Hotel about half-past eight this evening, headed by the band of the 27th Michigan regiment, and proceeded to the White House. After several patriotic airs had been performed by the band, in response to the cheers and calls of the multitude assembled, the President came forward, and was introduced to the people by Senator Foster, of Connecticut.

"He returned his thanks for the compliment paid him, and said that we had won a great victory, for which we should return thanks to the Almighty, who had smiled upon and blessed our efforts, and also to Gen. Grant and his brave officers and soldiers, to whose heroism and sacrifices we were indebted, under Provi-

dence, for this triumph. We had won a great victory, but we must not be prematurely sanguine, for although much had been done, there was a great deal of work yet to do before the rebellion could be suppressed and the Union restored. There was one thing which he desired to say to them, and that was, that while Gen. Grant had met with stubborn resistance, he had not been forced back in the slightest degree from the line upon which he had started, and was now moving forward upon the line which he had marked out before the movement commenced. He had every confidence in Gen. Grant, and believed that he would accomplish the great work which he had yet to do.

"Enthusiastic cheers were given for the President, Gen. Grant, Gen. Meade, and our brave armies, after which the crowd retired in a quiet and orderly manner."

The thanksgiving recommended by the President was very generally observed by the churches on the following Sunday. As an instance, the rector of Trinity Church, New York, issued the following :

TRINITY RECTORY, May 13, 1864.

The reverend the clergy of this parish are requested, on the approaching feast of Whitsunday, to offer solemn thanksgivings to Almighty God for the answer to the prayers of his people, and for the great mercies extended to this nation by His Divine Providence during the past week. The form of thanksgiving set forth and authorized by the Bishop of this diocese will be used immediately after the general thanksgiving, at each service during the day.

MORGAN DIX, Rector of Trinity Church.

The following is a report of the manner of observance :

After the usual initial exercises had been gone through, the prayer for victories, to be found in the prayers at sea in the Episcopal book of common prayer, was read.

Dr. Vinton then ascended the pulpit and preached the sermon, taking his text from St. John, seventh chapter and thirty-ninth verse:—"The Holy Ghost is not yet." The preacher only briefly alluded to our victories in the course of his discourse. He said that the day of Pentecost had again dawned on the world; but the anniversary of the Christian year came that day, not ushered in like the fast days of the world formerly, but with the booming of cannon and hurrahs echoing in the air, and the rejoicing which all the people of this land were now expressing for their victories.

The rest of the preacher's discourse was strictly confined to remarks on the coming of the Holy Ghost, and in conclusion he said we should now especially give God thanks for all the favors we have received at His hands.

The despatches of the Secretary were continued as follows :

WASHINGTON, May 10, 1864.

To Major-Gen. Dix :

Despatches have been received this evening from Maj.-Gen. Grant, dated at one o'clock yesterday.

The enemy have made a stand at Spottsylvania Court House. There had been some hard fighting; but no general battle had taken place there.

I deeply regret to announce that Maj.-Gen. Sedgwick was killed in yesterday's engagement at Spottsylvania, being struck by a ball from a sharpshooter. His remains are at Fredericksburg, and are expected

here to-night. [A ball entered his eye and passed through his head, killing him instantly.]

The army is represented to be in excellent condition, and with ample supplies.

Gen. Robinson and Gen. Morris are wounded. No other casualties to general officers are reported.

Gen. H. G. Wright has been placed in command of Sedgwick's corps.

Gen. Grant did not design to renew the attack to-day, being engaged in replenishing from the supply train, so as to advance without it.

EDWIN M. STANTON, Secretary of War.

On Tuesday morning, the 10th, Gen. Grant's forces occupied substantially the same position as on the previous day. His line stretched about six miles on the northerly bank of the Po, and took the general form of a crescent, the wings being thrown forward. The 2d corps, across the Po, now held a line on the right, nearly parallel to the road from Shady Grove Church to the Court House. The 5th corps held the centre, being on the east side of the Po, and the 6th corps held the left, facing toward the Court House. Further on the left was the 9th corps, under Gen. Burnside. Several batteries covered the right and others the left centre. In front was a dense forest. The enemy held Spottsylvania and the region north of the Court House. His left rested on Gladly Run, sweeping northward and sheltered by strong works long before made in anticipation of this emergency. His right curved in a similar direction, and rested on the Ny River, and his centre, a little thrown forward from the right and left centres, was posted on commanding ground. His position was well supported by breastworks, and along the centre was the forest and underbrush, lining a marsh partially drained by the run. The conflict opened in the morning by a terrific fire of artillery, which was incessant during all the forenoon. A most vigorous and gallant attack was then made by the 5th corps, and by Gens. Gibbons' and Birney's divisions of the 2d corps, on the centre of Gen. Lee's army. The losses of Gen. Grant were most severe in the repeated charges by which the enemy was driven to his rifle-pits. Brig.-Gen. Rice, commanding the 2d brigade of the 4th division of the 5th corps, was killed at this time. In the mean time the enemy had attacked and turned Gen. Barlow's division of the 2d corps, on the right; but it was finally extricated without great loss. Toward the close of the day a most energetic assault was made along the whole line, in which the enemy's works were scaled, and more than a thousand prisoners taken, with several guns, by Gen. Upton's 1st brigade of Gen. Wright's 1st division of the 6th corps, which was in the advance of this onset. His position being too far in advance of the residue of the army to be held, he was compelled to fall back with the prisoners which he had taken. The Federal losses throughout the day were estimated to exceed ten thousand; and the total loss thus far, thirty-five thousand. The enemy's loss was supposed to be equally severe.

The following despatches from the Secretary

of War, relative to this contest at Spottsylvania, were published:

WASHINGTON, May 11, 1864.

Maj.-Gen. John A. Dix:

Despatches from the Army of the Potomac have just reached here, bearing dates to 5 o'clock P. M. yesterday.

Both armies at that time held their positions at Spottsylvania Court House, without any material change. The enemy had been driven to their breastworks.

The 6th corps, under Gen. Wright, had carried the first line of the enemy's rifle pits.

There had been heavy skirmishing during the day.

Our wounded had reached Fredericksburg, and during the night some were brought up to Washington.

The Surgeon General reports that ample supplies of nurses, surgeons, and medical stores have gone forward.

There has been nothing heard from Gen. Sherman or Gen. Butler since my last despatch of yesterday.

EDWIN M. STANTON, Secretary of War.

WASHINGTON, May 11—11:30 P. M.

Maj. Gen. John A. Dix:

Despatches from Gen. Grant, dated at 8 o'clock this morning, have just reached this department. He says:

"We have now ended the sixth day of very hard fighting. The result to this time is much in our favor. Our losses have been heavy as well as those of the enemy. I think the loss of the enemy must be greater. We have taken over five thousand prisoners in battle, while he has taken from us but few except stragglers.

"I propose to fight it out on this line, if it takes all summer."

The Government is sparing no pains to support him.

EDWIN M. STANTON, Secretary of War.

The following despatch of Gen. Lee was sent to Richmond:

SPOTTSYLVANIA COURT HOUSE, VIA GURNEY'S, }
May 10, 1864. }

The Honorable Secretary of War:

Gen. Grant's army is intrenched near this place, on both sides of the Brock road. Frequent skirmishing occurred yesterday and to-day, each army endeavoring to discover the position of the other. To-day the enemy shelled our lines and made several assaults with infantry against different points, particularly on our left, held by Gen. R. H. Anderson. The last, which occurred after sunset, was the most obstinate, some of the enemy leaping over the breastworks. They were easily repulsed, except in front of Gen. Doles' brigade, where they drove our men from their position, and from a four-gun battery there posted. The men were soon rallied, and by dark our line was reestablished and the battery recovered.

A large body of the enemy moved around our left on the evening of the 9th, and took possession of the road about midway between Shady Grove Church and the Court House. Gen. Early, with a part of Hill's corps, drove them back this evening, taking one gun and a few prisoners.

Thanks to a merciful Providence, our casualties have been small.

Among the wounded are Brig.-Gens. Hayes and H. H. Walker.

R. E. LEE.

On the next day, Wednesday, the 11th, the position of the two armies was nearly the same as on the previous day. The enemy still held and covered the town with a crescent-shaped line. Their centre was very strong and posted securely, with rifle-pits in front and the strip of forest covering it, well guarded with lines of skirmishers. During the morning there was a brisk skirmishing, which died away at noon.

Some reconnoitring movements were made, and the enemy, apprehending an attack on their left, moved artillery from their right to left, toward the point threatened. During the afternoon rain fell for the first time since the army moved. It was determined during the day to make an assault early the next morning on the enemy's left, where their batteries were so strongly posted as to annoy Gen. Grant's lines. The 2d corps was selected to make this movement. Soon after midnight, in the darkness and storm, Gen. Hancock changed the position of his corps from the extreme right to the left, filling up the space between Gens. Wright and Burnside. It was then near ground well commanded by the enemy, and requiring a quick advance in the morning.

On Thursday the 12th, at the dawn of day, veiled by the twilight and by a dense fog, the 2d corps moved up to the enemy's lines. Gen. Barlow's 1st division and Gen. Birney's 3d division formed the first line; Gen. Gibbon's 2d division and Gen. Mott's 4th formed the second line. The advance of Gen. Barlow marched in column of battalions doubled on the centre. As the corps moved over the rugged and woody space intervening the excitement increased, until it broke out in a rush at the hostile intrenchments. These the corps leaped, with loud cheers, and dashed among the astonished enemy, compelling their surrender in mass. An entire division was surrounded, and officers and men captured. Three thousand prisoners and two generals—Maj.-Gen. Edward Johnson and Brig.-Gen. G. H. Stewart—were taken. So complete was the surprise that the hostile officers were taken at their breakfast, and within an hour after the start of the corps Gen. Hancock reported as follows: "I have captured from thirty to forty guns. I have finished up Johnson, and am now going into Early." The second line of rifle-pits was immediately stormed, and after a stubborn resistance wrested from the enemy. A heavy cannonade then commenced all along the line, to which the enemy replied with the utmost spirit. The whole line now pressed up to support the 2d corps. The 9th corps rushed in on the extreme left, converging toward the penetrated space, and joined its right to the left of the 2d corps. The 6th corps advanced against Gen. Ewell's left, and on the extreme right Gen. Warren's corps became hotly engaged. About 9 o'clock the enemy began to charge desperately upon the 2d and 9th corps, to recover the lost works. For three hours a bloody fight continued. At noon, however, they abandoned for a time the attempt to retake the position so obstinately held. But the further advance of Gen. Hancock had been successfully checked. Most of the captured cannon were covered by the guns of the sharpshooters, and neither party were able to bring them off. Meantime the right and centre had charged the enemy's position with great intrepidity, but without success, his position being found impregnable. Every avenue

of approach was swept by a most destructive fire of artillery, and his force was strong enough to hold the position against twice the attacking numbers.

Gen. Meade now sought to turn the enemy's right; and after a temporary lull in the afternoon, began to crowd his troops down toward the left, still keeping up his artillery and infantry fire. The rain began to fall at noon, but the carnage went on until night. The enemy finding that the Federal right had been merely holding him in front from reënforcing his right, and had now abandoned his front, also concentrated on his right. Every inch of ground was fought over with desperation. The dead and wounded lay thickly strewn along the ground, and heaped up where the fight was hottest. After fourteen hours, night fell on one of the severest contests of the war. The movement of Gen. Hancock in the morning was the first decided success of the campaign, having secured an advance of a mile in the line at that point. About three thousand prisoners were reported to be captured. The loss in killed and wounded was estimated at ten thousand, and that of the enemy was supposed to be equally severe. The artillery which had been captured remained on disputed ground, and was subsequently withdrawn by the enemy.

On Friday the 13th it was soon apparent that the enemy had withdrawn his main force on the left, by falling back to a new defensive position. The storm increased, and rendered the roads very heavy. Skirmishing and artillery firing were kept up by small bodies of the troops during the day. At noon Gen. Meade issued the following address to his army:

HEADQUARTERS ARMY OF THE POTOMAC, }
May 13, 1864. }

SOLDIERS! The moment has arrived when your commanding officer feels authorized to address you in terms of congratulation.

For eight days and nights, without almost any intermission, through rain and sunshine you have been fighting a desperate foe in positions naturally strong, and rendered doubly so by intrenchments.

You have compelled him to abandon his fortifications on the Rapidan, to retire and to attempt to stop your progress, and now he has abandoned the last intrenched position, so tenaciously held, suffering in all a loss of eighteen guns, twenty-two colors, eight thousand prisoners, including two general officers.

Your heroic deeds, noble endurance of fatigue and privation, will ever be memorable. Let us return thanks to God for the mercy thus shown us, and ask earnestly for its continuance.

Soldiers! Your work is not over. The enemy must be pursued, and, if possible, overcome. The courage and fortitude you have displayed render your Commanding General confident that your future efforts will result in success.

While we mourn the loss of many gallant comrades, let us remember that the enemy must have suffered equal if not greater losses.

We shall soon receive reënforcements which he cannot expect. Let us determine, then, to continue vigorously the work so well begun, and, under God's blessing, in a short time the object of our labors will be accomplished.

(Signed) GEORGE G. MEADE,
Major-Gen. Commanding.

Official: S. WILLIAMS.

On Saturday the 14th, the enemy appeared to have fallen back a little, but to be still holding the Court House tenaciously. Gen. Meade's line finally stretched nearly at right angles across the Fredericksburg and Spottsylvania road, with Gen. Hancock's corps on the right, Gen. Burnside's 9th on the right centre, Gen. Wright's 6th on the left centre, and Gen. Warren's 5th on the left. The position of the enemy seemed to be a semicircular line of earthworks with rifle-pits here and there, well established on commanding heights, and the whole flanked right and left by dense woods. A part of the works appeared to be sodded, showing an old construction, and great activity was manifest in strengthening the position. Gen. Grant's forces soon commenced to throw up military works, and both armies were diligently at work with the spade. On the extreme left there was considerable fighting. In the afternoon Gen. Meade narrowly escaped capture or injury, being in a house near which the enemy made a sudden and unlooked-for charge.

On this day Gen. Lee issued the following address to his army :

General Order No. 41.

HEADQUARTERS ARMY OF NORTHERN VA., May 14, 1864.

1. The General Commanding takes great pleasure in announcing to the army the series of successes that, by the favor of God, have recently been achieved by our arms.

2. A part of the enemy's force threatening the Valley of Virginia, has been routed by Gen. Imboden and driven back to the Potomac, with the loss of their train and a number of prisoners.

3. Another body of the enemy under Gen. Averill, penetrated to the Virginia and Tennessee Railroad, at Dublin depot. A portion of his force has been dispersed by Gens. Morgan and W. E. Jones, who are in pursuit of the remainder.

4. The army of Gen. Banks sustained a severe defeat in Western Louisiana by the forces of Gen. Kirby Smith, and retreated to Alexandria, losing several thousand prisoners, thirty-five pieces of artillery, and a large number of wagons. Some of the most formidable gunboats that accompanied the expedition were destroyed to save them from capture.

5. The expedition of Gen. Steele into Western Arkansas has ended in a complete disaster. Northern journals of the 10th inst. announce his surrender, with an army of nine thousand men, to Gen. Price.

6. The cavalry force sent by Gen. Grant to attack Richmond has been repulsed, and retired toward the Peninsula. Every demonstration of the enemy south of James River has, up to this time, been successfully repelled.

7. The heroic valor of this army, with the blessing of Almighty God, has thus far checked the principal army of the enemy, and inflicted upon it heavy losses. The eyes and hearts of your countrymen are turned to you in confidence, and their prayers attend you in your gallant struggle. Encouraged by the success that has been vouchsafed to us, and stimulated by the great interests that depend upon the issue, let every man resolve to endure all and brave all, until, by the assistance of a just and merciful God, the enemy shall be driven back and peace secured to our country. Continue to emulate the valor of your comrades who have fallen, and remember that it depends upon you whether they shall have died in vain. It is in your power, under God, to defeat the last great effort of the enemy, establish the independence of your native land, and earn the lasting love and gratitude of your countrymen, and the admiration of mankind.

R. E. LEE, General.

The following despatches were sent by the Secretary of War :

WASHINGTON, May 13—2:30 P. M.

To Major-General John A. Dix :

A despatch from Lieut.-Gen. Grant has just been received, dated near Spottsylvania Court House, May 12, 6:30 P. M. It is as follows :

"The eighth day of battle closes leaving between three and four thousand prisoners in our hands for the day's work, including two general officers and over thirty pieces of artillery. The enemy are obstinate, and seem to have found the last ditch. We have lost no organization, not even a company, while we have destroyed and captured one division (Johnson's), one brigade (Dobbs'), and one regiment entire of the enemy."

EDWIN M. STANTON, Secretary of War.

WASHINGTON, May 13—6:30 P. M.

Major-General Dix :

The following despatch from Mr. Dana has just reached this department.

EDWIN M. STANTON, Secretary of War.

SPOTTSYLVANIA COURT HOUSE, VA., May 13—8 A. M.

Hon. E. M. Stanton, Secretary of War :

Lee abandoned his position during the night, whether to occupy a new position in the vicinity or to make a thorough retreat is not determined.

One division of Wright's and another of Hancock's are engaged in settling this question, and at half-past 7 A. M. had come up on his rear guard. Though our army is greatly fatigued from the enormous efforts of yesterday, the news of Lee's departure inspires the men with fresh energy.

The whole force will soon be in motion; but the heavy rains of the last thirty-six hours render the roads very difficult for wagons and artillery.

The proportion of severely wounded is greater than on either of the previous days' fighting. This was owing to the great use made of artillery.

WASHINGTON, May 13—6:55 P. M.

Major-General Dix, New York :

The Acting Surgeon General reports that of five hundred patients from the recent battle-field admitted into the Harwood Hospital, not one will require any surgical operation, and that, in his opinion, two-thirds of the whole number of wounded will be fit for service in thirty days.

Reënforcements are going forward to the Army of the Potomac.

EDWIN M. STANTON, Secretary of War.

WASHINGTON, May 15—9 A. M.

To Major-General Dix :

An official despatch from the battle field at Spottsylvania yesterday morning, at half-past 6, states that during the preceding night (Friday) a movement was made by the 5th and 6th corps to our left, and an attack was to have been made at daylight, but no sound of battle had been heard from that quarter. This manœuvre, it is said, if successful, would place our forces in Lee's rear, and compel him to retreat toward Lynchburg.

No cannon nor any sound of battle was heard yesterday at Belle Plain or Fredericksburg, which affords ground for inference that Lee had retreated during Friday night, and before the advance of the 5th and 6th corps.

Nothing later than half-past 6 A. M. of yesterday has been received from the army by the department. All the wounded that had reached Belle Plain yesterday evening have arrived here.

The surgical report from the headquarters of the army states that the condition of the supplies is satisfactory, and the wounded are doing well. The medical director at Belle Plain reports that every thing at that point is satisfactory. The surgical arrangements have never been so complete as now.

Gen. Sheridan's command had reached the left bank of Turkey Island at 3 o'clock yesterday after-

noon, and have formed their junction with the forces of Gen. Butler.

EDWIN M. STANTON, Secretary of War.

On the 15th, 16th, and 17th, offensive operations were suspended. The roads had been made impassable by the rains. On the 18th, the Secretary of War telegraphed as follows :

WASHINGTON, May 18—11:15 A. M.

Major-General Dix :

We have no reports of operations since my last despatch. The latest information from Gen. Grant was that the roads had greatly improved. Large reinforcements had reached him, and he designed to move against the enemy without delay.

It is the design of the Government to keep up the national forces until the rebellion is overthrown ; and, in order to provide against any inopportune reduction, when the services of the hundred days' men go out, a draft to fill up their place, and all other reductions, will be ordered, to take place on the 1st of July, by which time the new enrolments will be completed. No order is yet issued.

EDWIN M. STANTON, Secretary of War.

It was at first supposed that the wounded in these terrible battles would be sent to Rappahannock Station, and thence by railroad to Washington. But the guerrillas of the enemy were so numerous in the rear of Gen. Grant's army as to prevent this arrangement. The trains were therefore withdrawn to Washington. At first hospitals were established on the field. But on Friday the 6th a number of slightly wounded men, who had been ordered to the rear, made their way to Fredericksburg under an escort of fourteen armed men. On entering the town, they were fired on by the citizens with such arms as could be obtained. They, however, succeeded in passing out and proceeded to Aquia Creek, where they were taken up by a gunboat and carried to Washington. Fredericksburg was occupied by a force of Gen. Grant, and hospitals established. Surgeons and nurses were immediately sent forward from Washington, Philadelphia, Harrisburg, Trenton, New York, and Albany, and other cities, to render assistance. The vessels in the employment of the Sanitary Commission were loaded with hospital supplies, and despatched with relief agents and nurses. The most severely wounded were retained at the hospitals in Fredericksburg, but others were transported to the Government hospitals in the northern cities. The Christian Commission had a large number of persons, with stores at hand to afford relief. The Government also did every thing in its power to succor the wounded. The losses by the battles of the first eight days were variously estimated. The following is a statement which does not include the 9th corps :

	<i>Killed.</i>	<i>Wounded.</i>	<i>Missing.</i>	<i>Total.</i>
Second corps.....	1,100	7,000	1,400	9,500
Fifth corps.....	1,200	7,500	1,300	10,000
Sixth corps.....	1,000	6,000	1,200	8,200
Total.....	3,300	20,500	3,900	27,700

If the losses in the 9th corps are added to the above, and supposed to be in the same proportion, the entire loss will reach thirty-five thousand men.

On the 14th the first detachment of the hundred days' volunteers reached Washington. Many of them were sent into the army under Gen. Grant before their term of service expired.

On the previous day, the 13th, the Government made a requisition on the Governor of Maryland for the immediate services of two thousand militia for one hundred days. The Governor immediately issued a call for that number to relieve the regular troops on duty in that State. At the same time the Governor of Kentucky issued the following call for troops :

FRANKFORT, KY., May 13, 1864.

Kentuckians ! to the rescue ! I want ten thousand six months' troops at once. Do not hesitate to come. I will lead you. Let us help to finish this war and save our Government.

THOMAS E. BRAMLETTE,

Governor of Kentucky.

The number of troops in the Army of the Potomac, when it crossed the Rapidan, has been variously stated at 120,000 and 150,000. The army consisted of four corps, each of which, with full ranks, would have numbered about forty thousand men. The ranks, however, were not full. No official statement of the numbers has been made. But there were various coöperating movements in which large forces were engaged. Gen. Butler moved up the Peninsula with a force between forty and fifty thousand strong, to cut the southern communications with Richmond. Another force, about fifteen thousand strong, moved up the Shenandoah Valley, under Gen. Sigel, and from Western Virginia under other commanders, for the purpose of cutting the railroads running from the west and southwest to Richmond. It evidently must have been the opinion of Gen. Grant that the army of Gen. Meade would have been sufficient to cope with the forces of Gen. Lee. But, to secure ample provision for that object, the corps of Gen. Burnside was added as a reserve against all contingencies. After the first day's encounter, it was found necessary to order up this reserve in haste, and in the subsequent battles every brigade was fully employed as a part of the ordinary force. The subsequent and immense reënforcement required by Gen. Grant, after the battles at Spottsylvania Court House, served to show the unexpected great strength of the enemy in the field.

Several coöperating movements were in progress during the advance thus far of Gen. Grant. On Monday the 9th of May, the cavalry force connected with Gen. Grant's army commenced an advance to cut the communications between Gen. Lee's army and Richmond. At daylight the march began, with Gen. Merritt's 1st division in advance, Gen. Wilson's 3d division in the centre, and Gen. Gregg's 2d division in the rear. The movement was first toward Fredericksburg. At a distance of three miles from that city the column turned to the right and passed round the right flank of the enemy to the south of Spottsylvania Court House, on the road to Childsburgh, at which place a halt was made. Moving thence on the same road south-

erly and westerly, they forded the North Anna River at Anderson's bridge, two miles below Beaver Dam, about dusk. Gen. Custer's brigade took possession of the railroad station and captured a train of cars having on board three hundred and seventy-eight Union wounded and prisoners on their way to Richmond. These prisoners had been captured by the enemy during the late operations. The trains of cars, with the depot of supplies, were quickly set on fire, and two locomotives, three long trains, and a large quantity of bacon, meal, flour, and other supplies for Gen. Lee's army, were destroyed. The ties and bridges were burned, and the rails twisted so as to become useless. Meantime the enemy came up and attacked the flank and rear of the column, and captured many prisoners of the 6th Ohio. At night the column bivouacked on both sides of the North Anna.

Early on the next morning the enemy began to shell the camp, and the column moved south, the advance being annoyed by the enemy as it proceeded. The South Anna was crossed at Ground Squirrel bridge, and the bridge destroyed. The bivouac at night was near Goodall's, but the sharpshooters of the enemy caused some annoyance. Early on the next morning, the 11th, the 1st brigade of the 2d division under Gen. Davies was sent seven miles east to Ashland, on the Richmond and Fredericksburg Railroad. There the depot was burned and a considerable quantity of stores destroyed; also six miles of railroad, three culverts, two trestle bridges, several Government buildings, a locomotive, and three trains of cars. On the return the force was fired upon from the houses, and about thirty men were left in the enemy's hands. In the mean time the column had advanced and destroyed the track on the same road at Glen Allen station. The nearer it approached Richmond, the more opposition was made to its progress. At Yellow Tavern the cavalry of the enemy, concentrated under Gen. Stuart, made an attack on the advance under Gen. Devens. A sharp contest ensued, during which the brigades of Gens. Custer, and Gill, and Wilson came to his support, and the enemy were driven toward Ashland. Advancing still further toward Richmond, the picket defences were entered, and in a charge by Gen. Custer's brigade a hundred prisoners and a section of artillery were captured. In the conflict Gen. J. E. B. Stuart and Col. Pate, of the enemy, were fatally wounded. On the next morning the column turned toward Meadow Bridge, on the Chickahominy. It had been destroyed, but was rebuilt under a galling fire from the enemy, and crossed. The column next reached Mechanicsville and Coal Harbor, and encamped toward night at Gaines's Mill. On the next day the march was pursued by the way of Bottom bridge to Turkey Bend, where supplies were obtained from Gen. Butler.

Two movements were made by the forces in the Shenandoah valley and Western Virginia, which were designed to act against Lynchburg.

The first, in May, miscarried, and the plan was afterwards altered. It was determined to carry it into effect in June. According to the original plan, at the time when Gen. Grant crossed the Rapidan, May 4th, Gen. Sigel was in motion upon Staunton, Gen. Crook upon Dublin depot, and Gen. Averill upon Wytheville, with the design, after destroying that town and the lead mines, to unite with Gen. Crook at Dublin depot, for a march toward Lynchburg in connection with Gen. Sigel. A movement by the Big Sandy, under Gen. Burbridge, upon Abingdon, and to prevent the advance of the enemy from the southwest, was not ready. The enemy, upon the advance of Gen. Sigel, ordered Gen. Breckinridge to move in haste further east, with all the troops he could collect, to oppose him, thus leaving Gens. Jenkins and McCausland, with a scattered force of fifteen hundred men, to resist Gen. Crook. Further to the southwest, on the line of the Lynchburg and Tennessee Railroad, the enemy happened to have a larger force than anywhere else on that route. Gen. W. E. Jones, in command, at once despatched Gen. Morgan further east. By making a forced march from Saltville, he arrived at Wytheville in advance of Gen. Averill. The latter, with a cavalry force of two thousand men, left camp at Charleston, Va., on May 1st, with three days' rations and two days' forage, and moved day and night over mountain paths until the evening of the 8th, when a cavalry force of the enemy was encountered near Jeffersonville, Va. This force was repelled, and a detour made by way of Princeton. On the 9th Gen. Averill left Tazewell Court House for Wytheville, in order to cut the railroad thirty miles lower down than it was to be cut by Gen. Crook. Cove Mountain Gap, near Wytheville, was reached on the 10th, and the enemy found to be in possession of the latter place. A conflict ensued, which, it is asserted by the enemy, resulted in the defeat of Gen. Averill, with a heavy loss in killed, wounded, prisoners, and horses, and prevented his reaching Dublin station and forming a junction with Gen. Crook before the latter had retired from that place. The following is Gen. Averill's address to his command, made some days later:

HEADQUARTERS CAVALRY DEPARTMENT, }
WEST VIRGINIA, Monday, May 23, 1864. }

General Order No. 5:

The Brigadier-General commanding Cavalry Division, desires to express his sincere thanks to the officers and men of the division, for the uncomplaining fortitude with which they have endured the terrible vicissitudes incident to their recent march of three hundred and fifty miles, over mountains without roads, and the unwavering courage with which they attacked and held a superior force of the enemy near Wytheville, on the 10th, thereby enabling another command to accomplish its purposes without the opposition of overwhelming numbers. Your country will remember your heroism with gratitude; and the noble sacrifices and sufferings of our fallen comrades will be cherished forever in our memories. The 14th Pennsylvania and 1st Virginia cavalry first received the shock of battle, while the 2d and 3d Vir-

ginia cavalry and 34th Ohio infantry established a line which the enemy had reason to respect and remember. Great credit is due to the brigade commanders, Brig.-Gen. Duffie and Col. Schoonmaker, for the energy and skill they displayed. While the conduct of all was admirable and deserving the praise of the Brigadier-General commanding, he desires, without making invidious distinction, to express his high appreciation of the steady and skilful evolutions of the 2d Virginia cavalry, under Col. Powell, upon the field of battle. It was a dress parade, which continued without disorder, under a heavy fire, during four hours.

The purposes of the enemy were foiled by the engagement. The railroad was reached and destroyed, New River crossed, and the baffled columns of the enemy arrived in time to witness the destruction which all the energies of their superior force, even with artillery, failed to prevent.

(Signed)

W. W. AVERILL,

Brigadier-General Commanding.

WILL RUMSEY, A. A. G.

Gen. Crook moved from Charleston, Va., at the same time with Gen. Averill. His object was to strike the Virginia and Tennessee Railroad at Dublin Station. His force consisted of the 23d, 34th, and 36th Ohio, forming the first brigade; the 12th, 91st Ohio, 9th and 14th Virginia, forming the second brigade; the 3d and 4th Pennsylvania Reserves, 11th and 15th Virginia, forming the 3d brigade. He proceeded without opposition nearly to Princeton, where two companies of the enemy, one of cavalry and one of infantry, were encountered and driven off. Near the southwestern base of Lloyd's Mountain, about four miles from Dublin depot, a more considerable force of the enemy was found. These were under the command of Gen. Jenkins. When he was killed, Gen. McCausland took the command.

After some skirmishing and manœuvring for a position, the enemy were attacked in front and flank and driven through Dublin to New River bridge. The Union loss was one hundred and twenty-six killed and five hundred and eighty-five wounded; and that of the enemy was severe, but unknown. On the next day an attack was made on the enemy's position near the bridge, and it was destroyed. The expedition proceeded as far as Newberne, on the Virginia and Tennessee Railroad, ninety-nine miles from Bristol, destroying the railroad for some distance. The resistance of the enemy, with the approach of a strong force under Gen. Morgan, caused Gen. Crook to abandon the design of the expedition against Lynchburg and withdraw to Meadow Bluff, in Greenbrier County.

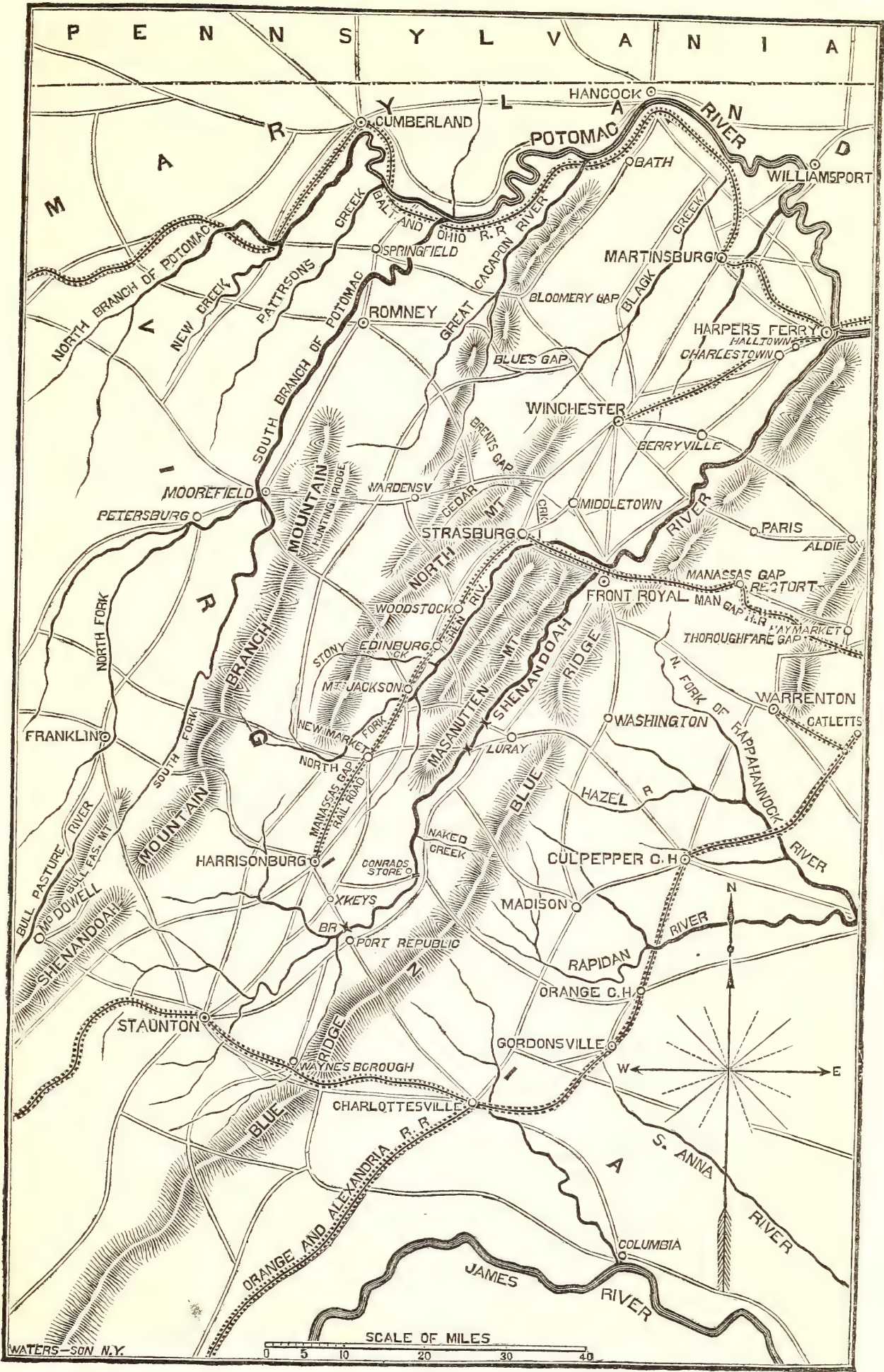
The force in the Shenandoah valley, numbering about fifteen thousand men, was placed under the command of Gen. Sigel. He advanced to the vicinity of New Market, about fifty miles from Winchester, on the west side of the Massanuttan range of mountains, and nearly midway between Mount Jackson and Harrisonburg. His command was designed to cooperate with Gen. Grant, as before mentioned, up the Shenandoah valley, and occupy Gordonsville and Lynchburg, and thus destroy the western com-

munication of Gen. Lee's army, and aid to isolate Richmond.

On the 13th of May Gen. Sigel's advance encountered the advance of Gen. Breckinridge. Some skirmishing ensued, which was renewed on the next day, and also on Sunday. Gen. Sigel, however, continued to advance, and brought a part of his forces into position, one division still being in the rear. About 3 p. m. the enemy moved to attack. A hot contest ensued, which resulted in the defeat of Gen. Sigel, with a loss of a thousand stand of small arms, six pieces of artillery, and seven hundred men. The loss of the enemy was also large. Gen. Sigel fell back in disorder, abandoning his hospitals, and destroying a portion of his train, and retreated to Cedar Creek, near Strasburg. The enemy failed to pursue in force. These results to Gens. Averill, Crook, and Sigel, caused a suspension of that part of the plan of Gen. Grant which consisted in destroying the Virginia and Tennessee Railroad, and the occupation of Lynchburg.

The next important movement in cooperation with Gen. Grant, was made on the southeast side of Richmond, from Fortress Monroe up the James River. The 18th corps, under Maj.-Gen. M. F. Smith, and the 10th corps, under Maj.-Gen. Q. A. Gilmore, composed the military force of the movement, under the command of Maj.-Gen. B. F. Butler. These forces were concentrated at Yorktown and Gloucester as if designed for a movement up the York River. At the same time a brigade under Col. S. F. Alford, 3d New York, landed at West Point, up the York River, and commenced building the wharves, &c. On the 4th of May orders to move were issued, and the troops embarked on board the transports. After dark on the 5th, the vessels began to move down the York River, and up the James River, preceded by three army gunboats under command of Brig.-Gen. Graham; by the double-enders Eutaw, Mackinaw, and Osceola; four monitors, the Tecumseh, Canonicus, Saugus, Onondaga, and the iron-clad Atlanta, and by the smaller gunboats Commodore Morris, Hunchback, Commodore Jones, Dawn, Delaware, Putnam, and Sheshonee.

As the fleet proceeded up the James River, a regiment of negro troops, under Gen. Wild, were landed at Wilson's Wharf, on the north bank, below Charles City Court House. This was done for the purpose of preventing the interruption of water communication. At Fort Powhatan Landing, a little above on the south bank of the river, two regiments of the same brigade were landed for the same object. At City Point, the division of Gen. Hinks, with some other troops, and a battery were landed. At this place the flag of truce boat was lying up on the previous day for exchange. The remainder of the force proceeded up the river, and landed on the south bank at Bermuda Hundred, which is three or four miles above



the mouth of the Appomattox River. Immediately upon landing, the troops intrenched themselves, with the gunboats covering their flank on the water. On the same day, Gen. Butler sent the following despatch relative to his proceedings to Gen. Grant:

OFF CITY POINT, VA., May 5, 1864.

Lieutenant-General Grant, Commanding Armies of the United States, Washington, D. C.:

We have seized Wilson's Wharf Landing. A brigade of Wild's colored troops are there. At Fort Powhatan Landing two regiments of the same brigade have landed. At City Point Hinks' division, with the remaining troops and battery, have landed. The remainder of both the 18th and 10th army corps are being landed at Bermuda Hundred, above the Appomattox.

No opposition experienced thus far. The movement was apparently a complete surprise. Both army corps left Yorktown during last night. The Monitors are all over the bar at Harrison's Landing and above City Point. The operations of the fleet have been conducted to-day with energy and success. Gens. Smith and Gilmore are pushing the landing of the men. Gen. Graham, with the army gunboats, led the advance during the night, capturing the signal station of the rebels.

Col. West, with eighteen hundred cavalry, made several demonstrations from Williamsburg yesterday morning. Gen. Kautz left Suffolk this morning, with his cavalry, for the service indicated during the conference with the Lieutenant-General.

The New York, flag of truce boat, was found lying at the wharf, with four hundred prisoners, whom she had not time to deliver. She went up yesterday morning.

We are landing troops during the night—a hazardous service in the face of the enemy.

BENJ. F. BUTLER, Maj.-Gen. Commanding.

A. F. PUFFER, Captain and A. D. C.

Gen. Kautz, above mentioned, left Suffolk on the 5th, and forcing a passage over the Black Water, advanced to Stony Creek, on the Weldon and Petersburg Railroad, and burned the bridge over that stream. A part of the force of Gen. Beauregard moving from Charleston to Richmond, had previously crossed over, and contested the further progress of Gen. Kautz, who then moved through Surry and Prince George counties to City Point, which he reached on the 8th.

On the 5th, also, Col. West, with two regiments of cavalry—the 1st and 2d colored—made a demonstration on Williamsburg, above Yorktown, on the Peninsula. He advanced to the Pamunkey River, stopping at the White House, and returned to Williamsburg on the next night. On the 7th he advanced over nearly the same ground again, but met with more opposition, than on his previous expedition. Subsequently his force was embarked on transports, and landed at Bermuda Hundred.

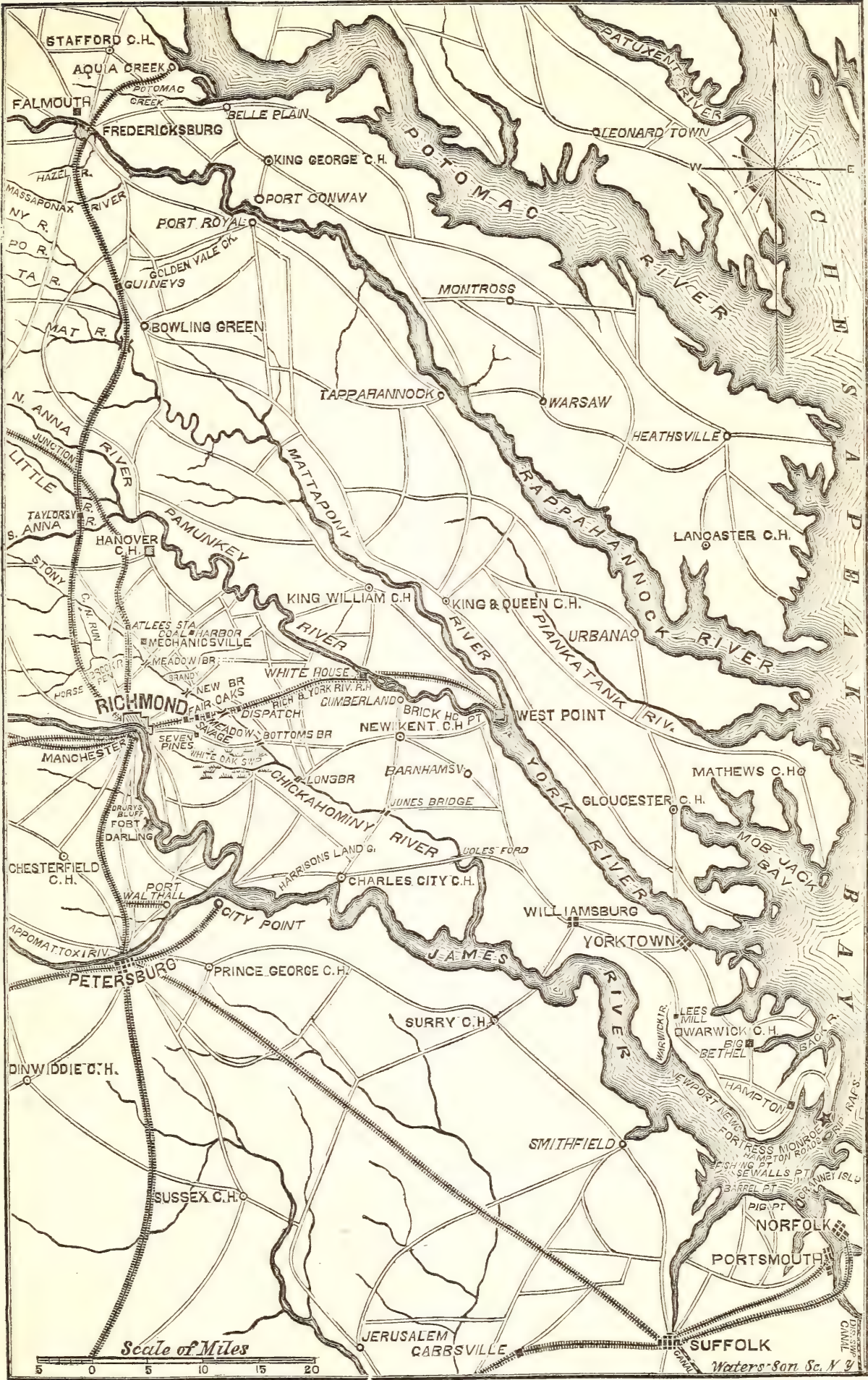
On the 6th, Gen. Butler caused reconnoissances to be made of the position of the enemy. On the 7th, an expedition consisting of five brigades under Brig.-Gen. Brooks was sent forward for the purpose of cutting the Petersburg and Richmond Railroad. When within two miles of the railroad, the cavalry advance came on the enemy in a strong position, from which they opened fire upon the mounted rifles.

The cavalry fell back to the infantry line, which deployed as skirmishers, and slowly advanced with a strong support in line of battle. The enemy were now steadily driven, with some loss to both sides, back to their main line in front of the railroad. Here a sharp contest took place, during which some of the railroad was torn up, and a railroad bridge, crossing one of the tributaries of the Appomattox, was set on fire and totally consumed. The increase of the force of the enemy finally compelled Gen. Brooks to retire, leaving some of his dead and wounded on the field, and with an estimated loss of two hundred and fifty.

At the same time when Gen. Brooks' main column started, a brigade under Gen. Heckman, with Belger's Rhode Island battery, moved out on another road, and meeting a force of the enemy, drove them back on the railroad, but were unable to penetrate far.

The Petersburg and Weldon Railroad was supposed to be an important route by which supplies were brought to Richmond. For the purpose of disabling this line more effectually, another advance was made on the 9th.

Three divisions from the 10th corps, under Gens. Terry, Ames, and Turner, and two from the 18th, under Gens. Weitzel and Wistar, moved from camp at daylight, and reached the railroad at four points without opposition. Gen. Terry's division occupied Chester station, about fourteen miles from Richmond, and destroyed the track. Gen. Turner moved on his left toward Petersburg, until he came up with Gen. Ames' division, each destroying the road. Four miles was thus finished before noon, and the column began to move toward Petersburg, the division of Gen. Weitzel leading the advance. The enemy were met near Swift Creek. A desultory skirmish began, which was continued until the line of battle was formed and pushed forward. The fire on both sides then increased, and artillery was brought into action. Gen. Ames' division formed on the left, then Gens. Weitzel's, Turner, and Terry in the order named. The enemy were steadily driven back, with considerable loss on both sides. At night the enemy had fallen back to their batteries across the creek, and the skirmishers confronted each other on opposite sides. During the night the enemy formed in a column, and advanced about one o'clock, either to test the strength of the pickets, and to determine if the force had been withdrawn, or to capture a battery. The pickets on their approach fell back to the main line; and as they came well up, a destructive fire of musketry was opened upon them. Three charges were thus made in the dark, and repulsed, when the enemy withdrew, leaving sixty dead on the field. In the morning they made an attack upon the right flank, for the purpose of turning it, but without success. In the afternoon a similar attack was made on the left, which was repulsed with some loss on both sides. At night the forces had returned to their original



position. The 11th was a day of quiet and rest to the army save that portion engaged in strengthening the intrenchments.

On Thursday, the 12th, a heavy force from both corps was sent out, under Gens. Gilmore and Smith, and at the same time an expedition of cavalry, under Gen. Kautz, for the purpose of cutting the railroad communication between Richmond and Danville. Leaving a sufficient force under Gen. Ames to watch the enemy at Petersburg, Gen. Gilmore advanced on the left up the railroad toward Chester station and Richmond. Gen. Smith, with the 18th corps and a division of the 10th, advanced in the same direction on the right, up the turnpike between the railroad and the James River. A little above Werbottom church the skirmishers in advance met the enemy and drove them back a mile or more. They then made a determined stand in a strong position, and a sharp engagement ensued. Finally the enemy retired slowly to a new position, where they again made a stand, and were again driven from it. The skirmishing continued until dark, when the command of Gen. Smith had advanced to Proctor's Creek, within about three miles of Fort Darling, and within sight of that work. The weather during the day was hot and sultry, and a number of cases of sunstroke occurred.

Meanwhile Gen. Gilmore moved from his position to Chester Junction, and thence up the railroad toward Richmond, reaching Chesterfield Court House, on the enemy's right, without any real opposition. Continuing his advance, and diverging still further to the right, he reached a formidable earthwork, stretching from west of the railroad across to the James River, which was strongly constructed, and well supplied with embrasures for artillery. This proved to be the outer line of defence about Fort Darling. The movement of Gen. Smith had caused the enemy to concentrate in his front, so that no heavy force appeared before Gen. Gilmore. Throwing forward the 24th Massachusetts and 10th Connecticut as skirmishers, with some sharpshooters and a battery or two in position to annoy the enemy and occupy his attention, Gen. Gilmore sent the brigade of Col. Hawley through the woods on the right, which surprised the enemy and entered the right flank of the work in the rear. The enemy made a sharp resistance, but were driven to the rear by the brigade of Col. White advancing and occupying the line. Finding their position turned by this movement, the enemy on the next morning—Saturday, the 14th—under cover of a vigorous demonstration, abandoned the whole line, and withdrew to the second, a stronger line of works, about three-fourths of a mile distant.

A despatch of Gen. Butler on the morning of the 14th says:

We are still before the base of the enemy's works at Drury's Bluff, Fort Darling. The enemy are here in force.

Gen. Gilmore, by a flank movement with a portion of his corps and a brigade of the 18th corps, assaulted and took the enemy's works on their right. It was gallantly done. The troops behaved finely. We held our lines during the night, and shall move this morning.

Two hours later he added :

Gen. Smith carried the enemy's first line on the right this morning at 8 A. M. Loss small. The enemy have retired into three square redoubts, upon which we are now bringing our artillery to bear with effect.

The redoubts into which the enemy had retired commanded the outer line of their defences, and it was necessary that Gen. Butler should obtain possession of these to enable him to secure his position. His artillery was therefore brought to bear upon them, and with the aid of the sharpshooters the enemy's guns were silenced. About 9 P. M. the enemy attempted to advance on Gen. Butler's line near the Petersburg turnpike, but after a short engagement they withdrew within their work. On the next day, at noon, they again advanced, and attacked Gen. Heckman's brigade; a contest with musketry ensued, which continued for four hours, when they withdrew within their works. On the next morning, Monday, May 16th, under cover of a thick fog, the enemy made an attack on the line of Gen. Butler. The attack was made on the right, with cavalry, artillery, and infantry. The extreme right next the James River was held by Gen. Heckman's brigade. Next the river were two squadrons of colored cavalry, then came the 9th New Jersey infantry, then the 23d Massachusetts, then the 25th and 27th Massachusetts, all of Heckman's brigade, of Weitzel's division, of Gen. Smith's corps. Gen. Gilmore's corps held the left and left centre. The line of battle was the fortifications, except on the extreme right, where they did not extend down to the river. Prominent among the batteries on the right was battery E of the 3d New York artillery, of twenty-pounder Parrotts, and the 1st Rhode Island battery. On the right, in reserve, Col. Drake's brigade of the 10th corps was temporarily posted. A narrow belt of timber screened the reserves from the view of the enemy on the right. The advance of the enemy reached the rear of the 9th New Jersey before the attack was made. Gen. Heckman finding he could not hold his position, began to fall back. The enemy, however, charged upon him in overwhelming numbers, and his force was broken and driven from the field, and he was made a prisoner. At the same time a force of the enemy moved down the turnpike, and attempted to surprise Ashby's battery of twenty-pounder Parrott's. Most of the guns were saved, but the loss was heavy in men. The Rhode Island battery also lost one gun. Having forced back the right, a heavy attack was made on the entire line of the 18th corps, with feints along the line of the 10th corps; and the entire right was forced back some distance after several hours of severe and sanguinary conflict. The loss was severe

on both sides in killed and wounded, and some prisoners were taken. After thus gaining a portion of their first line of intrenchments, the enemy massed their forces on the 10th corps to drive it back. Repeated charges were made, which were desperately resisted and driven back at all points. Finally, ceasing their efforts to force the position of the 10th corps, and leaving their dead and wounded on the field before its line, the enemy again massed on Gen. Smith's front and attacked his left. Gen. Gilmore immediately ordered Gen. Turner to attack the enemy on their flank, and also ordered Gen. Terry to support him. Gen. Turner's attack had hardly commenced, before Gen. Gilmore was ordered by Gen. Butler to retire and strengthen Gen. Smith's corps by forming in his rear. The troops fell back slowly and in order, repulsing every attempt of the enemy to quicken their movements, until they ceased to follow up and fell back to their first line of intrenchments. At half-past two o'clock the fighting, which had been going on with more or less violence along the whole line, ceased, and preparations were made by Gen. Butler to draw off his forces from the field and return to his intrenchments. The artillery was sent to the rear, except a section to cover the rear guard. The ambulances, loaded with wounded, and the supply trains, were despatched to the rear, and finally the entire army fell back. The enemy did not pursue. During the action of the morning, a brigade of the enemy attacked the force guarding the extreme left on the roads from Petersburg under Col. Dobbs, and after a sharp struggle drove him back toward Gen. Butler's intrenchments, but finally gave up the pursuit. The loss of Gen. Butler was estimated at twenty-five hundred. That of the enemy was severe, but the amount unknown.

The despatch relative to the above operations was as follows:

WAR DEPARTMENT, WASHINGTON, May 17, 9 P. M.

Major-General Dix:

Despatches from Gen. Butler, just received, report the success of his expedition under Gen. Kautz, to cut the Danville road and destroy the iron bridge across the Appomattox.

On Monday morning the enemy in force, under cover of a thick fog, made an attack upon Smith's line, and forced it back in some confusion and with considerable loss. But as soon as the fog lifted, Gen. Smith reestablished his lines, and the enemy was driven back to his original lines.

At the same time the enemy made an attack from Petersburg on Gen. Butler's forces guarding the rear, but were handsomely repulsed.

The troops having been on incessant duty for five days, three of which were in a rain storm, Gen. Butler retired leisurely within his own lines. We hold the railroad between Petersburg and Richmond.

Persons state that Bragg and Davis were present on the field.

EDWIN M. STANTON,

Secretary of War.

The cavalry expedition under Gen. Kautz returned on the 17th. On the night of the day on which he started, Gen. Kautz reached Midlothian coal-pits, where he remained an

hour. No injury was done to public property here, but a considerable amount of private property was destroyed. Thence he proceeded to Coalfield station, where he arrived between 10 and 11 o'clock. The depot building and water-tank here were destroyed, the telegraph wire torn down, and some hundred feet of the railroad track ripped up. Thence he advanced at daylight upon Powhatan station, which was reached at 8 A. M. The railroad was torn up, and the depot and water-tank destroyed. An advance was next made to destroy the iron bridge at Mattaox station. This was found to be too strongly guarded by the enemy, and the column turned to the right and reached Goode's bridge about 4 P. M. This bridge had been partly destroyed, but was repaired by Gen. Kautz, who pushed on and reached Chula station at 10 P. M. The enemy sent a locomotive from Mattaox to reconnoitre, which was captured and destroyed. On the morning of the 14th the column faced about and recrossed Goode's bridge, approaching Mattaox. Here a fight took place with the enemy, who were in a strong position, and after a loss of about thirty Gen. Kautz retired. The column now moved to the south, and crossed the Appomattox at Devil's bridge, which they were compelled to rebuild, reaching Finney Mill at 12 M. Here the 5th Pennsylvania, under command of Maj. Kleinz, was sent to the left near to Mansboro', on the road to Petersburg, to convey the impression that Gen. Kautz was about to move on that point. The march was then resumed, and, arriving within six miles of the Petersburg and Lynchburg road, Gen. Spear was sent with his brigade to destroy the road at Wilson's station, while the main column moved on to Wellville, where they arrived at about 4 P. M. After waiting patiently until 5 P. M. for a train that was due at that hour from Petersburg, but which did not come, Gen. Spear destroyed the railroad property at Wilson's, and, moving up the road, rejoined Gen. Kautz at Wellville, just as the latter had finished tearing up the track and burning the depot.

The column arrived at Black's and White's at 10 P. M., and found large supplies of forage and rations. These were dealt out with a liberal hand to the exhausted men and horses; and the track and other railroad and government property having been destroyed, the force moved a few miles further on, and bivouacked at 2 A. M.

On the 15th, at 7 A. M., the column set out for Lawrenceville, and after a long march, passing through Jonesborough and Edmonds, arrived at that place at dusk. A large amount of property was destroyed here, and large quantities of corn and bacon distributed to the men. At daylight the march was resumed with the intention of striking the Petersburg road at Hickford. Finding a strong force of the enemy at Stony Point ready to receive him, Gen. Kautz turned directly north. After marching eight or ten miles, the advance came to a stand in the centre of an immense pine forest,

at a loss how to proceed. The road to the right was followed, and Jarrett's station reached at 5 P. M. The track of the railroad was again torn up, and the troops marched to Freeman's bridge, arriving about midnight. Thence they moved to Belcher's Mills, Heart's station, and City Point.

The naval part of the forces had been chiefly employed in keeping the river open to navigation, and in removing the obstruction and torpedoes. In order to remove torpedoes, the shore near where they were placed was first shelled by the gunboats, to drive away any body of the enemy. A boat with a complement of men was then sent ashore to do the work. At the first place of landing, opposite Turkey Bend, they captured one large torpedo. The next landing was made under the bluff above which stands the mansion of Gen. Pickett, where they captured six more of the same size, making seven in all. There was great difficulty in cutting the strings of the torpedoes, as they led up the bluff, where the person exploding them is generally stationed. Great coolness and discretion had to be used in handling them. The officers waded up to their armpits in the water to get at them, which was very dangerous, as they knew not but that at any moment the string might be pulled from above and the torpedo exploded. All they had to depend upon to prevent this was the boat's crew, stationed on the bluff as sharpshooters. Each of the torpedoes contained about seventy-five pounds of powder. They were taken out of the stream, and, after considerable difficulty, successfully emptied of their contents.

On the 6th one of the smaller gunboats, *Com. Jones*, was destroyed by a torpedo. About fifty of the crew were killed and wounded. This was an instance of the most complete destruction by a submarine battery to which any vessel has been subjected, her annihilation being utter and instantaneous. The torpedo was fired amidships and directly under her, upraising the centre of the ship, which burst asunder as the explosion rent the air; and then, amid a cloud of smoke and steam, the body of her hull and upper works, rent into a thousand pieces, and, worst of all, numbers of her unfortunate crew, were propelled into the air, and fell like a shower of missiles from the crater of a volcano. When the smoke drifted from the scene the sunken framework and ribs of the destroyed vessel were all that remained, except innumerable splintered relics of the wreck, which covered the waters around the fatal spot. Two other boats, the *Sheshonee* and the *Brewster*, were destroyed by an explosion, not, however, of a torpedo.

The forces of Gen. Butler reached their intrenchments on Monday night, the 16th. On the next day scouts reported that two heavy columns of the enemy, with large trains, were passing down the turnpike to Petersburg. It was supposed that the trains were either carrying supplies for the moving column, or were

sent to Petersburg to be loaded with supplies for Gen. Lee's army, or the forces at Richmond. The capture or destruction of any portion of them, therefore, appeared to be desirable. Accordingly, about 9 P. M. Gen. Foster, chief of Gen. Gilmore's staff, with a body of cavalry and infantry, moved quietly out to the picket lines, and a few hundred yards beyond. There he stationed pickets on different roads to guard against an attempt to cut him off, and began to move up the road leading to the turnpike. In a moment or two he encountered the pickets of the enemy, and attempting to capture them received a heavy fire from the pickets and a force of the enemy behind them. Finding they were in too great force he made an attack on another portion of the line, but with the same result. He then returned to camp. This existence of the enemy in so large a force in his front caused Gen. Butler to make extraordinary exertions to complete other works on his defences. On the river he was covered by the gunboats under Rear-Admiral S. P. Lee.

At daylight on the 18th the enemy appeared and drove back the picket line within a few hundred yards of the breastworks. But their advance was checked after a heavy skirmish. They then commenced throwing up works directly in front of Gen. Butler's lines, either for the purpose of laying siege to his position, or to prevent him from reaching again the railroad to destroy it. On Thursday, the 19th, they put two or three light batteries in position and commenced vigorously shelling the lines. No assault was made, and their guns finally became silent during the remainder of the day. At midnight, however, they advanced in force on the pickets along nearly the entire line. The sharp fire of the pickets retarded their advance, but they crowded forward and the reserves were ordered up by Gen. Butler. A sharp fight ensued which lasted nearly an hour, when the enemy retired with considerable loss. At daylight on the 20th they began to shell the lines and camps, and to push the pickets strongly. The pickets of Gen. Ames were driven back from the rifle-pits thrown up on the picket line, and Gen. Terry's line was forced back under a heavy fire. The position thus obtained by the enemy was too important to be given up. A brigade, under Col. Howell, was therefore sent to retake the rifle-pits and establish a firm line there. This was accomplished after heavy fighting, with considerable loss on both sides. The attack was renewed again on the next day, but no advantage was gained by the enemy. Meantime the work on the fortifications of Gen. Butler was continued night and day, and all cover for the enemy's sharpshooters cleared away. Thus the failure of the expedition on the west to destroy the Virginia and Tennessee Railroad, and occupy Lynchburg, and the failure of Gen. Butler to capture and occupy Petersburg, enabled the enemy to concentrate against Gen. Grant. The forces of Gen. Breckinridge were immediately

added to the army of Gen. Lee, and Richmond was held by the troops of Gen. Beauregard, which had opposed Gen. Butler. Gen. Grant, on the other hand, proceeded to organize new expeditions against Lynchburg, putting Gen. Hunter in the place of Gen. Sigel, and pressed forward himself to capture Petersburg.

The army of Gen. Grant had remained inactive during the 16th, 17th, and 18th, before Spottsylvania. On the afternoon of the 18th the enemy in force made an effort to turn the right of Gen. Grant's line. It was held by some regiments of heavy artillery, acting as infantry, comprising the 1st Massachusetts, 15th, 2d, 6th, and a battalion of the 4th New York, all under Col. Kitchings, who fell back across an open field under cover of some woods. Repeated attempts were made by the enemy to drive them further, but without success. Subsequently a charge was made, driving the enemy back across the open field, which was held. Night put an end to the conflict. The loss of Col. Kitchings was about eleven hundred men. About four hundred of the enemy were made prisoners. On the next day Gen. Meade issued the following special order :

HEADQUARTERS, ARMY OF THE POTOMAC, May 20.

The Major-General Commanding desires to express his satisfaction with the good conduct of Tyler's division and Kitchings' brigade of heavy artillery in the affair of yesterday evening. The gallant manner in which these commands, the greater portion being for the first time under fire, met and checked the persistent attack of a corps of the enemy, led by one of his ablest generals, justifies the Commanding General in this special commendation of troops who henceforward will be relied upon, as were the tried veterans of the Second and Fifth corps, at the same time engaged.

By command of Major-General MEADE.
S. WILLIAMS, A. A. G.

The following is the despatch of the War Department:—

WAR DEPARTMENT, WASHINGTON, }
May 20—6:30 P. M. }

Major-General Dix :

This afternoon we have despatches dated at half-past eight this morning, from General Grant.

Last evening an effort was made by Ewell's corps to turn our right. They were promptly repulsed by Birney's and Tyler's divisions, and some of Warren's troops that were on the extreme right. About three hundred prisoners fell into our hands, besides many killed and wounded. Our loss foots up a little over six hundred wounded and one hundred and fifty killed and missing.

General Grant says that probably our killed and missing are over estimated.

Over twenty-five thousand veteran reinforcements have been forwarded to General Grant. The condition of the army and his contemplated operations are entirely satisfactory. The army is abundantly supplied.

Major-General Hunter has been placed in command of the Department of West Virginia, including the Shenandoah valley.

On the night of the 20th the troops were moving all night to new positions; and on the next morning the general headquarters were broken up, and nearly the whole army was in motion. At 12 o'clock P. M. of the 20th the cavalry left their camp in the woods near

Massaponax Church, and advanced toward Guineas' station, on the Richmond and Fredericksburg Railroad. The pickets of the enemy, firing only a few shots, withdrew before the advance until they reached Guineas' bridge on the river Ny, a short distance from the station. Here an inclination to make a stand and oppose the advance was shown. They were, however, soon driven from the bridge. At Downer's bridge another stand was made, and the position held for some time. At Bowling Green the enemy made no stand, but assembled at Milford station in considerable force. On an eminence a little to the left of the station the enemy had mounted a battery, and thrown up some rifle-pits. A battery accompanying the cavalry was put into position, and occupied the enemy whilst a flank movement to the left was made. This was executed with success, and the enemy made a hasty retreat across the Mattapony. Six officers and sixty-six soldiers were surprised and captured. Milford station had been, until the previous day, the base for supplies to the army under Gen. Lee. But obtaining information of the contemplated movement, the enemy had removed their stores before the arrival of the cavalry.

Soon after midnight on the night of the 20th the 2d corps moved from its position on the Ny, near Spottsylvania Court House, and followed the road thus opened by the cavalry. Nothing unusual occurred during the march to Bowling Green. The corps then crossed the Mattapony at Milford bridge, and about a mile from the river Gen. Hancock halted his column and formed a line of battle in a commanding position on the crest of a range of hills. The enemy's cavalry followed close in the rear during the march and picked up the stragglers.

At six o'clock on the morning of the 21st the 5th corps, under Gen. Warren, left the position occupied by them and pushed on in the rear of Gen. Hancock. As the column approached the bridge across the Mattapony at 4 P. M., it was delayed by a detachment of the enemy's cavalry posted in the woods that skirt the river on both sides of the road. They were soon driven out with a slight loss. During the day the whole army was in motion. The weather had become fine and the roads well settled. On Sunday, the 22d, the following despatch was sent from the War Department :

WAR DEPARTMENT, WASHINGTON, May 23—10 P. M.

To Major-General Dix :

On Friday evening General Grant commenced a movement for the purpose of compelling Lee to abandon his position at Spottsylvania. It has thus far progressed successfully.

Longstreet's corps started south at one o'clock Friday night, an hour and a half after Hancock moved. Ewell's corps followed Longstreet's last night.

The indications are that the rebel army has fallen back beyond the North Anna. Hoke's brigade has joined Lee.

The movement of General Grant has thus far been

accomplished without any severe engagement or serious interruption.

We now occupy Guineas' station, Milford station, and south of the Mattapony on that line. No despatches have been received to-day from General Butler.

Despatches from Kingston, Ga., state that General Sherman's forces are resting and replenishing their supplies.

EDWIN M. STANTON,
Secretary of War.

On the next morning the following additional despatch was sent from the Department:

WASHINGTON, May 23, 1864.

Major-General Dix:

We have no official reports since my last telegram from General Grant or General Butler.

Official reports of this Department show that within eight days after the great battle at Spottsylvania Court House many thousand veteran troops have been forwarded to General Grant.

The whole army has been amply supplied with full rations and subsistence.

Upwards of twenty thousand sick and wounded have been transported from the fields of battle to the Washington hospitals and placed under surgical care.

Over eight thousand prisoners have been transported from the field to prison depots, and large amounts of artillery and other implements of an active campaign brought away.

Several thousand fresh cavalry horses have been forwarded to the army, and the grand Army of the Potomac is now fully as strong in numbers, and better equipped, supplied, and furnished, than when the campaign opened.

Several thousand reinforcements have also been forwarded to other armies in the field, and ample supplies to all.

During the same time over thirty thousand volunteers for a hundred days have been mustered into the service, clothed, armed, equipped, and transported to their respective positions.

This statement is due to the chiefs of the army staff and bureaux, and their respective corps, to whom the credit belongs.

EDWIN M. STANTON, Secretary of War.

The 9th corps, under Gen. Burnside, began to move on the 21st. Early in the afternoon orders were given to leave the line of works thrown up in their front. The movement was covered by a sortie of Gen. Ledlie's brigade of Gen. Crittenden's division, who deployed in front in skirmish line with two regiments held in reserve. The enemy were driven some distance toward Spottsylvania Court House. Meanwhile the rest of the corps moved out of the works, and by night were far on the road. The march was kept up steadily until eleven o'clock, when a short halt was ordered.

Finding the enemy in force on the road proposed, the route was abandoned. The column retrograded a few miles on the Richmond and Fredericksburg telegraph road, and thence moved to the southeast. At 9 o'clock on the next morning a halt of an hour was made, and then the march was resumed, crossing the railroad near Guineas' station, and arriving at Bowling Green at 4 P. M. On the next morning the march was continued to Milford station.

The 6th corps moved after the 9th, and filed into the intrenchments as vacated by the 9th.

The sortie of Gen. Ledlie had rallied the enemy on their main line, and they advanced in considerable force upon the 6th corps, but were met with such a fire as caused them to retreat with severe loss. Subsequently it followed the route of the 5th corps. On the 22d the entire army was in a new position, facing westerly from Milford to Guineas' station.

On Monday forenoon, May 22d, the advance of the army reached the North Anna River. The 5th corps arrived, by the telegraph road, in the neighborhood of Jericho Mills. The 2d corps arrived in the afternoon, and took position on the left of the 5th, extending to the railroad. In front of the army there were three fords of the North Anna, known as Island, Jericho, and Chesterfield, or Taylor's Bridge fords. The latter is about a mile above the railroad crossing of the river, and the next, or Jericho ford, about four miles further up. The 2d corps arrived at Taylor's bridge about the time when the 5th arrived at Jericho. About a hundred rods in front of Taylor's bridge is a small stream called Long Creek, parallel with the North Anna, and forming a junction with it below the railroad, thus giving a peninsular form to the land between. The bridge across the North Anna was commanded at its entrance by a redan whose extremities were covered by the river, and its flanks swept by artillery in field-works on the opposite bank, as well as by infantry in rifle-pits. The peninsula formed a broad open space between the redan and the 2d corps drawn up in front. Gen. Barlow's division occupied the right of the railroad, Gen. Birney's was in front of the peninsula, and Gen. Gibbon's on the right, while the 5th corps was on the right on the Milford road, and about four miles up from the railroad. Skirmishing commenced in front of Gen. Birney, and his batteries opened upon the enemy at 4 P. M. His division was ordered to charge and carry the works, and, if possible, get possession of the bridge across the river. A brilliant charge was made without a halt until the enemy was driven across the bridge, and guns so placed as to command it. The loss was about five hundred on each side. No effort was made to cross that night, but the bridge was then held by a small command. About 11 P. M. the enemy made a sortie from his works and endeavored to retake the bridge, but after a spirited skirmish of about twenty minutes he was driven off. About midnight another attack was made with a much larger force. The enemy got possession of the bridge and held it for some time, and made several attempts to burn it, but were finally forced to retire. Early the next morning the 2d corps crossed the river.

About the time when the bridge was taken by the 2d corps, the 5th corps effected a crossing and took a position on the south bank, and threw up some breastworks. Soon after they were attacked by a heavy force of the enemy, which was repulsed after causing a loss of about five hundred. Their own loss was unknown.

This attack was renewed during the night. About dark Gen. Burnside's corps came up and took position between Gens. Hancock and Warren, and made preparations to cross, while the 6th corps took the right of the 5th. On the next day, the 24th, the army crossed the river, and considerable skirmishing took place along the whole line with a loss of about five hundred. During the day a portion of the cavalry force under Gen. Sheridan reached the army, returning from James River. On the 25th, contrary to general expectation, the enemy were found strongly posted in force within two miles of Gen. Grant's lines. They lay in the form of a triangle, with the apex reaching nearly to the North Anna River, between the points where Gens. Warren and Hancock crossed with their corps. Their ground was found to be admirably chosen and extensively fortified. The formation of their line gave them every facility for a quick movement of troops from one flank to the other. A successful assault would have involved immense slaughter. As the apex of the enemy's position stretched toward the North Anna, his right wing resting on a formidable marsh and extending across the railroad, protected it and covered the junction. His left wing ran along Little River. New movements were therefore made by Gen. Grant. His plan was to recross the North Anna and march by the left flank. The swelling of the streams by the recent rains made it prudent to commence it as soon as possible. To cover the movement a strong demonstration was made during Thursday on the left of the enemy. Some divisions of cavalry attacked his left, whilst the 3d division of Gen. Sheridan's cavalry moved up the Virginia Central Railroad and began to burn the track. Under cover of this attack, on Thursday evening the 27th, the 6th corps quietly and swiftly withdrew to the north bank of the river, followed by the other corps in quick succession, and moved out easterly for the Pamunkey. The rear was protected by Gen. Hancock. At the same time a strong skirmish line was left in front to engage the enemy's attention and disarm suspicion.

At 9 o'clock on the next morning, Friday the 28th, Hanover Ferry and Hanover town were occupied by a portion of Gen. Sheridan's cavalry, who captured seventy-five of the enemy. At 10 A. M. the 1st division of the 2d corps arrived, followed closely by the remainder of the corps. Hanover town is on the Pamunkey River, fifteen miles from Richmond, and sixteen miles from the White House, on the same river. Thirteen miles east of the White House is West Point, where the Mattaponi and the Pamunkey join and form the York River. Transports with supplies for the army were already on the way to the White House, to which the base of the army was now changed. On Saturday the 28th the troops continued to arrive all day, and the crossing of the Pamunkey was secured. The enemy had previously occupied Hanover

Court House, and in the mean time extended his lines southerly. The despatch of the War Department relative to these movements was as follows:

WASHINGTON, May 28—9:50 P. M.

To Major-General Dix :

An official despatch from the headquarters of the Army of the Potomac, at Magahick Church, ten miles from Hanover town, dated yesterday afternoon at five o'clock, has just been received.

It states that our army was withdrawn to the north side of the North Anna on Thursday night, and moved toward Hanover town, the place designated for crossing the Pamunkey.

At 9 o'clock yesterday (Friday) morning Sheridan, with the 1st and 2d divisions of cavalry, took possession of Hanover Ferry and Hanover town, finding there only a rebel vidette. The 1st division of the 6th corps arrived at 10 A. M., and now hold the place, with sufficient force of cavalry and infantry and artillery to resist any attack likely to be made upon them. The remainder of the corps is pressing forward with rapidity. Weather fine and perfect.

A later despatch dated at 7 o'clock this morning (28th), from Headquarters, Magahick Church, has also been received. It reports that every thing goes on finely; weather clear and cool; the troops came up rapidly and in great spirits, and that the army will be beyond the Pamunkey by noon.

Breckinridge is at Hanover Court House with a force variously reported from three thousand to ten thousand. Wickham's and Lomax's brigades of cavalry are also there.

The despatch further states that, after seizing Hanover Ferry yesterday, General Torbert captured seventy-five cavalry, including six officers; that the rebel cavalry is exceedingly demoralized, and flees before ours on every occasion.

No despatches from any other field of operations have been received to-day.

EDWIN M. STANTON, Secretary of War.

On Saturday two divisions of cavalry, under Gens. Torbert and Gregg, were pushed toward Mechanicsville as a reconnoissance of the enemy's line. Near the Tolopatomy Creek, a tributary of the Pamunkey, a sharp engagement took place with a cavalry force of the enemy, which resulted in forcing them back some distance, leaving a part of their dead and wounded. The loss of the Union force was about four hundred, and that of the enemy was supposed to be not less.

On Sunday, the 29th, the whole army was across the Pamunkey, and fronted southwest about three miles from the river. Reconnoissances were made from each corps, followed up by a gradual advance. The enemy appeared to be in force, distant about six miles, and beyond the Tolopatomy Creek, holding Shady Grove and Mechanicsville with his extreme right, and his centre in front of Atlee's station on the Virginia Central Railroad, and his left covering Hanover Court House.

On Monday, the 30th, the forces of Gen. Lee were reported to be on the Mechanicsville road south of the Tolopatomy Creek, with his right resting on Shady Grove. The right of Gen. Grant's army, consisting of the 6th corps under Gen. Wright, extended in the direction of Hanover Court House. The right centre was held by Gen. Hancock on the Shady Grove road, and the left centre by Gen. Warren on

the Mechanicsville road. Gen. Burnside held the left, and a little in rear. The right and rear were covered by the 3d division of cavalry under Gen. Wilson. The divisions of Gens. Torbert and Gregg were advanced on the left flank. The division of Gen. Torbert held the Old Church Tavern Cross Road with a picket force extending on the road to Coal Harbor. A movement of the enemy was made about 2 P. M. upon these pickets, who were driven in, and a sharp engagement ensued, with a loss of eighty or ninety on each side, when the enemy were driven back. About 5 P. M. an attack was made on Gen. Warren's corps, which was gradually moving to the left along the Mechanicsville road, by a reconnoitring division of Gen. Ewell's corps with two brigades of cavalry. The turning of Gen. Warren's flank was endangered, which was prevented only by the timely arrival of reinforcements. A sharp engagement followed, and the enemy were forced to retire by a road parallel to the Coal Harbor road. Gen. Meade, upon being informed of the situation of Gen. Warren, ordered an attack along the whole line. Gen. Hancock alone received the order in time to attack before dark, and immediately advanced upon the enemy's skirmish line, captured their rifle-pits, and held them all night. Gen. Warren held his position near Mechanicsville, and the enemy moved down troops to prevent any further dangerous concentration on his right. An effort was made to dislodge Gen. Hancock at midnight, but without success.

On Tuesday, the 31st, the army of Gen. Grant was further reinforced by the arrival of the 18th corps under Gen. Smith. This corps, being a part of the command of Gen. Butler, embarked on transports at City Point, and moved with celerity down the James River and up the York River to the White House, which was the base of supplies for Gen. Grant's army.

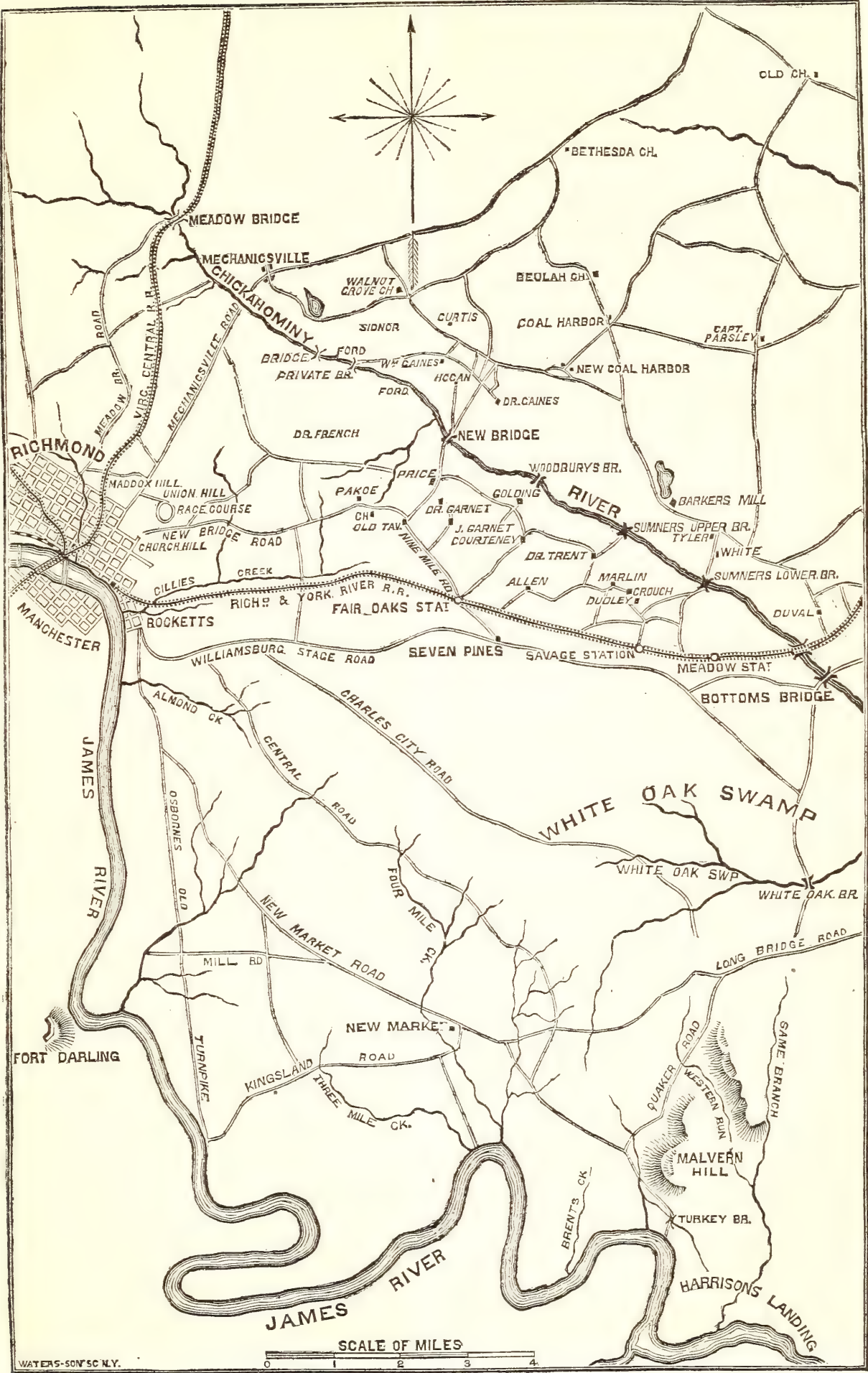
After the retirement of Gen. Butler to his intrenchments on the 20th, little fighting occurred. An attack was made on his post at Wilson's Wharf, on the northerly bank of the James, held by two regiments of negro troops, on the 24th, by a body of cavalry under Gen. Fitz Lee. A demand for surrender was made, which Gen. Wild declined, when the skirmishing line was speedily driven in, and furious charges made on the works. After a contest of three or four hours the enemy withdrew, leaving twenty-five dead on the ground. On the 26th a reconnoissance discovered the enemy in considerable force. The position of Gen. Butler now was such that his communication and supplies were perfectly secure. Both flanks of his remaining force were covered by gun-boats.

On Tuesday, May 31st, the headquarters of Gen. Grant were about five miles southeast of Hanover Court House, and less than that distance west of Hanover town. In front of that position, facing westerly on its right and

southwesterly on its left, the line of battle of the army extended a distance of six miles across Tolopatomy Creek. The right was held by Gen. Wright's 6th corps, next Gen. Hancock's 2d corps, next Gen. Burnside's 9th corps, and Gen. Warren's 5th corps on the left. The position of the enemy was on the westerly bank of a creek running southeast, and a tributary to the Tolopatomy before the latter turns to the northeast to the Pamunkey. Their line closely followed in general direction that of Gen. Grant's army. The right was held by Gen. A. P. Hill, the centre by Gen. Longstreet's corps, and the left by Gen. Ewell. In this position they covered the Chickahominy, which is the outer line of defence for Richmond and the Virginia Central Railroad, with cavalry supports thrown out on the left as far as Hanover Court House, and on the right to Bottom Bridge. This was the theatre of operations of the Army of the Potomac in 1862, when the approach to Richmond was made across the Chickahominy, before which the enemy were now strongly drawn up.

On Tuesday there was desultory firing through the day along the whole line. Gen. Grant already contemplated a movement by the left, and the 1st division of cavalry, under Gen. Torbert, were ordered forward to reconnoitre thoroughly the ground in the vicinity of Coal Harbor, and to hold it at all hazards for the occupation of infantry. While there a sharp fight ensued with a body of the enemy's cavalry, which resulted in Gen. Torbert's holding the desired ground.

On the next day, June 1st, an effort was made by a division of the enemy under Gen. Hoke, to get possession of Coal Harbor. This was repulsed by Gen. Sheridan. Subsequently Gen. Hoke was reinforced, and about noon checked the further advance of Gen. Sheridan on the left. On the previous night the 6th corps was detached from the right, and marched from Shady Grove to Coal Harbor, where they arrived soon after the close of the above affair. It formed in line on the right of the Gaines' Mill road, with Gen. Ricketts' division on the right, Gen. Russell's in the centre, and Gen. Neill's 2d on the left. About 3 o'clock the 18th corps, under Gen. Smith, from the White House, came into the field, and formed on the right of the 6th corps, with Gen. Martindale on the right, Gen. Brookes in the centre, and Gen. Devins on the left. Their march, like that of the 6th corps, had been severe, over a distance of twenty-five miles. A charge by the 18th corps was ordered at once, and, without stopping, they crossed an open field to a strip of wood, and took and held the first line of the enemy's rifle-pits, capturing six hundred prisoners. A lodgment was also effected in the enemy's line further to the right, but the position proved to be completely commanded by a redoubt in the second line of the enemy, and, amidst a heavy fire, it was abandoned. During the night the enemy made desperate efforts to



regain the rifle-pits, and succeeded in annoying the troops with an enfilading fire. Their charges, however, were repelled. The loss of the Union troops was about two thousand; the enemy being behind breastworks, probably suffered much less. The change in the line now had brought Gen. Wright to the extreme left, between whom and the 5th corps was now the 18th under Gen. Smith. During the entire day there had been warm work along the whole line, in which the artillery took a part toward night. Several distinct charges were made by the enemy, which were repulsed. No careful estimate of the losses in this part of the field during the day was made, but it was supposed not to exceed a thousand. The loss of the enemy was severe. The result of the day was the complete occupation and holding of Coal Harbor, which was an important position both as commanding the road to the White House, whence supplies were brought, and also in reference to a subsequent crossing of the Chickahominy.

In the night it was determined by Gen. Grant to make the attempt to push the enemy across the Chickahominy, and to secure a place to ford that stream. The 2d corps was therefore advanced from the extreme right to the extreme left, in order to increase the force in that direction. It reached its position about noon the next day, Thursday, June 2d. The attack which was to have been made on that evening, owing to the heavy rain which ensued, was postponed until the next morning, Friday. Considerable skirmishing had taken place during the day, and a charge was made upon the 5th and 9th corps, without gaining any special advantage.

At half-past 4 o'clock on Friday morning the army was in motion. Its line extended from Tolopatomy Creek across the road from Coal Harbor to the Chickahominy. The ground consisted of woodlands, swamp, and open fields. The skirmishers were promptly advanced, and the whole line was soon engaged in a terrific battle. From Gen. Hancock's corps on the extreme left the brigades of Gens. Gibbon and Barlow moved boldly forward, exposed to shot and shell, up the ascent on which the enemy in their front had concentrated their men and artillery. They drove out the enemy, and for a moment were in possession of their position. Being in advance of the line, they were exposed to a most destructive enfilading fire of the enemy. At the same time the second line of the enemy was massed and hurled upon them. Thus overwhelmed in front, and swept by a fire on the flank, these divisions were now driven out of the intrenchments, but not until they had secured a color and three hundred prisoners. Falling back about fifty yards they were under a partial cover of the ridge. Here they intrenched themselves, and remained through the day. So far had they advanced that one of the enemy's batteries was captured and nearly turned against them when the retreat

was ordered. The 18th and the 6th corps adjoining the second along the line charged forward with not less gallantry, and carried the first line of the enemy's intrenchments, but were received with a most destructive enfilading fire. After an obstinate conflict they were forced back, yielding the position which they had taken, and occupied another close to the enemy's works, which they intrenched. On the right the 5th and 9th corps were advanced; but the conflict here was not so severe, as the force of the enemy was massed on their right. Still further to the right the 3d division of cavalry, under Gen. Wilson, were engaged with a force of the enemy under Gen. Hampton, but without important results. The contest was continued with more or less vigor throughout the day. The enemy were found too strongly posted to carry their works, and all efforts to cross the Chickahominy at that point were repelled. The loss was nearly seven thousand in killed, wounded, and prisoners. The enemy lost many prisoners, but the advantages under which they fought prevented their loss from being so severe. The following despatches were issued by the War Department:

WASHINGTON, June 4, 1864.

To Major-Gen. Dix:

Despatches from Gen. Grant's headquarters, dated 3 o'clock yesterday, have just been received. No operations took place on Thursday. Yesterday, at half-past 4 o'clock A. M., Gen. Grant made an assault on the enemy's lines, of which he makes the following report:

"We assaulted at half-past 4 A. M., driving the enemy within his intrenchments at all points, but without gaining any decisive advantage. Our troops now occupy a position close to the enemy, some places within fifty yards, and are remaining. Our loss was not severe, nor do I suppose the enemy to have lost heavily. We captured over three hundred prisoners, mostly from Breckinridge."

Another later official report, not from Gen. Grant, estimates the number of our killed and wounded at about three thousand. The following officers are among the killed:

Col. Haskell, 36th Wisconsin; Col. Porter, 8th New York heavy artillery; Col. Morris, 66th New York.

Among the wounded are Gen. R. O. Tyler—seriously—will probably lose a foot; Col. McMahon, 164th New York; Col. Byrnes, 28th Massachusetts—probably mortally; and Col. Brooke, 53d Pennsylvania. EDWIN M. STANTON, Sec'y of War.

WASHINGTON, June 5—1 P. M.

Major-Gen. Dix:

A despatch from Gen. Grant's headquarters, dated half-past 8 o'clock last night, has been received. It states that "about 7 P. M. yesterday, Friday, 3d of June, the enemy suddenly attacked Smith's brigade, of Gibbon's division. The battle lasted with great fury for half an hour. The attack was unwaveringly repulsed. Smith's losses were inconsiderable."

At 6 P. M., Wilson, with his cavalry, fell upon the rear of a brigade of Heth's division, which Lee had thrown around to his left, apparently with the intention of enveloping Burnside. After a sharp but short conflict, Wilson drove them from their rifle-pits in confusion. He took a few prisoners. He had previously fought and routed Gordon's brigade of rebel cavalry. During these fights he lost several officers, among them Col. Preston, 1st Vermont cavalry, killed; Col. Benjamin, 8th New York cavalry, seriously wounded.

Our entire loss in killed, wounded, and missing

during the three days' operations around Coal Harbor will not exceed, according to the Adjutant-General's Report, seven thousand five hundred.

This morning, Saturday, June 4, the enemy's left wing, in front of Gen. Burnside, was found to have been drawn in during the night.

Col. Cesnola, in command of five thousand men, arrived there yesterday, having marched from Port Royal. EDWIN M. STANTON, Sec'y of War.

The position gained, however, was held, and during the next day, Saturday, June 4th, the erection of temporary breastworks was busily prosecuted. At 9 o'clock at night the enemy made a fierce attack on the corps of Gen. Hancock, Smith, and Wright, but after a severe loss they were repulsed.

On Sunday, the 5th, the lines continued close to each other. The sharpshooters of the enemy endangered any person exposed in the rifle-pits, and many officers and men were fatally wounded. Meanwhile the work on the intrenchments, when practicable, was kept up. Soon after dark the enemy made a sudden dash on Gen. Smyth's brigade of the 2d division of Gen. Hancock's corps. They met with a sharp resistance, and were soon repelled with a disproportionably large loss. On Monday the picket-firing was continued, with some change of position in bodies of the troops, and with the work on the intrenchments. At midnight an attack was made on Gen. Burnside's corps on the right, but soon repelled. The nearness of the lines of the two armies made the battle-fields of Friday disputed, and the dead still remained upon it unburied and the wounded were unrelieved. A correspondence ensued relative to these dead and wounded, between Gens. Grant and Lee. It resulted in an armistice of two hours, during which the dead and wounded were carefully removed. Meanwhile the 5th corps was detached from its position on the right centre and withdrawn to the rear. Its place in the line was filled by a transfer of the 9th corps from the extreme right. Commissary supplies had been constantly sent forward to the army from the White House, with some reënforcements of hundred days' men and convalescents. New earthworks were built, extending along the course of the Chickahominy, and everywhere the enemy built parallel works a few hundred yards distant. On Tuesday, June 7th, the enemy making a reconnoissance, attacked the 9th corps in the afternoon, but were vigorously repelled. Of the 5th corps detached during the night from their position in the line, the divisions of Gens. Griffin and Cutter moved rapidly down toward Sumner's bridge, on the Chickahominy. The enemy at the bridge were in force, and opened with rather heavy guns on the approaching column. They were soon driven from the bridge, but continued to command it with their artillery. During Wednesday and Thursday there was no change of position. On the latter day, the cavalry under Gens. Torbert and Gregg were pushed further to the left. On Friday some skirmishing of cavalry took place on the right.

The work of intrenchment was continued, and an advance was pushed as far as Bottom bridge, the next below the railroad crossing of Chickahominy. The enemy kept pace, confronting the advance, and fortifying at the bridge. On the same day the destruction of the railroad to the White House was begun from Despatch station easterly. The rails and ties were removed to the White House, and shipped on barges.

On Sunday night, June 12th, the movement for crossing the James River commenced. The line of the enemy extended from Bottom bridge along the Chickahominy, nearly parallel to which was the line of Gen. Grant, and both intrenched. Bottom bridge was commanded by the enemy, and could not be used for crossing. The next were Long bridge, six or seven miles, and Jones's bridge, ten or twelve miles below.

On Sunday night, June 12th, the army began to move. The 2d and 5th corps moved to Long bridge, over which they crossed, and took the road due south to Wilcox's wharf, twelve miles distant on the James' River, and a little west of Charles City. The 6th and the 9th corps at the same time marched to Jones's bridge, by which they crossed the Chickahominy and advanced rapidly to Charles City Court House, about nine miles nearly south of the bridge and a mile from the James' River. The 18th corps about the same time marched to the White House, embarked on transports and proceeded directly to Bermuda Hundred, on the south side of the James' River, being the headquarters of Gen. Butler. The points designated for the crossing of the other corps were Powhatan's and near Wilcox's Wharf, where pontoons had already been prepared by Gen. Butler. During all Sunday night and Monday the troops moved forward, and at evening the advance reached Wilcox's wharf. On Tuesday the crossing of the James commenced, and was completed on Wednesday. The movement had been attended with some slight skirmishing with the enemy, with a loss of not more than four hundred men.

Meanwhile deserters having reported that the force of the enemy at Petersburg had been greatly reduced, a demonstration against that city, was made by a portion of the forces under Gen. Butler at Bermuda Hundred. It was determined that Gen. Gilmore, with thirty-five hundred men, crossing the Appomattox, should move by the turnpike road and assault the city, while Gen. Kautz, with a cavalry force of fifteen hundred men, should make a circuit of the place and attack it on the southerly or southwesterly side, and thus, as the movement was simultaneous, both forces might enter the city together. At the same time another demonstration was to be made upon Fort Clifton. The movement commenced on Monday night, June 8th. Gen. Gilmore encountered no serious opposition until within two miles of the city, when he met the enemy's skirmish line and briskly drove it back. On arriving in front of the city where the fortifications could be closely examined, he found them too strong

for the force at his command to attempt, and accordingly withdrew about noon and returned to camp in the evening. Meanwhile Gen. Kautz had forced the enemy's intrenchments and reached the streets of the city, sharply engaged in fighting. But the force of the enemy concentrating against him, he was forced to retire. Some prisoners were taken, and the loss was about twenty men. Two gunboats and a battery engaged Fort Clifton during the morning with a brisk fire.

Petersburg, a city of eighteen thousand inhabitants, is situated on the south bank of the Appomattox River, twenty-two miles south of Richmond, and ten miles from the James River at City Point. The Appomattox empties into the James at City Point. It is navigable to Petersburg for vessels of one hundred tons, and to Waltham, six miles below, by larger vessels. The city is connected with City Point by a railroad. The road from Richmond to North and South Carolina also passes through it. The river at this point runs nearly northeast to the James. The city was defended by several series of strong earthworks, consisting not only of square redoubts, but also of well-established and commanding rifle-trenches.

On Wednesday, June 15th, a reconnoissance was made by the cavalry, by which it was discovered that the corps of Gen. Hill occupied the region southeast of Richmond in strong force. At 1 o'clock on the morning of the same day the 18th corps, which had arrived on the previous evening from the White House, started for Petersburg. The Appomattox was crossed by a pontoon-bridge near Point of Rocks. The route was nearly the same as that taken by the advance of Gen. Gilmore on a previous day. Skirmishing of the advance with the enemy commenced at daylight. A row of rifle-trenches with two twelve-pounders was carried by a body of colored troops under Gen. Hinks' command later in the day. In the afternoon the movement resulted in forming a line of battle in front of the outer intrenchments of the enemy, about two miles from Petersburg. Just before sunset the order was given to carry the works by assault. The whole line rapidly advanced under a hot artillery fire from the enemy, and swept the entire range of rifle-pits with great gallantry. The enemy broke and deserted their intrenchments, losing sixteen guns, a battle flag, and three hundred prisoners. The Union loss was about five hundred. The position was held, but no further advance was made. It was supposed that, if a supporting force had been at hand, the second line of works might have been carried with comparative ease. The force of the enemy in the city was small, but reinforcements were received by them previous to the arrival of the other corps of Gen. Grant's army. The troops which held Petersburg composed the command of Gen. Beauregard. A portion of them had confronted Gen. Butler, and some had been in Richmond.

The cavalry under Gen. Kautz, which preceded the 18th corps, had moved out to the extreme left against the works near the Norfolk Railroad and on the Baxter road. The position of the enemy was, however, too strong to be carried, and Gen. Kautz retired.

Meanwhile the other corps of the army were approaching as rapidly as possible. Gen. Birney's division of the 2d corps arrived at evening and occupied the captured intrenchments. During the night the remainder of the corps came up.

On Thursday morning a part of the 10th corps, under Gen. Terry, was sent out to reconnoitre in front of Gen. Butler's position. The skirmishers soon drove the enemy, and his line was penetrated and carried, and the railroad subsequently reached near Port Walthall Junction. About two miles of the track were torn up, when the enemy came down in such force that Gen. Terry was obliged to retire.

Early in the morning Gen. Birney sent out a force under Gen. Egan and carried a redoubt on his left, with a loss of about a hundred. Meantime the troops of the enemy were crowded forward so rapidly that it became necessary to wait for Gen. Burnside's corps to come up. The intrenchments of the enemy ran semicircularly from the river on the north of the city to the river on the south. Their northern extremity was also strengthened by batteries on the opposite side of the Appomattox. In the afternoon the corps of Gen. Burnside arrived and a line of battle was formed, with the 18th corps under Gen. Smith on the right, the 2d corps under Gen. Birney during this assault, which was commanded by Gen. Hancock, and the 9th under Gen. Burnside on the left. At 6 o'clock an attack was made, and continued for three hours. Gen. Birney's division, on the right of the centre corps, carried the crest in his front and held it firmly. On the left of Gen. Birney's division the advance of Gen. Barlow found more difficulty, from the concentration of the enemy in front. A charge was made by the brigades of Gens. Miles and Griffin, which succeeded in gaining a foothold of the rifle-pits outside of the stronger works. But the troops were so annoyed by the enemy that Gen. Barlow determined to make an assault. But the enemy cut off his skirmish line in front, amounting to three hundred men, with their officers. Gen. Burnside also prepared to make an assault, but the enemy opened so severely as to frustrate it. The right took no important part in the contest. After three hours the assault was suspended. The loss was between fifteen hundred and two thousand. That of the enemy, as they held an advantageous position, was much less.

Early on Friday morning, June 17th, the assault was renewed by an order of Gen. Burnside to Gen. Patten's division to take the works in their front. The brigade of Gen. Griffin, supported by that of Gen. Curtin, dashed forward, carrying the position and capturing six

guns, sixteen officers, and four hundred men, with a loss of about five hundred men. A pause now ensued, but skirmishing was kept up by the picket lines, and there was a moderate fire of artillery. In the afternoon Gen. Patten's division was relieved by that of Gen. Ledlie. An advance of this latter division was ordered, under cover of artillery, upon the enemy's breastworks, from which, after a desperate contest, they were driven, and the position carried, with the capture of some prisoners. Gen. Burnside was now about a mile and a half from the city and threw some shells into it. Several attempts were made by the enemy to recover the intrenchments during the day, but without success. About 9 o'clock at night, however, a desperate attempt to retake them was made and succeeded. In this affair about two hundred prisoners were made on each side. The loss of the division was estimated at a thousand. The rest of the line during the day was engaged in skirmishing, without any attempt at decisive assault. On the right the 18th corps had been withdrawn and returned to the intrenchments at Bermuda Hundred. The 5th corps, under Gen. Warren, had come and massed on the left in the rear of Gen. Burnside's 9th corps. The 2d corps was commanded by Gen. Birney, as Gen. Hancock was suffering from an old wound.

The proper dispositions were now made for a vigorous assault early on Saturday morning the 18th. The line was formed by the divisions of Gens. Martindale and Hinks, of the 18th corps, on the right, extended by the 6th, 2d, 9th, and 5th, in the order named, to the left. On sending out skirmishers preparatory to the assault, at 4 A. M., it was found that the enemy had withdrawn to an inner series of defences. New arrangements, therefore, became necessary. At noon a general advance of the 2d, 9th, and 5th corps was ordered. From the 2d corps an assaulting column of three brigades was sent forward, while the rest of the corps threw out double lines of skirmishers to divert the attention of the enemy. The men moved promptly up to the works to be assaulted, which were situated near the Petersburg and City Point Railroad. As they came out from cover, they were received by such a desperate enfilading fire from the left, that they retired without reaching the breastworks, leaving their dead and wounded on the field. In the afternoon a second storming party was organized to commence the attack from Gen. Mott's position. His division, with detachments from the other two of the corps, advanced in two columns about 5 P. M., but were received with such a destructive fire from concentrated batteries and musketry, as to force them back with terrible loss, in spite of the greatest bravery on their part.

The 9th corps, on the left of the 2d, was prompt to act during the day. There was brisk skirmishing, but no decisive advantage was gained. The line was established during

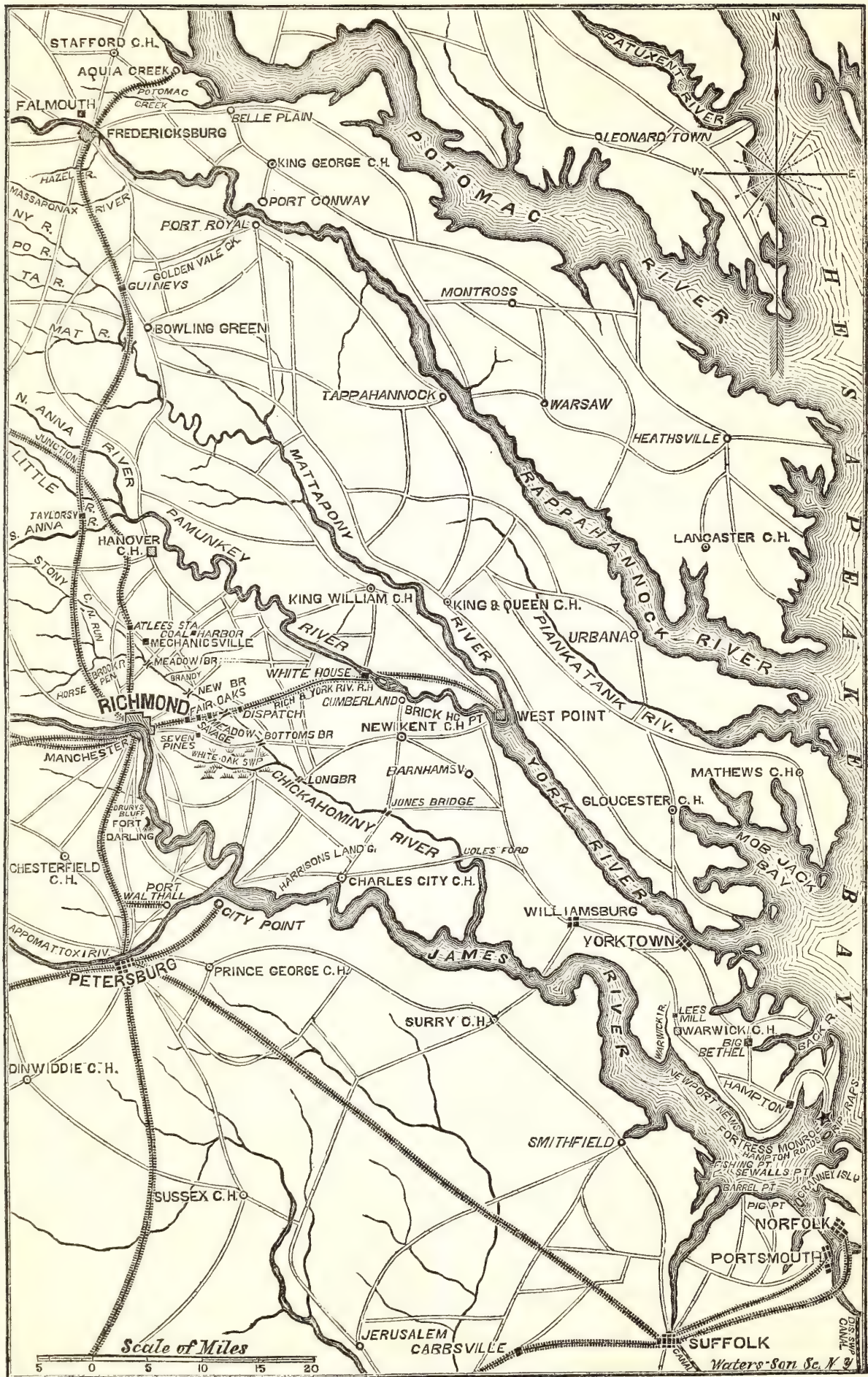
the afternoon across the Petersburg and Norfolk Railroad.

On the left of the 9th, the 5th corps, at the time of the attack of the 2d, made a determined and vigorous advance against the south side of the Norfolk Railroad, and was partially successful. In the evening their efforts were again renewed, but were foiled by the enemy. The division of the 18th, on the extreme right, experienced the same results as the other troops. The operations of the day had been unsuccessful. The loss of the four days' operations was estimated above ten thousand men.

On Sunday, June 19th, there was skirmishing and considerable artillery fire, but no decisive movement. The loss was estimated at a hundred men. The 6th corps, heretofore on the north side of the Appomattox, now took a position on the right, and the colored division of Gen. Ferrero, of the 9th corps, arrived, and was posted in front. At night the enemy made an attack on the centre of the line, but were driven back. During the afternoon an attack with infantry and artillery was made on Gen. Butler's lines at Bermuda Hundred by a division of Gen. Longstreet's corps under Gen. Pickett. At the same time, three ironclads from Richmond made their appearance near Dutch Gap, but retired before the fleet of Admiral Lee. During the same night, squads of the enemy made their appearance along the James River and destroyed the wharfs at Wilcox's and Westover landings.

Monday, the 20th, was unusually quiet near Petersburg. Some demonstrations of the enemy's cavalry were near the White House, but without any serious result to the convalescents there.

On Tuesday, the 21st, a movement was made to occupy and destroy the railroad from Petersburg to Weldon. On the previous evening the 2d corps moved from its entrenchments on the right centre to the left, and its position was occupied by the 9th and a part of the 18th. In the morning, crossing the Petersburg and Norfolk Railroad, it marched as rapidly as possible in a southerly direction. A division of the 5th and one of the 6th corps moved out in support. Before noon, the 2d corps halted, and in the afternoon a division, under Gen. Barlow, with sharpshooters skirmishing in advance, was sent forward and found the enemy's lines in the neighborhood of the Jerusalem road, which bisects the region between the Norfolk and the Weldon Railroad. The position was known as Davis Farm, about three miles below Petersburg, and a mile from the railroad. The enemy proved to be in force, with artillery planted in earthworks. They advanced to attack, and a severe skirmish ensued, and the advance line of Gen. Barlow was withdrawn, and rejoined the column. The loss was about a hundred men. A reconnoissance toward Petersburg, at the same time, was attended with no results. So threatening was the aspect of the enemy on the left, that a squadron



of cavalry was sent to protect that flank, and the corps retired to form position for the night.

In the lines east of Petersburg comparative quietness prevailed. The bridges across the Appomattox, between Petersburg and Pocahontas, the village on the Richmond side of the river, were shelled daily by the batteries of Gen. Grant. On the same day, the 21st, a division of the 10th corps, under Gen. Foster, crossed the James, at a point between Aikin's Landing and Four Mile Creek, and occupied Deep Bottom, about ten miles from Richmond. On the opposite side of the river, about six miles from Gen. Foster, the enemy had a battery at a position called Howlett's. In this position he threatened, to some extent, the southeast approaches to Richmond. At the same time the 18th corps moved from Bermuda Hundred to Petersburg, and occupied the position vacated by the 6th corps.

Early on Wednesday, the 22d, the movement against the railroad was resumed. The object was to cut off the communication with Petersburg from the south. At the same time a cavalry expedition was sent about ten miles further south, under Gen. Wilson, to destroy the railroad. The general movement was designed to consist of an advance of the 2d and 6th corps directly against the road. The 2d corps was on the left of the Jerusalem road, with Gen. Gibbon's division resting its right on the left of the road. Gen. Griffin's division of the 5th corps was on the further side. The position of Gen. Gibbon was so near the works of the enemy that any further advance by him would bring on a general engagement. The advance was, therefore, ordered for the left of the line, consisting of the divisions of Generals Barlow and Mott, and the 6th corps. It was to have been made at daybreak, but was delayed by each corps apparently waiting for the other to lead. At length each corps was ordered to advance independently, and to protect its own flank as connection between was not made. The line was deployed in open style, covering a large extent of ground, until it approached the presence of the enemy, in more intricate ground, when the left of the 2d, under Gen. Barlow, was pressed well in toward the right, thus opening a gap between it and the 6th corps. Gen. Barlow threw out flanking regiments to protect himself. But no sooner was the entire line of the 2d corps in position, and Gen. Barlow's division had commenced to intrench, when it was attacked on the flank by the enemy. In its advance, the 2d corps had separated from the 5th, on its right, and the 6th was now far distant, on the left and rear. The enemy took advantage of the error. One entire division, with Mahone's brigade, pushed through the interval. The flank of Gen. Barlow was instantly rolled up and a large number made prisoners. This movement of Gen. Barlow's force quickly uncovered the flank of Gen. Mott's division, and exposed him to the same danger. Gen. Mott

at once fell back, with the loss of many made prisoners, and thus exposed the left flank of Gen. Gibbon's division. The line of intrenchments occupied by Gen. Mott was now captured by the enemy, who thus pressed Gen. Gibbon in front and rear. Several regiments were captured, with McKnight's battery, before the enemy were checked by the bravery of the 20th Massachusetts. The broken corps was soon rallied and a new line formed, and further attacks of the enemy repulsed. The 6th corps was also attacked on its left flank by a division of Gen. Hill's command, and its advance line driven back, thus widening the gap between it and the 2d. In the evening, Gen. Meade getting both corps well in order, directed an advance. The 6th recovered its former line and the 2d a part of its line, and intrenched for the night. At daylight the enemy appeared, strongly intrenched, before the Weldon Railroad. The loss of the day included about two thousand made prisoners, four guns, and some colors.

On the next day, the 23d, Gen. Wright moved out to the extreme left, and finding that the enemy had not advanced so far, sent out a reconnoitring force to the railroad. They reached it unopposed and cut the telegraph. The 3d, 4th, and 11th Vermont regiments were then sent forward to hold the road. But they had hardly reached it when they were attacked on their flank by a division of the enemy under Gen. Anderson, and their position was turned at once. Several hundred were taken prisoners, and some were killed and wounded. The enemy, elated with success, pushed the troops back to the main body, and then began a general attack. The line was withdrawn toward evening to the cover of the breastworks. The loss of the enemy in these two days was disproportionately small. Elsewhere, during the day, nothing of importance occurred.

On Friday, the 24th, the enemy opened with artillery upon the position of Gen. Stannard's division of the 10th corps. After an hour, a charge was made, which was repulsed with a loss to the enemy of one hundred and fifty prisoners, besides some killed and wounded. No important movements were made in other parts of the line. During the evening, the cavalry force under Gen. Sheridan, while marching from the White House to the James River, were attacked by the enemy and a bloody struggle ensued. The enemy were finally driven off, after a loss by Gen. Sheridan of four to five hundred men. His trains were saved from capture.

On the next day, the 25th, the principal demonstration was made in front of Gen. Burnside's position. It consisted of the advance of a strong skirmish line, which was easily repulsed.

The cavalry expedition of Gen. Wilson set out from the camps near Prince George Court House, on the morning of June 22d. His

force was between six and eight thousand men, with three batteries of four guns each. The column moved to the Petersburg and Weldon Railroad at Reims' station. Here it took up and burned the track for several hundred yards, the water-tank, depot, and public buildings. It thence moved to Sutherland's station, on the Petersburg and Lynchburg Railroad, and advanced to Ford's station in the evening. Here two locomotives, sixteen cars, a depot, and a few stores were burned, and several miles of the road destroyed. On the next morning Gen. Kautz advanced toward Burkesville, which he reached in the afternoon, and destroyed the property of the road as at the other stations. Meanwhile the main body followed, and encountered in the afternoon a body of the enemy near Nottoway. A sharp conflict ensued until night, when the enemy retired. On the 24th the column reached Keysville, and bivouacked for the night. About eighteen miles of the road, besides other property, were destroyed during the day. On the next day the bridge over Staunton River was reached, but it was found to be well defended by the enemy. The return of the expedition now commenced. On the route they were so harassed by the enemy as barely to escape capture. On Thursday and Friday, July 1st and 2d, they arrived within the lines, in straggling parties, in a most pitiable and wretched condition, both men and horses being jaded and worn beyond description after their hard march, severe fighting, and the relentless harassing of the enemy. The entire wagon train, the ambulance train, all the guns (sixteen), nearly all their caissons, and many horses had been lost, and between ten and fifteen hundred men. More than a thousand negroes had been collected and followed the column, but most of them were recaptured by the enemy. It was asserted that about fifty miles of the Danville Railroad had been destroyed. A movement was made by the 6th corps to aid the expedition, on learning its situation, but without important results.

The weather at this period was exceedingly hot, and the army suffered greatly. At the same time a drouth prevailed, water became scarce, and the dust rose in clouds at every movement. The condition of the army at this time is thus described by the "Army and Navy Journal":

The medical and commissary department had been well conducted, but it is not too much to say that the troops were thoroughly worn out. While their spirit and enthusiasm were, and always have been, beyond all praise, the fatigues of so extraordinary a campaign had been overpowering. Officers experienced its effects as well as men. Their conspicuous bravery had stretched out, dead or wounded, commissioned officers of all grades, not by hundreds, but by thousands, before the James was crossed. The effect was apparent in some want of skill and experience in succeeding battles. Captains were sometimes commanding regiments, and majors brigades. The men, missing the familiar forms and voices that had led them to the charge, would complain that they had

not their old officers to follow. On the other hand, more than one leader of a storming party was forced to say, as he came back from an unsuccessful attempt against the outworks of Petersburg, "My men do not charge as they did thirty days ago." A few commanders, too, showed the fatiguing effects of the campaign by a lack of health, by a lack of unity and harmony, or of alertness and skill. The last attacks on Petersburg show clearly how the campaign was telling on men and officers, and the two achievements on the Jerusalem road of the 22d and 23d of June, put the matter beyond all doubt. On the former occasion, the gallant 2d corps, whose reputation is unexcelled, fell back, division after division, from the enemy's onset, and one of the very finest brigades in the whole army was captured, with hardly a shot fired. In our account at that time the probable cause of the disaster was intimated. But when, in addition to this, the Vermont brigade of the 6th corps was badly cut up on the following day, it became clear that the rapidity of the fighting must be checked awhile. The pace was now too great. There was need of rest, recruitment, and some reorganization. It may be added, that the influx of raw troops and of Augur's troops from Washington, with new officers, had temporarily changed the character of brigades, of divisions, and almost of corps. These affairs of the 22d and 23d of June were the last offensive movements of infantry in force.

No movements of importance were made before Petersburg, and quiet prevailed for some days, excepting the artillery fire.

The second movement against the Virginia and Tennessee Railroad, and for the occupation of Lynchburg, thereby to coöperate with Gen. Grant against Richmond, commenced about May 31st. Gen. Sigel was removed from the Department of Western Virginia, and Gen. Hunter placed in command. On taking leave of his command Gen. Sigel issued the following order:

HEADQUARTERS, DEPARTMENT WEST VIRGINIA, }
May 31, 1864.

By order of the President of the United States I am relieved from the command of this department.

Maj.-Gen. Hunter, United States volunteers, is my successor.

In leaving the troops under my immediate command, I feel it my duty to announce my most sincere thanks to the officers and men who have sustained me so faithfully during the last campaign.

Having no other wishes and aspirations but to serve and promote the good cause, which we are all bound to defend, I hope that final success may crown the indefatigable zeal and good will of this army.

F. SIGEL, Maj.-Gen.

The commands of Gens. Crook and Averill, which retired to Meadow Bluff, were reorganized and prepared for a simultaneous advance upon the Virginia and Tennessee Railroad and Lynchburg. Gen. Burbridge, in Kentucky, was ready to move upon extreme Southwest Virginia, so as to prevent any advance from that direction upon the rear of the combined forces about to move against Lynchburg. The position of the enemy at this time was most unfavorable for opposing these movements. Gen. Breckinridge, with the only Confederate force of importance west of the Blue Ridge, had been withdrawn to the army of Gen. Lee, leaving nothing but a few small brigades of inferior cavalry, about two regiments of infantry, and a small brigade of dismounted troops acting

as infantry. To supply the place of Gen. Breckinridge, the little force of Gen. McCausland was sent from Dublin depot to the front of Staunton, and Gen. W. E. Jones was ordered to take all the troops to the same position which he could move from Southwest Virginia. Gen. Jones, accordingly, got together all the Confederate troops west of New River, dismounting the brigades of cavalry, and moved to Staunton. He thus left in the extreme southwest only a few disjointed bodies of cavalry, and Gen. Morgan's command to oppose the advance of Gen. Burbridge. As this force was too small to effect that object by meeting Gen. Burbridge in front, with the slightest hope of success, it was resolved, as the only chance of saving the Southwest, that Gen. Morgan should dash boldly into the heart of Kentucky, and thus draw Gen. Burbridge away. This was expected to be successful, especially as Gen. Burbridge had much more to lose in Kentucky than the enemy had in Southwest Virginia.

On Sunday, June 29th, Gen. Morgan at the head of two thousand men passed through Pound Gap, on the border of Kentucky. At the same time a body of Gen. Burbridge's command was moving eastward and passed by Gen. Morgan. From Pound Gap he moved to Paintville, thence a scouting party was sent in advance to pick up horses. This body passed to Hazel Green, Owingsville, Flemingsburg, and Maysville, without resistance, thence to Mount Sterling, where a force from Gen. Burbridge overtook them. Other parties appeared in various places, but the main force moved to Cynthiana and Lexington, and approached Frankfort. Property was taken everywhere, the railroads destroyed, and bridges burned. Gen. Hobson, with a force of sixteen hundred men, was captured, and by the 12th of June Gen. Burbridge, with his whole command, was near Paris in full pursuit of Gen. Morgan. At Cynthiana a conflict took place, in which Gen. Burbridge reports that he killed three hundred and took as many more prisoners. He says: "Our loss in killed and wounded was about one hundred and fifty. Morgan's scattered forces are flying in all directions; have thrown away their arms, and are out of ammunition, and are wholly demoralized." Thus, by these movements, Gen. Burbridge was lured back to Kentucky and Southwest Virginia, for a time secured to the enemy. The rest and reorganization required by Gen. Burbridge's command, detained him until all the available reinforcements in Kentucky were required by Gen. Sherman in his progress to Atlanta.

Meanwhile the other parts of the general movement were in progress; Gen. Hunter, after assuming the command of the Department, issued the following order:

General Order No. 29.

HEADQUARTERS, DEPARTMENT WEST VIRGINIA, }
IN THE FIELD, * * * *

It is of the utmost importance that this army be placed in a condition for immediate efficiency.

We are contending against an enemy who is in

earnest, and if we expect success we too must be in earnest. We must be willing to make sacrifices—willing to suffer for a short time that a glorious result may crown our efforts. The country expects that every man will do his duty; and this well done, the protective care of a kind Providence will certainly ensure to us a complete success.

I. Every tent will be immediately turned in for transportation to Martinsburg, and all baggage not expressly allowed by this order will be at once sent to the rear. There will be but one wagon allowed to each regiment, and these will only be used to transport spare ammunition, camp kettles, tools, and mess-pans. Every wagon will have eight picked horses or mules, two drivers and two saddles. One wagon and one ambulance will be allowed to department headquarters, and the same to division and brigade headquarters. The other ambulances will be under the immediate orders of the Medical Director.

II. For the expedition on hand, the clothes that soldiers have on their backs, with one pair of extra shoes and socks, are amply sufficient. Every thing else in the shape of clothing will be packed to-day and sent to the rear. In each knapsack there must be one hundred rounds of ammunition, carefully packed; four pounds of hard bread, to last eight days; ten rations of coffee, sugar, and salt, and one pair of shoes and socks, but nothing else.

III. Brigade and all other commanders will be held strictly responsible that their commands are amply supplied on the march. Cattle, sheep, and hogs, and if necessary, horses and mules must be taken and slaughtered. These supplies will be seized under the direction of officers duly authorized, and upon a system which will hereafter be regulated. No straggling or pillaging will be allowed. Brigade and other commanders will be held responsible that there is a proper and orderly division of the supplies taken for our use.

IV. Commanders will attend personally to the prompt execution of this order, so that we may move to-morrow morning. They will see that in passing through the country in this way—depending upon it for forage and supplies—great attention is required of every commanding officer toward the enforcement of strict discipline.

V. The commanding general expects of every officer and soldier of the army in the field an earnest and unwavering support. He relies with confidence upon an ever kind Providence for a glorious result. The lieutenant-general commanding the armies of the United States, who is now vigorously pressing back the enemy upon their last stronghold, expects much from the Army of the Shenandoah, and he must not be disappointed.

VI. In conclusion, the major-general commanding makes it known that he will hold every officer to the strictest accountability for the proper enforcement of discipline in all respects; and that, on the other hand, he will never cease to urge the prompt promotion of all officers, non-commissioned officers, and enlisted men who attract recognition by their gallantry and good conduct.

By command of Maj.-Gen. HUNTER.
CHARLES G. HALPINE, Ass't Adj.-Gen.

His first movement was made from the neighborhood of Cedar Creek nearly to Woodstock. The guerrillas in the rear soon became troublesome, and were partially successful in destroying his communications. The advance continued through Woodstock, Mount Jackson, New Market, to Harrisonburg. On leaving this place the column was divided into two parts, one of which took the road by Port Republic, and the other the direct route to Staunton. The movement to Port Republic was a demonstration against the right of the enemy, and it

encountered a movement on their part against the Federal left. At the same time the main body advanced in the direction of Mount Crawford, and met the enemy on North River, twelve miles from Staunton. A hot conflict ensued, as well here as at Port Republic, but the enemy were steadily driven on the North River, which exposed their right, and thus compelled it to fall back. At the same time Gen. Crook was approaching from the west, and the enemy in falling back retired toward Waynesboro' on the east. The loss of Gen. Hunter was two hundred and fifty. That of the enemy was severe, and included the commanding general, W. E. Jones. Staunton was immediately occupied by Gen. Hunter. Stores and railroad property of a large amount were captured.

The advance of Gens. Crook and Averill from Meadow Bluff was commenced on May 31st. They moved through Lewisburg, White Sulphur Springs, &c., to the Gaston depot on the Virginia Central Railroad by June 5th. This is about forty miles below the terminus of the road. Here the work of destruction commenced. The track was torn up, and bridges and culverts destroyed for a distance of ten miles. Thence the force moved over North Mountain, through Pond Gap to Staunton, and arrived on the 8th of June. The enemy attempted constantly to impede their progress.

On June 10th the consolidated command of Gen. Hunter marched from Staunton on the road through Middlebrook to Lexington, Gen. Crook's command being in advance. Three miles from Staunton the enemy, under Gen. McCausland, were posted behind rail breastworks, designed to delay the movement as much as possible. The steady advance, however, dislodged them, driving them ahead. Seventeen miles from Staunton they managed to kill two men and wound two others, when a strong force of cavalry dispersed them for that day. In the forenoon of the 11th Lexington was reached. The enemy had burned the bridge over the James, and were posted on the high bank opposite. They were driven off with artillery, after which the river was crossed at the fords and the town occupied. On Sunday, the 12th, the Military Institute and the house of Gov. Letcher were burned. Ten minutes were allowed to remove any property from the latter. A number of canal boats were destroyed, and considerable ammunition seized. A bronze statue of Gen. Geo. Washington, cast upon the orders of the legislature of Virginia, was taken down and subsequently transported to Wheeling, Va. On the 13th Gen. Averill was ordered to Buchanan, and the whole force followed on the next day. On Thursday, the 16th, Liberty was reached, and seven miles of railroad and the culverts and bridges destroyed. On the 17th the advance under Gen. Crook arrived within eight miles of Lynchburg at 10 A. M., and halted for the main force to come up. It arrived at 3 P. M., and moved on within

an hour. After an advance of two miles the first position of the enemy was reached. They immediately opened with a brisk cannonade, but were soon driven back two miles to their line of breastworks with considerable loss to both sides. Night coming on Gen. Hunter was compelled to halt. All night the whistles of locomotives were heard in Lynchburg, bringing reënforcements from Richmond. On the next day the enemy appeared in force, and advanced to turn the right of Gen. Hunter's force. After a sharp struggle they were driven back to their breastworks, which were protected by others in the rear. The position of the enemy now appeared to Gen. Hunter to be so strong, and his numbers so great, as to destroy all hope of success with his army, now on limited rations. In the afternoon, therefore, the trains were started back, and at 9 P. M. the command commenced retreating, and marched until 1 A. M. the next morning, when they arrived within five miles of Liberty. At 9 A. M. the march was renewed until 2 P. M., when a halt was made three miles southwest of Liberty. The enemy followed close, and the skirmishing was continually heavy. The rear was brought up by Gen. Crook. At 6 P. M. the command was again on the march, and reached Bonsack's depot at 10 A. M. of the 20th, where a halt for rest was made. At 8 P. M. the march was resumed, via Buford's Gap, for Salem, which was reached at 5 o'clock on the next morning. The enemy continued a hot pursuit, and on the 21st captured ten pieces of artillery in a deep gap. Six were recaptured. That night the command rested all night for the first time since leaving Lynchburg. New Castle, in Craig County, was reached at 6 P. M. on the 22d. On the night of the 25th Meadow Bluff was reached by the force, being without supplies, except such as could be obtained from the sparse inhabitants of a mountainous country. On the 27th rations were obtained, and Gen. Hunter arrived at Loup Creek during the next day. On the same day the following despatch from Gen. Hunter was issued by the War Department:

WASHINGTON, June 28—4 P. M.

Maj.-Gen. Dix :

The following despatch has just been received from Gen. Hunter:

"I have the honor to report that our expedition has been extremely successful, inflicting great injury upon the enemy, and victorious in every engagement. Running short of ammunition, and finding it impossible to collect supplies while in the presence of an enemy believed to be superior to our force in numbers and constantly receiving reënforcements from Richmond and other points, I deemed it best to withdraw, and have succeeded in doing so without serious loss to this point, where we have met with abundant supplies of food. A detailed report of our operations will be forwarded immediately. The command is in excellent heart and health, and ready, after a few days' rest, for service in any direction."

Nothing later than my telegram of this morning has been received from Gen. Grant or Gen. Sherman.

EDWIN M. STANTON, Secretary of War.

The operations of the expedition were commented upon unfavorably by two newspapers

in West Virginia. They were temporarily suppressed by Gen. Hunter. His reasons for this suppression, as well as his views of the condition of his men during the retreat, will be found in the annexed portion of a letter written by him:

HEADQUARTERS DEPT OF WEST VIRGINIA. {
CUMBERLAND, MD., July 13, 1864. }

To his Exc. A. I. Boreman, Governor of West Virginia.

SIR: I have the honor to acknowledge the receipt of your communication dated July 10th, 1864, relative to the case of James E. Wharton, Esq., editor and proprietor of the "Parkersburg Gazette," and have first to state, in reply, that about two hours previous to the receipt of your letter orders had been given to the provost-marshal for Mr. Wharton's release, and he had been released before your letter reached my hand. And now a few words as to the causes which led to Mr. Wharton's arrest, and the temporary suppression of his journal.

As to the "criticism on your (my) conduct" in which Mr. Wharton indulged, and to which you refer, I agree with you that there was, of course, no offence whatever. It was merely a matter of taste on his part; nor was it noticed by me until you called my attention thereto as one of the possible causes for my action. But Mr. Wharton, in the editorial which led to the suppression of his paper, stated, first, that "Gen. Hunter, with his command, have principally passed through our city (Parkersburg) on their way east." This was contraband news, and was utterly untrue. Much less than one-tenth of my command had passed through Parkersburg, and I was detained there for some time after the appearance of the article, hurrying forward the balance.

In the second place Mr. Wharton went on to say, in the same article: "We were sorry to see so much suffering among them. They were completely worn out, and many in the division had died of starvation." "The sufferings of the soldiers in their movement from Lynchburg to Charleston were terrible, and they half require rest and surgical care."

That there was "some suffering" amongst the troops is true. The business of the soldier is one in which "suffering" forms an inevitable part. But on careful inquiry, personally and through many officers employed for the purpose, I have failed to discover even a report of any one case of death from hunger; while, on the other hand, my medical director, Surgeon Thomas B. Reed, an officer of large military experience and excellent judgment, assures me that, despite the certain limited privations and great fatigues of the march, the health of the command was, throughout, far better than the average health of soldiers quietly resting in their camps.

I have the honor to be, sir, with very sincere respect, your most obedient servant,

D. HUNTER, Maj.-Gen. Commanding.

The reason for his retreat through West Virginia was stated to be that "the return march down the Shenandoah to Staunton, was flanked by the railroad from Lynchburg to Waynesboro', and that Hunter with his whole command must, therefore, have been cut off and destroyed or captured, had any such movement been attempted."

Simultaneously with the beginning of the movement against Richmond, a cavalry raid was made by Gen. Sheridan from New Castle Ferry on the Pamunkey River to Gordonsville, the junction of the Virginia Central Railroad with the road to Alexandria. His report of the expedition was as follows:

I crossed the Pamunkey River on the 7th instant,

marching via Aylett's, and encamped on Herring Creek.

On the morning of the 8th I resumed the march, via Polecat station, and encamped three miles west of the station.

On the 9th I marched through Childsburg and New Market, encamping on E. N. E. Creek, near Young's bridge.

On the 10th I marched via Andrews' Tavern and Leiman's store, crossing both branches of the North Anna, and encamped at Buch Childs, about three miles northeast of Trevilian station.

My intention was to break the railroad at this station, march through Mechanicsville, cut the Gordonsville and Charlottesville Railroad near Lindsay's house, and then to march on Charlottesville; but on our arrival at Buch Childs I found the enemy's cavalry in my immediate front.

On the morning of the 11th Gen. Torbert, with his division, and Col. Gregg, of Gen. Gregg's division, attacked the enemy. After an obstinate contest they drove him from successive lines of breastworks, through an almost impassable forest, back on Trevilian station.

In the mean time Gen. Custer was ordered with his brigade to proceed by a country road so as to reach the station in the rear of the enemy's cavalry. On his arrival at this point the enemy broke into a complete rout, leaving his dead and nearly all of his wounded in our hands; also twenty officers, five hundred men, and three hundred horses.

These operations occupied the whole of the day. At night I encamped at Trevilian station, and, on the morning of the 12th inst., commenced destroying the railroad from this point to Lorrain Court House. This was thoroughly done, the ties burned and the rails rendered unserviceable.

The destruction of the railroad occupied until 3 o'clock of this day, when I directed Gen. Torbert to advance with his division and Gen. Davis' brigade of Gen. Gregg's division in the direction of Gordonsville and attack the enemy, who had concentrated and been reinforced by infantry during the night, and had also constructed rifle-pits at a point about five miles from Gordonsville. The advance was made, but as the enemy's position was found too strong to assault, no general assault was made. On the extreme right of our lines a portion of the Reserve brigade carried the enemy's works twice, and was twice driven therefrom by infantry. Night closed the contest. I found, on examination of the command, that there was not a sufficiency of ammunition left to continue the engagement.

The next day trains of cars also came down to where we were engaged with the enemy. The reports of prisoners and citizens were that Pickett's old division was coming to prevent the taking of Gordonsville. I, therefore, during the night and next morning, withdrew my command over the North Anna, via Carpenter's ford, near Miner's bridge. In addition, the animals were for the two entire days in which we were engaged without forage. The surrounding country afforded nothing but grazing of a very inferior quality, and generally at such points as were inaccessible to us. The cavalry engagement of the 12th was by far the most brilliant one of the present campaign. The enemy's loss was very heavy. They lost the following named officers in killed and wounded:—Col. McAllister, commanding a regiment, killed; Brig.-Gen. Rosser, commanding a brigade, wounded, and Col. Custer, commanding a regiment, wounded. My loss in killed and wounded will be about five hundred and seventy-five. Of this number four hundred and ninety are wounded. I brought off in my ambulances three hundred and seventy seven—all that could be transported. The remainder were, with a number of rebel wounded that fell into my hands, left behind. Surgeons and attendants were detailed, and remained in charge of them. I captured and have now with me three hundred and

seventy prisoners of war, including twenty commissioned officers. My loss in captured will not exceed one hundred and sixty. They were principally from the 5th Michigan cavalry. This regiment gallantly charged down the Gordonsville road, capturing fifteen hundred horses and about eight hundred men; but were finally surrounded and had to give them up. When the enemy broke they hurried between Gen. Custer's command and Col. Gregg's brigade, capturing five caissons of Pennington's battery, three of which were afterwards recaptured, leaving in their hands two caissons.

The contest at Trevilian was reported by Gen. Lee to be a rebel victory.

The retirement of Gen. Hunter to West Virginia, with his army in such condition as to need rest and reorganization, left the Shenandoah valley open to the unresisted occupation of the enemy. At the same time the state of affairs at Petersburg permitted Gen. Lee to detach a force for the invasion of Maryland, and perhaps cause troops to be recalled from Gen. Grant for the defence of Washington. Rumors of the advance of the enemy down the Shenandoah valley preceded their appearance by some days. On Saturday, July 2d, they first reached the region of Martinsburg. On the news of their approach, Gen. Sigel determined to evacuate Martinsburg and a part of the stores were removed, including nearly all the rolling stock of the railroad company, and heavy trains loaded with supplies for Gen. Hunter. A quantity of valuable stores, however, were lost. The enemy first appeared at North Mountain, eight miles north of Martinsburg, which compelled Gen. Sigel to fall back to Harper's Ferry. On Saturday, July 3d, he was attacked at Leetown, and quickly driven from his position, and moved to the strong position of Maryland Heights, which he held. The main line of the enemy's advance was by way of Martinsburg and North Mountain, across the Potomac to Hagerstown. A panic spread over the region, and the inhabitants fled with such property as they could hastily seize and remove. At Fredrick, Md., on the 5th, all the Government stores were loaded on railroad trains, and preparations made for an immediate evacuation of the city. On the same day Hagerstown was occupied and the stores plundered, and a requisition made on the inhabitants for \$20,000. This money was paid and the raiding party left. The Baltimore and Ohio Railroad was held by the enemy as far down as Sandy Hook, and much of the track torn up. The following were the orders of the commanding officer of the enemy to his force:

HEADQUARTERS CAVALRY DIVISION, }
VALLEY DISTRICT, June 28, 1864. {

The following directions for the march of this command will hereafter be strictly observed:—

Before the march begins on each morning the rolls of each company will be called after mounting, and the adjutant of each regiment will keep a list of the names of all deserters.

Before dismounting at camp in the evening the rolls will again be called, and the brigade commanders will report to these headquarters the number of men absent at each roll call.

The habitual order of the march will be in column

of "fours," but on narrow roads by "twos." The distance between the head of one brigade and the rear of the other will be two hundred yards. When artillery and ambulances accompany the brigades, those assigned to each brigade will follow immediately in rear of their brigades. During the march the brigades in rear will regulate their movements by those in front.

Regular halts will be made during the march, and neither officers nor men will leave the column, except at such halts, unless by the written consent of the brigade commander, and such permission will not be granted unless for important reasons.

Brigade, regimental, and company commanders will pass frequently from front to rear of their respective commands, to see that the column is at all times well closed up. Brigades will alternate in the march daily. A rear guard will be placed behind each brigade, and no person, except staff officers or couriers, will be permitted to fall behind such guard.

All the wagons of this division will march together under direction of the division quartermaster.

The quartermasters of the command will constantly accompany their respective trains. One man, dismounted when practicable, will go with each wagon to assist the driver. He will remain with the wagon. No other parties will be permitted with the train, except when a guard shall be necessary. The quartermasters will be held responsible that no others accompany the wagons. No other wagons or conveyances than those allowed from army headquarters will be allowed.

Upon reaching camp, officers and men must remain in their camps, and commanders will establish proper camp guards.

Immediately upon fixing the headquarters of the brigade the commanders will report their locality to division headquarters.

The utmost order and perfect quiet will be preserved upon the march and in camp. The silly practice of whooping and hallooing is strictly forbidden.

Destruction of the fences and crops of the farmers is positively prohibited, and such outrages will be paid for from the pay of the officers of the command nearest where such depredations may be committed.

Greatest care must be taken of ammunition. Not a cartridge must be fired unnecessarily. An important campaign is commenced, and upon its results depend more than we can estimate.

The Major-General commanding asks and expects from every man of his command a hearty and cheerful compliance with orders, assuring all that they shall reap and enjoy the full fruits of whatever their labors and privations may obtain.

By command of Maj.-Gen. RANSOM.

WALTER K. MARTIN, Asst.-Adjt.-Gen.

Brig.-Gen. NED McCausland, com'dg brigade.

N. FITZHUGH, Asst.-Adjt.-Gen.

On the same day the President issued a call for twelve thousand militia from Pennsylvania, twelve thousand from New York, five thousand from Massachusetts, and the various Governors issued proclamations calling out the troops, and the militia began to assemble.

On Wednesday there was some skirmishing with a few of the enemy's cavalry, between Hagerstown and Frederick. The Federal force from Hagerstown fell back toward Chambersburg. At various points along the Potomac and north there was some skirmishing.

On Thursday, a reconnoitring force sent out by Gen. Wallace from Monocacy, was quickly repulsed by the enemy. Boonsboro' and Middletown were occupied by them, and they advanced within a few miles of Frederick, and threw some shots into the city. Before morn-



ing of the 8th they withdrew to another quarter. The country on all sides was scoured for horses, forage, provisions, and money. On the 8th, another party from Harper's Ferry entered Hagerstown from Williamsport, and again plundered the inhabitants and burned some buildings. The enemy still occupied the road to Frederick with their main body behind Catocin Mountain. In the evening of the same day, Gen. Wallace withdrew with his force from Frederick to Monocacy Junction. At sunrise on the next morning, the 9th, the enemy entered and levied a contribution on the inhabitants. About 9 A.M. they advanced against Gen. Wallace, who occupied a position on the east side of the Monocacy River, with his batteries protecting the railroad and the turnpike. The attack of the enemy was made on his left under Gen. Ricketts, with varying success for some hours, when it was forced to give way. At the same time the right of Gen. Wallace was outflanked by the enemy, who, appearing in the rear, poured in a reverse fire and swept off about six hundred men and officers, including Gen. Tyler. Gen. Wallace now fell back, and the enemy pursued him some miles toward Ellicott's Mills on the Baltimore turnpike. His loss was about twelve hundred men, with six cannon. The command under Gen. Ricketts had been sent forward from Petersburg by Gen. Grant. The force of the enemy consisted of a column which crossed the Potomac at Williamsport, and another which had besieged Gen. Sigel for four days in Harper's Ferry.

The disaster to Gen. Wallace created great excitement in Washington and through the Northern States. Washington appeared to be in imminent peril, and reinforcements were hurried forward. The 19th army corps, which had been sent from New Orleans to reinforce Gen. Grant, was at this time entering the Chesapeake Bay. It was at once sent to Washington. One corps of Gen. Grant's army—the 6th, under Gen. Wright—was detached from the lines before Petersburg, and also sent to Washington. Gen. Wallace, in command at Baltimore, was superseded by Gen. Ord. Meantime the enemy, after tearing up some of the railroad from Frederick to Baltimore, sent their main body south of it and detached a cavalry force toward the Northern Central Railroad from Harrisburg, Penn., to Baltimore. This cavalry expedition overran Eastern Maryland. Twenty-five miles of the Northern Central road were destroyed, and on Monday, the 11th, a force appeared on the Baltimore, Wilmington, and Philadelphia road, and captured and set on fire the trains at Magnolia station, seventeen miles south of Havre de Grace. In one train Maj.-Gen. Franklin was captured, but afterwards made his escape. Some damage was done to the track, and Gunpowder bridge was partially burned. The cavalry, heavily loaded with plunder, came within six miles of Baltimore, then turning southward they joined the

force near Washington, which had been sent in that direction to guard against surprise. Part of it halted before Fort Stevens, on Seventeenth Street. Toward evening their sharpshooters had become so annoying, and their presence at the Capital so humiliating, that an attempt was made by Gen. Augur to dislodge them. A brigade of veteran infantry was detached along Seventeenth Street road, which encountered them, and a sharp skirmish ensued. The enemy were driven off, leaving about a hundred dead and wounded on the field. The Federal loss was between two and three hundred. While this demonstration was made before Washington, the rest of the enemy's force were moving across the Potomac, and on Wednesday morning the whole force was approaching the river and the invasion was ended.

On the retreat they were cautiously followed by a column from Washington, under Gen. Wright, consisting of the 6th corps and a division of the 19th. He crossed the Potomac below Edward's ferry and moved to Leesburg. At the same time a portion of one train was captured by the cavalry under Gen. Crook, with some of the teamsters and guard, and the rear driven through Snicker's gap after a sharp fight. The enemy, however, held the ferry across the Shenandoah with two guns, and checked the pursuit. On Monday, July 18th, the command of Gen. Wright and the cavalry under Gen. Crook, excepting a body sent to guard Ashby's gap, passed through Snicker's gap to the ferry. The infantry began to cross below the ferry. The cavalry also crossed, and forming a line with the brigade of Col. Wells on the left, and that of Col. Thorburn on the right, hotly engaged the enemy. As the latter were concentrating on the right, Gen. Wright began to cross the 6th corps to meet the enemy's concentration. But they charged the line with violence, and at length turned the right and drove it with some confusion across the ford. Finding the right giving way, Col. Wells withdrew the left, and the troops recrossed the river with a loss of three hundred. The force sent to Ashby's gap drove the enemy through the gap and across the river, but the latter finding their rear attacked, hurried back in force and compelled the command to retire with a loss of two hundred. The enemy now leisurely moved toward Winchester and Strasburg, and the force of Gen. Wright crossed the Shenandoah. They soon halted and recrossed, returning to Leesburg, whence Gen. Crook moved to Harper's Ferry, and Gen. Wright to Washington. On the 19th, the same day on which the enemy were overtaken at Snicker's ferry, Gen. Averill moved from Martinsburg toward Winchester, and encountered a cavalry force near Darksville. On the next morning he pressed toward Winchester, where he met the enemy, and a contest ensued for three hours, during which Gen. Averill captured four guns, several hundred small arms, and about two hundred prisoners. The total loss

of the enemy was between three and four hundred. The force of the enemy at hand caused him to halt in his advance.

The entire force of the enemy in this invasion was not far from 20,000 men. It included two infantry corps under Gens. Breckinridge and Rhodes, a division of cavalry under Gen. Ransom, and three batteries of artillery. The whole was under the command of Maj.-Gen. Jubal Early. Leaving a considerable force to guard his rear, about fifteen thousand crossed the Potomac. His loss was about fifteen hundred. A large amount of property was destroyed, five thousand horses driven off, one of the greatest panics was excited, and several thousand men were withdrawn from Gen. Grant's army.

Gen. Crook, after returning toward Harper's Ferry joined Gen. Averill, and on July 23d there was considerable skirmishing at Kernstown, four miles beyond Winchester, and the Federal cavalry were driven back on the main body. On the next day the enemy pressed his advantage, and the cavalry were driven back in great rout through Winchester toward Bunker Hill. The breaking of his cavalry forced Gen. Crook to retreat. His command consisted of the cavalry under Gens. Averill and Duffie, and two divisions of infantry, about ten thousand men. The enemy being in greater strength outflanked him, and compelled a retreat from point to point. After the first struggle Gen. Early halted his main force about five miles north of Winchester, but his cavalry kept up a hot pursuit to Martinsburg. The loss of Gen. Crook from all sources was about twelve hundred, among whom was Col. Mulligan, killed. On the next day a sharp artillery engagement took place at Martinsburg, but Gen. Crook, having gained time to get off most of his trains, again fell back, and on the succeeding day crossed the Potomac into Maryland, without molestation by the enemy. Their loss in these affairs was considerable. None, however, were taken prisoners.

The enemy now held the west bank of the Potomac from Williamsport to Shepardstown. In Maryland and southern Pennsylvania the scenes in anticipation of the previous invasion were renewed—the panic—the frightful stories, fugitives, and the roads blocked with every species of property, which its owners were endeavoring to remove to a place of safety. The Federal troops rallied again, and on the 27th it was found that the enemy was not opposite Williamsport. On the next day, Gen. Kelly crossed and reoccupied Martinsburg, which the enemy had already evacuated. On the next day, the 29th of July, a force of the enemy crossed the Potomac, and advanced on Chambersburg, in Pennsylvania. On the next day, Saturday, they dispersed some troops at Carlisle barracks, and a force of two or three hundred mounted men entered Chambersburg and set it on fire. A part of the inhabitants, with their valuable property, had gone off on the

previous day. The enemy demanded a ransom of \$500,000, which not being paid, about two-thirds of the town, or two hundred and fifty houses, were burned. The inhabitants who remained made no opposition.

During the forenoon the enemy withdrew. Immediately afterwards Gen. Averill entered the town, and without stopping to extinguish the flames set out in pursuit. On Thursday evening previous he had retreated from Hagerstown toward Carlisle. During Friday he was driven back to Greencastle by the force of the enemy which on that day crossed the Potomac, and a part of his train lost. At night the enemy turned toward Chambersburg, and Gen. Averill on the next morning began to follow after them through St. Thomas, Loudon, and McConnellsburg. The force from Chambersburg having reached their reserves, were overtaken by Gen. Averill toward evening, eight miles beyond McConnellsburg. Skirmishing took place until dark. On the next day Gen. Averill followed to Hancock, where the enemy checked the pursuit by felling trees and burning bridges behind him.

On Saturday, Col. Mosby, a partisan ranger, with about fifty men crossed the Potomac at Cheat ferry, pushed up the towpath to Adams-town, captured the picket there, consisting of thirty or forty cavalry, cut the telegraph wire, robbed a few stores, and quickly retired. This affair created great alarm at Frederick, Monocacy, and Poolesville. It stopped the railroad trains in the neighborhood, and gave rise to a report that Gen. Early was invading Pennsylvania with forty thousand men.

The band of Col. Mosby on its return encountered a superior force at Conrad's ferry, with which a slight skirmish occurred. The panic, however, increased. Gen. Couch telegraphed to the authorities at Pittsburg that "it is believed Breckinridge is marching west." All business was immediately suspended, and on Sunday a public meeting was held to prepare for defence. On Monday, August 1st, Gen. Curtis called the State Legislature to assemble on the 9th to take prompt measures in so great a crisis. At the same time Gen. Couch examined the defences on the Ohio and Monongahela Rivers. The 6th corps started for the scene of action on hearing of the defeat of Gen. Crook. Leaving Georgetown on July 26th, it bivouacked at Rockville at night. On the next day it marched to Hyattstown and reached the Monocacy on Thursday, and passing through Frederick encamped at Jefferson. On Friday evening it reached Halltown, three miles from Harper's Ferry. The force at that point, on Saturday, the day that Chambersburg was burned, consisted of the 6th corps, a part of the 19th, and the infantry of Gen. Hunter, under Gen. Crook. On that day orders came to move in pursuit of Gen. Early's army, which was reported to be ravaging Pennsylvania. The whole force, with an immense wagon-train, marched hard during that day and the next,

losing some men by sunstroke, but finding no enemy. After a severe march they arrived at Frederick quite exhausted, and rested.

The small force of the enemy which had been in Maryland moved from Hancock on the Cumberland road, as above stated, the pursuit of Gen. Averill being checked by felling trees, &c. Gen. Kelley with his command in Western Virginia now started to intercept this advance. On Monday afternoon the enemy reached Folck's mill, three miles from Cumberland, and attacked Gen. Kelley, who was protecting the town. The skirmish continued until dark, and the enemy during the night fell back to Oldtown, leaving his killed and wounded, some wagons and ammunition. During the afternoon previous a force of five hundred men had been posted at Oldtown, under Col. Stough, to cut off the enemy's retreat. In the morning this force was attacked by the enemy, and, after a sharp skirmish, routed. The colonel and ninety men were made prisoners. The loss of the enemy in killed and wounded was about thirty; the Federal loss in this respect was much less. On Thursday, August 4th, the enemy made an attack on Gen. Crook, but were foiled, and during the night withdrew on the road to Moorefield. At that place he was overtaken by Gen. Averill and routed with the loss of his artillery, many wagons, and five hundred prisoners. The loss of Gen. Averill was about fifty. On Thursday, the 4th, a panic prevailed in Harrisburg, caused by a report that the enemy had crossed the Potomac, and was invading the North. Gen. Curtis issued a proclamation calling out thirty thousand militia, and the inhabitants in the Cumberland valley commenced another grand removal.

The result of these operations was to secure an organized defence under the command of Gen. Sheridan for the defence of the valley. This force, by orders of Gen. Grant, consisted of the 6th and 19th corps, the division of infantry under Gen. Crook, and the division of cavalry under Gen. Torbert, with four brigades of Gen. Hunter's cavalry.

The changes made before Petersburg during the operations of the enemy in Maryland, consisted chiefly in the transfer of troops to thwart them. The army of Gen. Grant continued more quiet than at any time since his campaign was commenced. The principal firing during this period was on the right and right centre, where Gen. Grant's lines were persistently pushed forward, and Petersburg and the batteries of the enemy monotonously shelled. Some skirmishes at different points also occurred by which a few men were lost on each side.

On July 1st a movement was made by a body of troops under Gen. Birney from Hilton Head, up the North Edisto River. They disembarked at White Point for the purpose of penetrating the country as far as practicable. The enemy were found in strong positions, and after some skirmishing the force withdrew. An attempt was also made to seize Fort Johnson on the

northern end of James Island, by crossing Morris Island. The enemy were found to be strong and on the alert, and the force was withdrawn.

About the same time, July 3d, Gen. Dennis with a force of three thousand men moved out from Vicksburg to destroy the railroad from Jackson to Canton. Jackson was easily occupied, but on the return, an attack of the enemy was made upon the rear, and a sharp skirmish followed. The loss was about two hundred on each side. Some other movements were made at this time in Mississippi and Missouri partaking of a guerrilla character.

In the latter part of July some changes were made in the commanders of the corps of the army of the James River. An order from the War Department relieving Gen. Butler was rescinded by Gen. Grant, and the former was retained in command. Gen. Smith was relieved from the command of the 18th corps and succeeded temporarily by Gen. Martindale, and then permanently by Gen. Ord, of the 8th corps. Gen. Gilmore was relieved of the command of the 10th corps, succeeded temporarily by Gens. W. H. H. Brooks and Terry, and permanently by Gen. Birney of the 2d corps.

The line of Gen. Grant extended at this time a distance of twenty miles. On the right, north of the James, at Deep Bottom, Gen. Foster's division of the 10th corps had been for some time in possession of an intrenched camp. This position served to prevent any sudden demonstration on the right flank by the enemy, who were in possession of Malvern Hill, and also checked any effort by them to blockade the river against gunboats and transports by field artillery. At the same time it furnished a good base for threatening an advance on Richmond from the southeast, or for making a feint in that direction. In the rear of Gen. Foster's position a pontoon bridge crossed the James which was thoroughly protected by gunboats, but in his front a large force of the enemy prevented an advance. On July 21st a second bridge was thrown across the James at Strawberry Plains a little further down, and on the next day a brigade of the 19th corps crossed over and held the head of the bridge. Constant skirmishing with the enemy followed for some days, and so threatening was the demonstration that a division was added to their force in front of Gen. Foster. On Tuesday, July 26th, rapid artillery firing, intermingled with musketry, was kept up during the forenoon. At evening it was renewed with the addition of the gunboats, and continued through the night. At 4 P. M. of the same day the 5th corps moved from the extreme left, followed by the cavalry under Gen. Sheridan to the James River at Jones's Neck. Before daylight they began to cross on a pontoon bridge, which had been muffled with hay and grass. A line of battle was then formed with Gen. Sheridan's cavalry on the extreme right, and the 2d corps next at Strawberry Plains, the brigade of the 19th corps on its left, and Gen.

Foster in his old position on the extreme left, at Deep Bottom.

The position of the enemy was in front of the 2d corps. They occupied rifle-pits, defended by one battery. An advance upon them was made by the 2d corps, during which Gen. Miles's brigade under cover flanked the whole position under a brisk charge. The enemy immediately retreated, losing their guns and some prisoners. A mile further in the rear they took a new position on a ridge. The Federal loss during the day was about a hundred. On the next day the demonstrations were continued, and a cavalry battle took place on the right with a loss of about two hundred and fifty. On Friday about four hundred empty wagons were taken across on the bridges as if an advance on Malvern Hill was to be made in great force. Nearly twenty thousand men and twenty cannon had thus been sent north of the James. Meanwhile the enemy hurried off a considerable force from Petersburg to meet these demonstrations, and during Thursday still more were sent. On Thursday evening, therefore, the 3d division of the 2d corps was secretly removed to Petersburg. After some skirmishing with the enemy on Friday afternoon, the rest of the 2d corps and the cavalry, after dark, retraced their steps and arrived before daybreak at Petersburg. At this place there had been the usual cannonade during the four preceding days.

All those moments were preliminaries to the explosion of a heavy mine which had been planted under one of the enemy's heaviest works. It had been suggested by Lieutenant-colonel Pleasants of the 48th Pennsylvania regiment, who with his regiment had been accustomed to mining before the war. By them the whole work was accomplished. It was begun on June 25th. It started in the side of a ravine in front of the 9th corps and pushed toward a formidable fort of the enemy situated about two thousand yards from Petersburg. The distance to be mined was about five hundred feet. The gallery was made in the usual shape, being about four feet wide at the bottom and sloping up to the top. Its height was about four and a half feet. A ventilating shaft was sunk near the entrance. The ground rose toward the enemy's position, and the tunnel was sloped upwards as it advanced. When the fort was reached, it was about twenty feet overhead. Wings were extended to the right and left, so that the main gallery might open into two diverging galleries, running along the outer line of the fort. Eight chambers were formed in these latter, separated by sand-bags and wood. Wooden pipes ran about a hundred feet from the magazines toward the mouth of the gallery, and were connected there by a hose or fuse which extended the rest of the distance. The chambers were charged with four tons of powder. After its completion a delay of some days ensued, during which the feint at Deep Bottom was made.

Every effort to conceal the work was made, but it was supposed that the enemy were aware of its existence.

The plan of assault was to explode the mine and immediately to open a cannonading from every gun on the line. Under cover of this concentrated fire, which might somewhat unnerve the enemy, a storming party was to rush through the gap made by the explosion and endeavor to carry the enemy's position beyond. In the rear of his first line was a strong crest, which commanded Petersburg. The Federal lines were less than a hundred and fifty yards distant from the enemy at the nearest points. The approach to the part to be charged, which was about the same distance, had been made difficult by abatis and entanglements. Nearly a hundred heavy guns had been brought up by Gen. Grant, some of which were eight-inch and some even heavier.

The assaulting force was the 9th corps, supported by the 18th corps, with the 2d in reserve on the right, and the 5th on the left, the whole closely massed, and leaving only the necessary garrisons to hold the more distant intrenchments. This force was in position soon after midnight on Friday, July 29th. The 9th corps was arranged with Gen. Ledlie's division in advance, Gens. Wilcox and Potter's next in support, and the colored division, in command of Gen. Ferrero, in the rear. The fuse was to be lighted at 3½ o'clock A. M. But, owing to dampness, the fire went out in the gallery. It was renewed after much delay, but the explosion did not take place until twenty minutes of five o'clock, and after sunrise. A heaving and trembling of the earth was followed by huge clouds of earth and all the contents of the fort, as guns, caissons, limbers, and the soldiers which manned them being thrown into the air. To the spectators it resembled a great fountain in appearance; then, poising for a moment, it quickly descended. A crater, one hundred feet or more in length and half as wide, and a depth of twenty feet, with heaps of ruins, remained where once stood a six-gun fort, its camp equipage, and two hundred men. Immediately after the explosion, the cannonading from a hundred guns commenced. Gradually recovering from his surprise the enemy began to respond, and soon their entire line was engaged. Meantime, after a few minutes' delay, Gen. Marshall's brigade, of Gen. Ledlie's division, began to advance across the deadly plain. The supporting brigades spread out and enveloped the flanking rifle-pits, capturing about two hundred prisoners. The breech was gained, and the troops began to reform for assault. Instead of bursting at once upon the frowning crest, four hundred yards distant, the advance brigades were suffered to throw up intrenchments and spend time in getting two guns to bear on the enemy. Meanwhile the latter rallied and poured a terrific enfilading fire upon the captured fort. At length the 7th

corps was re-formed, after a fatal delay, and with Gen. Potter's division on the right, Ledlie's in the centre, and Wilcox on the left, under cover of the fire of two guns, began the charge. At every step, the fire of the enemy in front and on each flank, concentrated with greater fury upon them and ploughed their ranks with slaughter. The charge was checked on the side of the crest, there was a halt, and finally the whole line, wavering under terrible odds, recoiled to the fort. The colored division of the corps remained. As a forlorn hope, it was despatched to do what the other three had failed in attempting. It rushed forward over the four hundred yards which separated it from the enemy only to meet the fate of its comrades. When once broken, it plunged headlong into the fort, upon which the enemy now concentrated their fire. It was evident the day was lost, and the question now was, how best to save the troops. Efforts were made by a division of the 18th and another of the 10th corps to distract the attention of the enemy, but they proved to be useless. His fire was directed straight upon the dismantled fort, now become a slaughter-pen, in which were huddled the fragments of the 9th corps, hoping for relief from their comrades who lay in their intrenchments, two hundred yards distant. Then squads of men began the work of retreating. But the enemy kept up a destructive cross-fire over every rod of the space between the fort and the Federal lines. The retreating movement, however, was kept up. Meanwhile, the enemy made several charges upon the ruins of the fort, which were bravely resisted by some of the officers and the remnants of the corps. About noon, however, a general retreat was ordered, a considerable part of the survivors of the assault having already crossed to the rear. Those who remained in the fort having exhausted their ammunition and being left unsupported by the rest of the army, were captured about 2 P. M. by a final charge of the enemy.

The Federal loss was estimated at five thousand; that of the enemy, one thousand, of whom two hundred were made prisoners. The dead lay on the field for thirty-six hours, when they were removed under a flag of truce.

On Friday, Aug. 5th, a mine was exploded by the enemy. No assault followed. On the 7th there was a sharp skirmish and an artillery duel in front of the 9th corps. In the afternoon of the 9th another duel with heavy mortars occurred on the right and right centre. On the same day an ordnance boat was receiving fixed ammunition at City Point, when, by dropping one of the cases, the whole cargo was exploded. On several succeeding days, before Petersburg, only picket and artillery firing took place.

On August 10th, preparations were made for digging a canal at Dutch Gap. A great bend in the James River forms a peninsula called Farrar's Island, which a neck of land, less

than half a mile wide, connects with the north shore. This isthmus it was proposed to cut by a canal. Such canal would save a circuit of six miles in a bend crowded with obstructions and torpedoes and guarded by gunboats of the enemy. If occupied, it would also flank the strong position of the enemy at Howlett's, where his heavy batteries swept the river. It would compel him to construct a new and more extended line of defence, requiring a larger force of men to defend it, and also bring Gen. Grant's forces dangerously near to Fort Darling. The prosecution of the work was continued through the remainder of the year, although often seriously and dangerously annoyed by the enemy. One of the last acts of Gen. Butler, while in command on the James, was an unsuccessful attempt to remove, by an explosion of powder, the earth at the entrance of the canal.

The state of operations at this time, as viewed by Gen. Grant, is expressed in the following letter :

HEADQUARTERS ARMIES OF THE UNITED STATES, }
CITY POINT, VA., August 16th, 1864. }

To Hon. E. B. Washburne :

DEAR SIR—I state to all citizens who visit me that all we want now to insure an early restoration of the Union is a determined unity of sentiment North. The rebels have now in their ranks their last man. The little boys and old men are guarding prisoners, guarding railroad bridges, and forming a good part of their garrisons for entrenched positions. A man lost by them cannot be replaced. They have robbed the cradle and the grave equally to get their present force. Besides what they lose in frequent skirmishes and battles, they are now losing from desertions and other causes at least one regiment per day.

With this drain upon them the end is not far distant, if we will only be true to ourselves. Their only hope now is in a divided North. This might give them reinforcements from Tennessee, Kentucky, Maryland, and Missouri, while it would weaken us. With the draft quickly enforced the enemy would become despondent, and would make but little resistance. I have no doubt but the enemy are exceedingly anxious to hold out until after the Presidential election. They have many hopes from its effects.

They hope a counter revolution; they hope the election of the Peace candidate. In fact, like "Micawber," they hope for something to "turn up." Our Peace friends, if they expect peace from separation, are much mistaken. It would but be the beginning of war with thousands of Northern men joining the South because of our disgrace in allowing separation. To have "peace on any terms" the South would demand the restoration of their slaves already freed; they would demand indemnity for losses sustained, and they would demand a treaty which would make the North slave-hunters for the South. They would demand pay for the restoration of every slave escaping to the North.

Yours, truly, U. S. GRANT.

On August 18th the 5th corps marched to Reams' station, on the Weldon Railroad, and surprised a body of the enemy guarding it, and took possession of the road. On the next day an impetuous attack was made upon their right by three brigades of the enemy under Gen. Mahone. The pickets and an advanced regiment were quickly driven back to the breast-

works, and the enemy rushed through a gap in the line, separating the divisions of Crawford and Wilcox. A desperate engagement now ensued. At the same time the left of the line was attacked by the enemy under Gen. Heth, and the temporary intrenchments carried. On reaching the second line the enemy was brought to a stand, and then driven back with great slaughter. At this time reënforcements had arrived, consisting of the 1st and 2d divisions of the 9th corps. The lines were thus finally rallied and the enemy driven back, retrieving in a measure the disaster at the outset. The Federal loss was estimated between 3,500 and 4,000. The enemy claimed to have captured 2,700 prisoners. The Weldon Railroad was thus recovered by the enemy as far as Yellow Tavern, but the position first taken by Gen. Warren was held.

On August 28th, Gen. Grant issued the following order:

HEADQUARTERS ARMIES OF THE U. S., IN THE FIELD, }
VIRGINIA, August 28th, 1864. }

Special Orders No. 82.

Hereafter deserters from the Confederate army, who deliver themselves up to the United States forces, will, on taking the oath that they will not again take up arms during the present rebellion, be furnished subsistence and free transportation to their homes, if the same are within the lines of the Federal occupation.

If their homes are within such lines, they will be furnished subsistence and free transportation to any point in the Northern States.

All deserters who take the oath of allegiance will, if they desire it, be given employment in the Quartermaster's and other departments of the army, and the same remuneration paid them as is given to civilians employed for similar services.

Forced military duty, or services endangering them to capture by the Confederate forces, will not be exacted from such as give themselves up to the United States military authorities.

By command of Lieut.-Gen. GRANT.
T. S. BOWERS, A. A. G.

Affairs now remained quiet until September 10th, when the brigade of Gen. De Trobriand captured a portion of the enemy's pickets, inflicting a loss of one hundred to one hundred and fifty. On the 16th a body of the enemy's cavalry marched around in the rear of Gen. Meade's left at Reams' station, and captured the 13th Pennsylvania and a herd of 2,500 cattle. They were pursued by cavalry, but the pursuit was repulsed and they retired at leisure.

On September 14th the Secretary of War sent forward the following despatch:

WAR DEPARTMENT, September 14.

Major-General Dix, New York:

Lieutenant-General Grant telegraphs this department in respect to the draft as follows:

CITY POINT—10:30 A. M., September 13.

Hon. Edwin M. Stanton, Secretary of War:

We ought to have the whole number of men called for by the President in the shortest possible time. Prompt action in filling our armies will have more effect upon the enemy than a victory over them. They profess to believe, and make their men believe, there is such a party North in favor of recognizing Southern independence that the draft cannot be en-

forced. Let them be undeceived. Deserters come into our lines daily who tell us that the men are nearly universally tired of the war, and that desertions would be much more frequent, but they believe peace will be negotiated after the fall election. The enforcement of the draft and prompt filling up of our armies will save the shedding of blood to an immense degree.

U. S. GRANT, Lieutenant-General.

The following telegram has been received from Major-General Sherman on the same subject:

ATLANTA, GA.—6:30 P. M., Sept. 13.

Hon. E. M. Stanton, Secretary of War:

I am very glad to hear that the draft will be enforced. First, we want the men; second, they come as privates to fill up our old and tried regiments, with their experienced officers already on hand; and third, because the enforcement of the law will manifest a power resident in our Government equal to the occasion. Our Government, though a Democracy, should in times of trouble and danger be able to wield the power of a great nation. All well.

W. T. SHERMAN, Major-General.

The draft is ordered to commence in all the States and districts where the quota is not filled by volunteers, on Monday, the 19th, and will go on until completed. Volunteers and substitutes will be received and credited to as late a period as possible. Volunteering is still progressing with vigor in most of the States.

EDWIN M. STANTON,

Secretary of War.

A call for 500,000 men had been issued by the President on July 18th.

On Sept. 28th a movement was made by Gen. Grant on the north of the James. It was predicated on the belief that only a small force of the enemy occupied the works on the north side of the river, and a hope was entertained that by a sudden movement and a rapid advance the capture of Richmond might be the result. At the same time it was assumed that if the advance was successfully resisted it could only be accomplished by the withdrawal of a force from the south side of the river, which would materially aid the army of the Potomac in a contemplated movement on the enemy in the vicinity of Petersburg. Gen. Ord with the 18th corps was ordered to cross the James at Aikin's Landing, eight miles above Deep Bottom, and to mass his troops quietly on the north bank, and at daylight to advance against the enemy's works in his front with the utmost celerity, in order that no reënforcements might reach the enemy in time to oppose the movement. After capturing the works on Chapin's Farm, it was designed that he should without delay advance against the rear defences of Chapin's Bluff, and, after capturing these, destroy the bridges across the James and continue his advance toward Richmond, capturing the enemy or driving them before him, and effectually protecting his rear by the destruction of the bridges. At the same time Gen. Birney, on the afternoon of the 28th, with the 10th corps, moved to Bermuda Hundred and crossed the river during the night. A division of colored troops of the 18th corps was added to his force. Gen. Birney was ordered, by a rapid movement at daylight, to capture the enemy's work in front of Deep Bottom and gain possession of the New Market road lead-

ing to Richmond; thence to advance as rapidly as practicable toward Richmond, assaulting any works occupied by the enemy which he might meet, and establish communication or a connection with Gen. Ord at the Mill road, distant about seven miles from Richmond. Gen. Birney had captured the enemy's works at 8½ A. M., and by nine o'clock his second division was on the advance toward Richmond on the New Market road. Communication was established with Gen. Ord, as directed, by 10½ o'clock, and Gen. Grant, being on the field, expressed his gratification with the progress. The strong inner defences of Chapin's Bluff were soon encountered, and preparations were made to assault them. Gen. Ord had carried the first line of the enemy's works in his immediate front, capturing some fifteen pieces of artillery, and was then preparing to act in conjunction with Gen. Birney upon the enemy's line of fortifications. As the works were evidently very formidable, it became necessary to organize a regular assaulting column. This delayed the assault until 2 P. M. Meantime reinforcements were sent to the enemy, and as the assaulting column advanced they could be seen entering the works. From this cause and the strength of the works, the assault was unsuccessful, although the troops behaved with great gallantry. Two regiments only of the colored division reached one of the rebel forts, where they found a ditch ten feet wide and eight feet deep between them and the parapet. More than a hundred of these brave fellows jumped into the ditch and assisted some of their comrades to mount the parapet by allowing them to climb up on their shoulders. About a dozen succeeded in mounting the parapet by these means. But this force which had bravely pushed on was far too small to capture the fort, and was therefore compelled to retire, leaving their comrades in the ditch of the fort. But these were unable to make good their escape, as it would have been certain death to leave the ditch and return to the troops, and were afterwards compelled to surrender. About eight hundred men were lost in this assault in killed, wounded, and prisoners. On the 30th the enemy attempted to recapture the works which had been taken, but without success. On the same day Gen. Warren attacked and carried the enemy's lines on their extreme right, and captured a number of prisoners. At the same time Gen. Meade attacked and carried the enemy's line near Poplar Grove Church.

On Oct. 7th the enemy made a vigorous and partially successful effort to turn the right flank of the army of the James. Gen. Anderson, with one brigade of cavalry and two of infantry, surprised the Federal cavalry and routed the force on the right and captured many of them. Upon encountering the main body near New Market the enemy were repulsed and abandoned the Central road. The loss was about five hundred, that of the enemy was some larger, including one hundred and fifty prisoners.

On the 27th a movement was made by a portion of the 2d and 5th corps against the enemy's position at Hatcher's Run. A severe engagement ensued, in which the troops of both corps were driven back with severe loss. They, however, held their original position. The following is Gen. Grant's despatch respecting this movement:

CITY POINT, Oct. 27—9 P. M.

To Hon. Edwin M. Stanton, Sec'y of War:

I have just returned from the crossing of the Boylston plank road with Hatcher's Creek. Our line now extends from its former left to Armstrong's mill, thence by the south bank of Hatcher's Creek to the point above named. At every point the enemy was found intrenched and his works manned. No attack was made during the day further than to drive pickets and cavalry inside of the main work. Our casualties have been light, probably less than two hundred killed, wounded, and missing. The same is probably true with the enemy. We captured, however, seven loaded teams on their way to Stony Creek to the enemy, about a dozen beef cattle, a travelling forge, and from seventy-five to one hundred prisoners. Butler extended around well toward the Yorktown road without finding a point unguarded. I shall keep our troops out where they are until toward noon to-morrow, in hopes of inviting an attack.

(Signed) U. S. GRANT, Lieut.-General.

The following is Gen. Lee's despatch:

HEADQUARTERS ARMY OF NORTHERN VIRGINIA, }
October 28th, 1864. }

Hon. James A. Seddon, Secretary of War:

Gen. A. P. Hill reports that the attack of Gen. Heth upon the enemy upon the Boylston plank road, mentioned in my despatch last evening, was made by three brigades under Gen. Mahone in front and Gen. Hampton in the rear. Mahone captured four hundred prisoners, three stands of colors, and six pieces of artillery. The latter could not be brought off, the enemy having possession of the bridge.

In the attack subsequently made by the enemy Gen. Mahone broke three lines of battle, and during the night the enemy retired from the Boylston plank road, leaving his wounded and more than two hundred and fifty dead on the field.

About 9 o'clock P. M. a small force assaulted and took possession of our works on the Baxter road, in front of Petersburg, but was soon driven out.

On the Williamsburg road yesterday, Gen. Field captured upward of four hundred prisoners and seven stands of colors. The enemy left a number of dead in front of our works and returned to his former position to-day.

R. E. LEE.

The subsequent movements during the year were comparatively unimportant. Both armies prepared such quarters as to enable them to retain their positions during the winter.

During the month of September, the Federal army in and about Atlanta were allowed to rest from the fatigues of active military duty, and many sick or deserving officers and men were sent home on furlough. The railroad was employed to its utmost capacity to bring forward supplies and recruits, and much important work was done in the construction of barracks, and in strengthening the defences of Atlanta. All this seemed to indicate Gen. Sherman's intention to make the city a base for further operations southward, and to hold it with a powerful garrison. From his recent experience of the facility with which a cavalry force could temporarily interrupt his long line

of railroad communication, he was disposed to hasten this work, and the end of the month found Atlanta transformed into a considerable depot of supplies, and so protected by works that a moderate force could hold it against an enemy numerically much superior. The departure of the great body of the inhabitants, by lessening the number of persons to be subsisted, added to the capacity of the garrison to withstand a protracted siege.

Gen. Hood, meanwhile, kept his forces in the neighborhood of Jonesboro, receiving his supplies by the Macon road. His army numbered about 40,000 men, exclusive of the Georgia militia; and, as if to show that no immediate offensive movement was contemplated, the latter were withdrawn from him by Gov. Brown soon after the evacuation of Atlanta, through the following communication:

EXECUTIVE DEPARTMENT. }
MILLEDGEVILLE, Sept. 10th, 1864. }

Gen. J. B. Hood, Commanding Army of Tennessee:

GENERAL: As the militia of the State were called out for the defence of Atlanta during the campaign against it, which has terminated by the fall of the city into the hands of the enemy, and as many of them left their homes without preparation, expecting to be gone but a few weeks, who have remained in service over three months (most of the time in the trenches), justice requires that they be permitted, while the enemy are preparing for the winter campaign, to return to their homes, and look, for a time, after important interests, and prepare themselves for such service as may be required when another campaign commences against other important points in the State. I, therefore, hereby withdraw said organization from your command, in the hope that I shall be able to return it with greater numbers and equal efficiency, when the interests of the public service require it. In this connection, I beg leave to tender to you, general, my sincere thanks for your impartiality to the State troops, and for your uniform courtesy and kindness to me individually. With assurances of my high consideration and esteem, I am, very respectfully, your obedient servant,

JOSEPH E. BROWN.

To allow their principal Southern army to rust in inactivity, was not, however, the intention of the rebel authorities, who, whatever public statements they might make as to the insignificance of Gen. Sherman's conquest, knew that it was a vital blow aimed at the heart of the Confederacy, and that this was the belief of the Southern people. Something must be done, and that speedily, to arrest the progress of the Federal army, or Georgia, and perhaps the Gulf States, would be irretrievably lost. In this emergency Jefferson Davis started on a tour of inspection through the South, and at Macon, on Sept. 23d, delivered a public address on the crisis, so marked by indiscreet admissions that many of the Confederate papers at first refused to believe that it was genuine. He alluded with undisguised vexation to the depletion in Gen. Hood's ranks caused by absenteeism, and promised, if the deserters would return to duty, that Gen. Sherman should meet "the fate that befell the army of the French Empire in its retreat from Moscow. Our cavalry," he said, "and our people, will

harass and destroy his army as did the Cossacks that of Napoleon; and the Yankee general, like him, will escape with only a body-guard." These remarks foreshadowed a new policy, borrowed from that which Gen. Sherman himself had so successfully employed in the capture of Atlanta, and which, considering the long catalogue of rebel reverses in Georgia, had the merit of boldness, if not of farsightedness. The whole army of Gen. Hood, it was decided, should rapidly move in a compact body to the rear of Atlanta, and, after breaking up the railroad between the Chattahoochee and Chattanooga, push on to Bridgeport and destroy the great railroad bridge spanning the Tennessee River at that place. Should this be accomplished, Atlanta would be isolated from Chattanooga, and the latter in turn isolated from Nashville, and Gen. Sherman, cut off from his primary and secondary bases, would find Atlanta but a barren conquest, to be relinquished almost as soon as gained, and would be obliged to return to Tennessee. Atlanta would then fall from lack of provisions, or in consequence of the successful attacks of the Georgia militia.

In connection with this movement, Gen. Forrest, confessedly their ablest cavalry officer, was already operating in Southern Tennessee, where the Federal force was barely adequate to prevent him from interrupting communications between Nashville and Chattanooga. Not the least favorable result anticipated from this movement was the restoration of the *morale* of their army, which, dispirited by constant retreats and reverses, its leaders naturally supposed would be encouraged to greater efforts by an aggressive campaign. On the other hand, the effect of abandoning their conquests, to meet a defeated army operating in their rear, would be likely to perplex and disconcert the Federals. Such was the ingenious plan devised by the authorities, and, to a less able general than Sherman, its vigorous execution might have been productive of enormous disaster, including, of course, the abandonment of the conquests gained during a long and arduous campaign. The sequel will show that he was fully master of the situation, and that the boasts of the rebel papers, that "the great flanker was outflanked," were destined to prove illusive.

A week sufficed to complete Gen. Hood's arrangements, and by the 2d of October his army was across the Chattahoochee and on the march to Dallas, where the different corps were directed to concentrate. At this point he was enabled to threaten Rome and Kingston, as well as the fortified places on the railroad to Chattanooga; and there remained open, in case of defeat, a line of retreat southwest into Alabama. From Dallas he advanced east toward the railroad, and, on the 4th, captured the insignificant stations of Big Shanty and Ackworth, effecting a thorough destruction of the road between the two places. He

also sent a division under Gen. French to capture the Federal post at Allatoona Pass, where he had ascertained that a million and a half of rations for the Federal army were stored, on which he probably depended to replenish his commissariat. The natural strength of the position was such that ten thousand men could easily hold it against ten times their number, so long as their supplies held out, besides cutting off railroad communications between Chattanooga and Atlanta. This of itself might have compelled the evacuation of the latter city, and was a sufficient inducement to make the attack.

Gen. Sherman, however, aware that his seat in Atlanta was insecure while this long line of communications lay so exposed to interruption, had anticipated and partially provided against such a movement as this; and immediately upon hearing that Gen. Hood had crossed the Chattahoochee, he despatched Gen. Corse with reinforcements to Rome, which he supposed the enemy were aiming at. During the previous week he had sent Gen. Thomas with troops to Nashville to look after Forrest. His bridges having meanwhile been carried away by a freshet which filled the Chattahoochee, he was unable to move his main body until the 4th, when three pontoons were laid down, over which the armies of the Cumberland, the Tennessee, and the Ohio crossed, and took up their march in the direction of Marietta, with fifteen days' rations. The 20th corps, Gen. Slocum, was left to garrison Atlanta. Learning that the enemy had captured Big Shanty and Ackworth, and were threatening Allatoona, and alive to the imperative necessity of holding the latter place, Gen. Sherman at once communicated by signals instruction to Gen. Corse at Rome to reinforce the small garrison and hold the defences until the main body of the Federal army could come to his assistance. Upon receiving the message Gen. Corse placed nine hundred men on the cars, and reached Allatoona before the attack of French. With this addition the garrison numbered 1,700 men, with six guns.

Early on the morning of the 5th, Gen. French, with 7,000 troops, approached Allatoona, and summoned the Federal commander, "in order to save the unnecessary effusion of blood," to make an immediate surrender; to which the latter replied: "I shall not surrender, and you can commence the unnecessary effusion of blood whenever you please." The battle opened at 8 A. M., and was waged hotly until 2 o'clock in the afternoon. Driven from fort to fort, until they reached their last defence, the garrison fought with an obstinacy and desperation worthy of the great stake for which they contended. Their general was wounded early in the action, but relaxed in no degree his efforts to repel the enemy. On one occasion the opposing forces mingled in a bayonet charge. During the heat of the contest Gen. Sherman reached the summit of Kenesaw Mountain, whence he repeatedly signalled, to Gen. Corse

to hold out to the last. The announcement of approaching succor animated the garrison to renewed exertions, and they threw back the assaulting columns of the enemy again and again, finally compelling them to retire, beaten and disheartened, in the direction of Dallas. Their retreat was hastened by the rapid approach of Stanley's (4th) corps from the direction of Pine Mountain. The enemy left 700 to 800 killed, wounded, and prisoners in the hands of the Federals, and their total loss must have exceeded 1,000. The garrison lost 600 men. The town of Allatoona was reduced to a mere wreck by the severe fire of the enemy, and all the Federal artillery and cavalry horses were killed; but the valuable stores were saved, and the fort and pass held. The only important injury done by the rebels, was the destruction of six or seven miles of railroad between Big Shanty and Allatoona, which Gen. Sherman immediately commenced to repair.

For several days subsequent to the fight at Allatoona, Gen. Sherman remained in the latter place, watching the movements of Hood, who, he suspected, would march for Rome, and thence toward Bridgeport, or else to Kingston.

The 23d corps, commanded by Gen. Cox (Gen. Schofield, its commander, having previously been ordered to look after the defences of Chattanooga), was at once sent toward the former place, and, by the 10th, the whole army was on the march thither. Gen. Hood, however, crossing the Etowah and avoiding Rome, moved directly north, and on the 12th Stuart's corps of his army appeared in front of Resaca, the defences of which were held by Col. Weaver with 600 men and three pieces of artillery. The garrison immediately took to the rifle-pits surrounding the works, and kept the enemy's skirmishers at bay, and in the midst of a brisk contest a flag of truce approached, with the following message:

HEADQUARTERS ARMY TENNESSEE, }
IN THE FIELD, Oct. 12th, 1864. }

To the Officer Commanding the United States forces at Resaca, Ga.:

SIR: I demand the immediate and unconditional surrender of the post and garrison under your command; and should this be acceded to, all white officers and soldiers will be paroled in a few days. If the place is taken by assault, no prisoners will be taken.

Most respectfully, your obedient servant,

J. B. HOOD, General.

To which Col. Weaver replied:

HEADQUARTERS SECOND BRIGADE, }
THIRD DIVISION, FIFTEENTH ARMY CORPS. }

To Gen. J. B. Hood:

Your communication of this date just received. In reply, I have to state that I am somewhat surprised at the concluding paragraph, to the effect that "if the place is carried by assault, no prisoners will be taken." In my opinion, I can hold this post. If you want it, come and take it.

I am, General, very respectfully, your most obedient servant, CLARK R. WEAVER, Comd'g Officer.

W. W. McCAMMON, A. A. A. G.

During the whole day continuous masses of rebel troops were passing the forts, but no serious attack was made upon the garrison, the

enemy being more intent upon destroying the railroad toward Dalton than wasting their time or strength upon the reduction of a post, the possession of which they wisely considered would be of no particular advantage to them. During the night they captured, after a gallant resistance, a block house at Tilton, garrisoned by part of the 17th Iowa regiment. Throughout the 12th and the 13th the work of destruction continued, the enemy gradually passing to the north, out of sight of Resaca, and on the evening of the latter day the advance of Gen. Sherman's army arrived from Rome, followed on the 14th by the main body, which encamped around Resaca for the night.

Meanwhile the rebel army, pursuing its devastating march north, reached Dalton on the 14th, and, in consequence of the negligence of the Federal scouts, surrounded the fort, garrisoned by the 44th colored regiment, Col. Johnston, before adequate preparations for defence could be made. A demand for surrender similar to that sent to Col. Weaver was at once made, which was refused. But Col. Johnston, discovering that the beleaguering force comprised the whole of Hood's army, and that Buzzard Roost and other important points commanding his work had been occupied, subsequently surrendered his whole command. The 14th and 15th were employed by the enemy in continuing the destruction of the railroad as far as Tunnel Hill, which, whether through want of time or scarcity of gunpowder, they neglected to mine. They found no rolling stock of consequence on the road, and beyond the destruction of a few box-cars did little damage to this species of property. The approach of the Federal columns now warned Gen. Hood to move off to the west, and the 16th found him in full retreat for Lafayette, followed by Gen. Sherman, who, instead of marching along the railroad to Dalton, pushed for Snake Creek Gap, through which, in spite of obstructions accumulated there by Hood, he rapidly passed. At Ship's Gap he captured part of the 24th North Carolina regiment, stationed to delay his march. From Lafayette the enemy retreated in a southwesterly direction into Alabama through a broken and mountainous country, but scantily supplied with food for man or beast; and passing through Summerville, Gaylesville, and Blue Pond, halted at Gadsdens, on the Coosa River, 75 miles from Lafayette. Here he paused for several days, receiving a few reinforcements brought up by Gen. Beauregard, who had on the 17th assumed command of the Confederate military division of the West in the following address:

HEADQUARTERS MILITARY DIVISION OF THE WEST, }
October 17th, 1864. }

In assuming command at this critical juncture of the Military Division of the West, I appeal to my countrymen of all classes and sections for their generous support and confidence. In assigning me to this responsible position, the President of the Confederate States has extended to me the assurance of his earnest support. The Executives of your States

meet me with similar expressions of their devotion to our cause. The noble army in the field, composed of brave men and gallant officers, are strangers to me, and I know that they will do all that patriots can achieve. The history of the past, written in the blood of their comrades, but foreshadows the glorious future which lies before them. Inspired by these bright promises of success, I make this appeal to the men and women of my country to lend me the aid of their earnest and cordial coöperation. Unable to join in the bloody conflicts of the field, they can do much to strengthen our cause, fill up our ranks, encourage our soldiers, inspire confidence, dispel gloom, and thus hasten on the day of our final success and deliverance.

The army of Sherman still defiantly holds Atlanta. He can and must be driven from it. It is only for the good people of Georgia and the surrounding States to speak the word, and the work is done. We have abundant provisions. There are men enough in the country liable to and able for service to accomplish this result. To all such I earnestly appeal to report promptly to their respective commands; and let those who cannot go see to it that none remain who are able to strike a blow in this critical and decisive hour. To those soldiers, if any, who are absent from their commands without leave, I appeal in the name of their brave comrades, with whom they have in the past so often shared the privations of the camp and the dangers of the battle-field, to return at once to their duty. To all such as shall report to their respective commands, in response to this appeal, within the next thirty days, an amnesty is hereby granted. My appeal is to every one, of all classes and conditions, to come forward freely, cheerfully, and with good heart to the work that lies before us.

My countrymen, respond to this call as you have done in days that have passed, and, with the blessing of a kind and overruling Providence, the enemy shall be driven from your soil. The security of your wives and daughters from the insults and outrages of a brutal foe shall be established soon, and be followed by a permanent and honorable peace. The claims of home and country, wife and children, uniting with the demands of honor and patriotism, summon us to the field. We cannot, dare not, will not fail to respond. Full of hope and confidence, I come to join in your struggles, sharing your privations, and with your brave and true men to strike the blow that shall bring success to our arms, triumph to our cause, and peace to our country. G. T. BEAUREGARD, General.

Gen. Hood still retained his special command, subject to the supervision or direction of Gen. Beauregard, and his army, after remaining a few days in Gadsden, moved, about the 1st of November, for Warrington, on the Tennessee River, 30 miles distant. Gen. Sherman meanwhile remained at Gaylesville, which place his main body reached about the 21st, watching the enemy's movements. During the retreat of Gen. Hood into Northern Alabama, he had frequent opportunities to join battle with his pursuers, which he uniformly declined.

The injuries to the railroad were confined to two sections, and covered about 28 miles of track: viz., 7 miles between Big Shanty and Allatoona, and 21 miles between Resaca and Tunnel Hill. So rapidly were the repairs effected, that, by the 20th, the road was in running order from Resaca to Atlanta; and on the 28th, while Gen. Hood was still lying at Gadsden, trains again left Chattanooga for Atlanta. Whatever, therefore, might be the final result of Hood's flanking movement, it had

entirely failed to interrupt the Federal communications to a degree that would compel the evacuation of Atlanta. Without permanently disabling the railroad, he had been driven with loss across the mountains south of Chattanooga into Alabama; had cut himself entirely adrift from that admirable railroad system which had so long kept his army supplied, and had left Georgia and the whole Southeast open to the invaders. He perhaps felt himself compensated for these disasters by the opportunity, now temptingly presented to him, to carry the war into Middle Tennessee and Kentucky, and plunder the richly-stored cities and farms of those States, forgetting that a general who had shown such fertile resources during a long and trying campaign, was still opposed to him, with more than double his own force.

It was undoubtedly a part of Gen. Sherman's plan to remain at Atlanta no longer than would suffice to accumulate stores and thoroughly strengthen the defences; after which he would continue his march southward. This, with a determined and unbroken enemy in his front, was likely, to judge from previous experience, to prove a tedious and dangerous operation. To relieve himself of the presence of that enemy was the problem to be solved. When, therefore, Gen. Hood crossed the Chattahoochee on his flanking march upon the Federal communications, it was with mingled feelings of hope and apprehension that he was watched by his vigilant adversary; hope, that he would finally place himself in the position where he was actually found on the 1st of November; and apprehension, lest he should again retire to his camp near Jonesboro. It will be remembered how apparently slow was the pursuit of the rebel army by Gen. Sherman after the former had crossed the Chattahoochee, and how readily it seemed to escape into Alabama, and thence march toward the Tennessee. To those who had witnessed the brilliant campaign to Atlanta, the Federal general's lack of energy and tardiness of movement seemed unaccountable. In the light of subsequent events it would now appear that Gen. Sherman, making only a show of following his adversary, deliberately lured him into Northern Alabama, for the purpose of pursuing an uninterrupted march with his own army through the heart of Georgia. The ill-advised plan of Gen. Hood had given him the very opportunity which he desired, and he prepared at once to avail himself of it.

Anticipating that his army was unnecessarily large for his purpose, he detached from it the 4th and 23d corps, which were ordered to Tennessee, *via* Chattanooga and Bridgeport, to reinforce Gen. Thomas. This left him four corps—the 14th, 15th, 16th and 17th—which had accompanied him from Atlanta, and the 20th left to garrison that place. Two armies were thus formed, of which the former, in conjunction with such forces as Gen. Thomas had in Ten-

nessee, was fully able to cope with Gen. Hood; while the latter, as events proved, was more than sufficient for the Georgia expedition. For several days Gen. Sherman retained his main force at Gaylesville, throwing out strong reconnoissances in the direction of the enemy, as if bent upon watching and thwarting his movement toward the Tennessee. But no sooner had he ascertained that Gen. Hood had started, than he moved his whole army eastward to Rome, with the exception of the two corps sent to Gen. Thomas, and commenced in earnest the preparations for his new campaign. Being no longer under the necessity of coping with an active enemy in his front, he had no further occasion to keep up a long line of railroad communication with a fortified base in his rear. The original plan, therefore, of provisioning Atlanta and using it as a secondary base, which would have required large details of troops, was willingly abandoned, and, in consequence, the place itself, and the greater part of the railroad connecting it with Chattanooga, became practically useless. To garrison and guard either, would be a simple waste of resources; and as it would be an act of needless generosity to leave them for the enemy to use, their destruction became a necessity. The army, once fairly started from Atlanta on its march through Georgia, was to cut loose from all bases and mainly subsist upon the country. This plan, so daring in its conception as to recall the achievements of the greatest generals of antiquity, appears to have been matured and carefully elaborated by Gen. Sherman long previous to its execution, and, upon being laid before the authorities at Washington, received their cordial approval.

During the first ten days of November every locomotive and car on the Chattanooga and Atlanta Railroad was employed in conveying North the inmates of the hospitals, and such supplies of all kinds as there was time to remove. The vast supplies of provisions, forage, stores, and machinery which had accumulated at Atlanta, Rome, and other points, the surplus artillery, baggage, and other useless wagons—every thing, in fact, likely to impede the movements of the army, was gathered up and sent safely to Chattanooga. In return, the trains brought down to Gen. Sherman recruits, convalescents, furloughed men, and ordnance supplies. On the night of November 11th, the last train left Atlanta for the North, and the army, supplied with every man and horse and gun which it needed, and having 30 days' rations in his wagons, was prepared to move toward the coast.

The five corps mentioned above as constituting the army which Gen. Sherman reserved for his expedition, were concentrated into four, by assigning one of the two divisions of the 16th corps (the remaining divisions were in Tennessee) to the 15th corps, and the other to the 17th. The expeditionary army then comprised the 14th corps, Gen. Jeff. C. Davis; the



MAJ. GEN. WM. T. SHERMAN

15th, Gen. Osterhaus commanding in the absence of Gen. Logan; the 17th, Gen. Blair; and the 20th, Gen. Slocum; beside four brigades of artillery, one for each corps, two horse batteries, and two divisions of cavalry. Gen. Barry, chief of artillery, in fitting out this important arm, withdrew every doubtful or suspicious horse, and supplied enough serviceable animals to give each artillery carriage eight horses, and each battery a reserve of twelve horses. The cavalry were equipped with equal care. The total force numbered between 50,000 and 60,000 picked men, constituting one of the most effective armies ever organized. The following order of Gen. Sherman gives the plan of march and other details of the campaign:

HEADQUARTERS MIL DIV. OF THE MISSISSIPPI, }
IN THE FIELD, KINGSTON, GA., Wednesday, Nov. 9th. }
Special Field Order No. 120.

1. For the purpose of military operations, this army is divided into two wings, viz.: The right wing, Maj.-Gen. O. O. Howard commanding, the 15th and 17th corps. The left wing, Maj.-Gen. H. W. Slocum commanding, the 14th and 20th corps.

2. The habitual order of march will be, whenever practicable, by four roads, as nearly parallel as possible, and converging at points hereafter to be indicated in orders. The cavalry, Brig.-Gen. Kilpatrick commanding, will receive special orders from the Commander-in-Chief.

3. There will be no general trains of supplies, but each corps will have its ammunition and provision train, distributed habitually as follows: Behind each regiment should follow one wagon and one ambulance; behind each brigade should follow a due proportion of ammunition wagons, provision wagons, and ambulances. In case of danger, each army corps should change this order of march by having his advance and rear brigade unincumbered by wheels. The separate columns will start habitually at 7 A. M., and make about fifteen miles per day, unless otherwise fixed in orders.

4. The army will forage liberally on the country during the march. To this end, each brigade commander will organize a good and sufficient foraging party, under the command of one or more discreet officers, who will gather, near the route travelled, corn or forage of any kind, meat of any kind, vegetables, corn meal, or whatever is needed by the command; aiming at all times to keep in the wagon trains at least ten days' provisions for the command and three days' forage. Soldiers must not enter the dwellings of the inhabitants or commit any trespass; during the halt, or a camp, they may be permitted to gather turnips, potatoes, and other vegetables, and drive in stock in front of their camps. To regular foraging parties must be entrusted the gathering of provisions and forage at any distance from the road travelled.

5. To army corps commanders is entrusted the power to destroy mills, houses, cotton gins, etc., and for them this general principle is laid down: In districts and neighborhoods where the army is unmolested, no destruction of such property should be permitted; but should guerrillas or bushwackers molest our march, or should the inhabitants burn bridges, obstruct roads, or otherwise manifest local hostility, then army corps commanders should order and enforce a devastation more or less relentless according to the measure of such hostility.

6. As for horses, mules, wagons, etc., belonging to the inhabitants, the cavalry and artillery may appropriate freely and without limit; discriminating, however, between the rich, who are usually hostile, and the poor or industrious, usually neutral or

friendly. Foraging parties may also take mules or horses, to replace the jaded animals of their trains, or to serve as pack-mules for the regiments or brigades. In all foraging, of whatever kind, the parties engaged will refrain from abusive or threatening language, and may, when the officer in command thinks proper, give written certificates of the facts, but no receipts; and they will endeavor to leave with each family a reasonable portion for their maintenance.

7. Negroes who are able-bodied and can be of service to the several columns, may be taken along; but each army commander will bear in mind that the question of supplies is a very important one, and that his first duty is to see to those who bear arms.

8. The organization at once of a good pioneer battalion for each corps, composed, if possible, of negroes, should be attended to. This battalion should follow the advance guard, should repair roads and double them if possible, so that the columns will not be delayed after reaching bad places. Also, army commanders should study the habit of giving the artillery and wagons the road, and marching their troops on one side; and also instruct their troops to assist wagons at steep hills or bad crossings of streams.

9. Capt. O. M. Poe, Chief Engineer, will assign to each wing of the army a pontoon train, fully equipped and organized, and the commanders thereof will see to its being properly protected at all times.

By order of Maj.-Gen. W. T. SHERMAN.

L. M. DAYTON, Aide-de-Camp.

The following order issued by Gen. Slocum to the troops under his immediate command gives additional directions for the conduct of the march:

HEADQUARTERS TWENTIETH CORPS, }
ATLANTA, GA., Nov. 7th, 1864. }

[Circular.] When the troops leave camp on the march about to commence, they will carry in haversack two days' rations salt meat, two days' hard bread, ten days' coffee and salt, and five days' sugar. Each infantry soldier will carry sixty rounds of ammunition on his person. Every effort should be made by officers and men to save rations and ammunition; not a round of ammunition should be lost or unnecessarily expended. It is expected that the command will be supplied with subsistence and forage mainly from the country. All foraging will be done by parties detailed for the purpose by brigade commanders, under such rules as may be prescribed by brigade and division commanders. Pillaging, marauding, and every act of cruelty or abuse of citizens will be severely punished. Each brigade commander will have a strong rear guard on every march, and will order the arrest of all stragglers. The danger of straggling on this march should be impressed upon the mind of every officer and man of the command. Not only the reputation of the corps, but the personal safety of every man, will be dependent, in a great measure, upon the rigid enforcement of discipline and the care taken of the rations and ammunition.

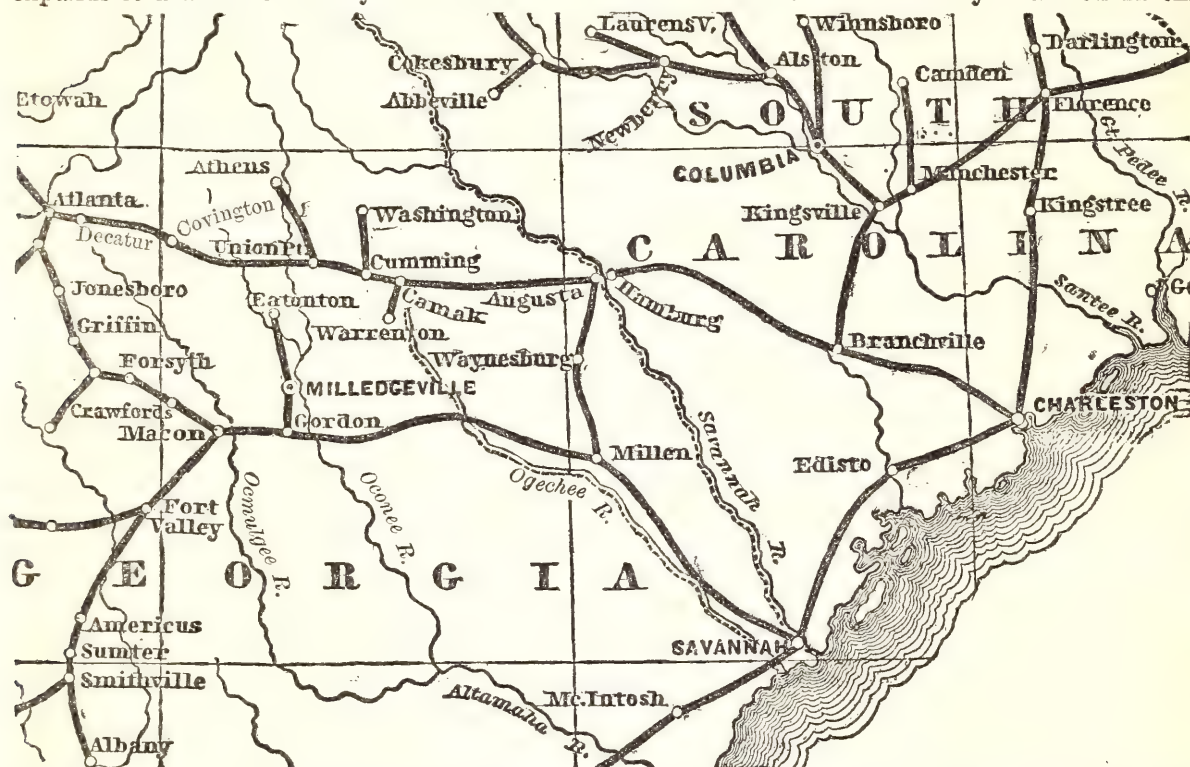
By command of Maj.-Gen. SLOCUM.

H. W. PERKINS, Asst. Adj.-Gen.

A glance at the map will show that two parallel lines of railway, having a general southeasterly direction, connect Atlanta with the Atlantic seaboard, one terminating at Charleston, 308 miles distant, and the other at Savannah, 293 miles distant. The former line is composed of the Georgia Railroad, 171 miles in length, connecting Atlanta with Augusta, and of the South Carolina Railroad, extending from Augusta to Charleston, 137 miles; and the latter, of the Western and Macon road,

103 miles in length, connecting Atlanta with Macon; and of the Central Georgia road, 190 miles long, connecting Macon with Savannah. From Augusta there also runs a cross-road, due south, to Millen, on the Georgia Central road, 53 miles in length, which affords a second route from Atlanta to Savannah, ten miles longer than that through Macon. The average width of the belt of country embraced between the two main lines as far eastward as Augusta and Millen is about 40 miles; eastward of those points the country gradually expands to a width of nearly 100 miles.

The Georgia road, from Augusta to Atlanta, since the capture of the latter place, had lost much of its importance; but all the others, including that between Augusta and Millen, were essential links in the great chain of communications between the northern and southern portions of the Confederacy; and their destruction, which was one of the objects of the expedition, would sever the Gulf States as completely from Virginia and the Carolinas, as the trans-Mississippi States were cut off from the rest of the Confederacy after the fall of Vicksburg and Port Hudson. The country included in this



railroad system was probably the richest and most populous of Georgia, containing the capital, Milledgeville, and many other important towns; and all accounts concurred in describing it as abundantly supplied with horses, cattle, and subsistence for an invading army. Here also had been conveyed for greater safety large numbers of slaves from the exposed parts of the rebel States. Not less important than these facts was the additional one, that, with the exception of a few brigades of cavalry under Gen. Wheeler, and such troops as could be gathered from Wilmington, Charleston, or Savannah, there was nothing but the Georgia militia to oppose the progress of Gen. Sherman. Under every circumstance, therefore, the two lines above described seemed likely to offer the most feasible route to the coast. The ultimate objective point of the expedition, whether Charleston or Savannah, it was left to circumstances to determine.

On the 11th of November the army was distributed as follows: the 14th corps, with which was Gen. Sherman, at Kingston; the 15th and 17th corps on the Powder Spring road, a little west of the Chattahoochee; and the 20th corps

at Atlanta. The latter, after the appointment of Gen. Slocum as commander of the left wing of the army, was commanded by Gen. Williams. On the morning of the 12th the 14th corps moved out of Kingston, leaving a brigade to cover the last shipment north of supplies and rolling stock. This was completed in the afternoon; a parting message, "All is well," was sent to Chattanooga by the telegraph wires, which were then cut, and by nightfall not a soldier of the expeditionary army remained north of Kingston. Following the line of the railroad, the 14th corps thoroughly destroyed every mile of track between Kingston and the Chattahoochee, and every building that could be of any possible use to the enemy. Some instances of wanton destruction by negroes and stragglers occurred, including churches and unoccupied buildings in Kingston, Ackworth, Marietta, and elsewhere; but, in general, private property was respected wherever the main body of the corps marched. On the evening of the 10th, Gen. Corse's division of the 15th corps had burned the public buildings and machine shops of Rome. On the 14th the corps reached the Chattahoochee, and on the

afternoon of the 15th marched into Atlanta. On the latter day, the 15th and 17th corps went into camp two miles south of the city, and the 20th corps marched out to a position somewhat further east. On the 7th, while the latter corps alone garrisoned Atlanta, a brigade of rebel cavalry which had been watching their opportunity, made a dash at the defences, but were easily driven off. They nevertheless continued their demonstration—which they called the “Siege of Atlanta”—for several days, until constrained by the approach of the main Federal army to retire. The several corps having been newly supplied with clothing and such equipments as were necessary from the depots in Atlanta, and every thing valuable to the Government removed, the torch was, on the evening of the 15th, applied to the store houses, machine shops and depot buildings, the most substantial of which had previously been mined. For many hours the heavens were lighted up by the flames of this vast conflagration, which was rendered more awful by the roar of exploding shells and magazines, and, by dawn of the 16th, all that was valuable of the city which, next to Richmond, had furnished more material for prosecuting the rebellion than any other in the South, lay in ashes. As far as was possible, private property was spared, and the city rendered of no immediate use to the enemy.

The army being now concentrated and ready to march, Gen. Sherman caused the following order to be promulgated :

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI, IN THE FIELD, KINGSTON, GA., Nov. 5th, 1864. }

Special Field Orders No. 119.

The General Commanding deems it proper at this time to inform the officers and men of the 14th, 15th, 17th, and 20th corps, that he has organized them into an army for a special purpose, well known to the War Department and to Gen. Grant. It is sufficient for you to know that it involves a departure from our present base, and a long and difficult march to a new one. All the chances of war have been considered and provided for, as far as human sagacity can. All he asks of you is, to maintain that discipline, patience, and courage which have characterized you in the past, and hopes through you to strike a blow at our enemy that will have a material effect in producing what we all so much desire—his complete overthrow. Of all things, the most important is that the men, during marches and in camp, keep their places, and not scatter abroad as stragglers and foragers, to be picked up by a hostile people in detail. It is also of the utmost importance that our wagons should not be loaded with any thing but provisions and ammunition. All surplus servants, non-combatants, and refugees, should now go to the rear, and none should be encouraged to encumber us on the march. At some future time we will be enabled to provide for the poor whites and blacks who seek to escape the bondage they are now suffering under.

With these few simple cautions in your minds, he hopes to lead you to achievements equal in importance to those of the past.

By order of Gen. W. T. SHERMAN.

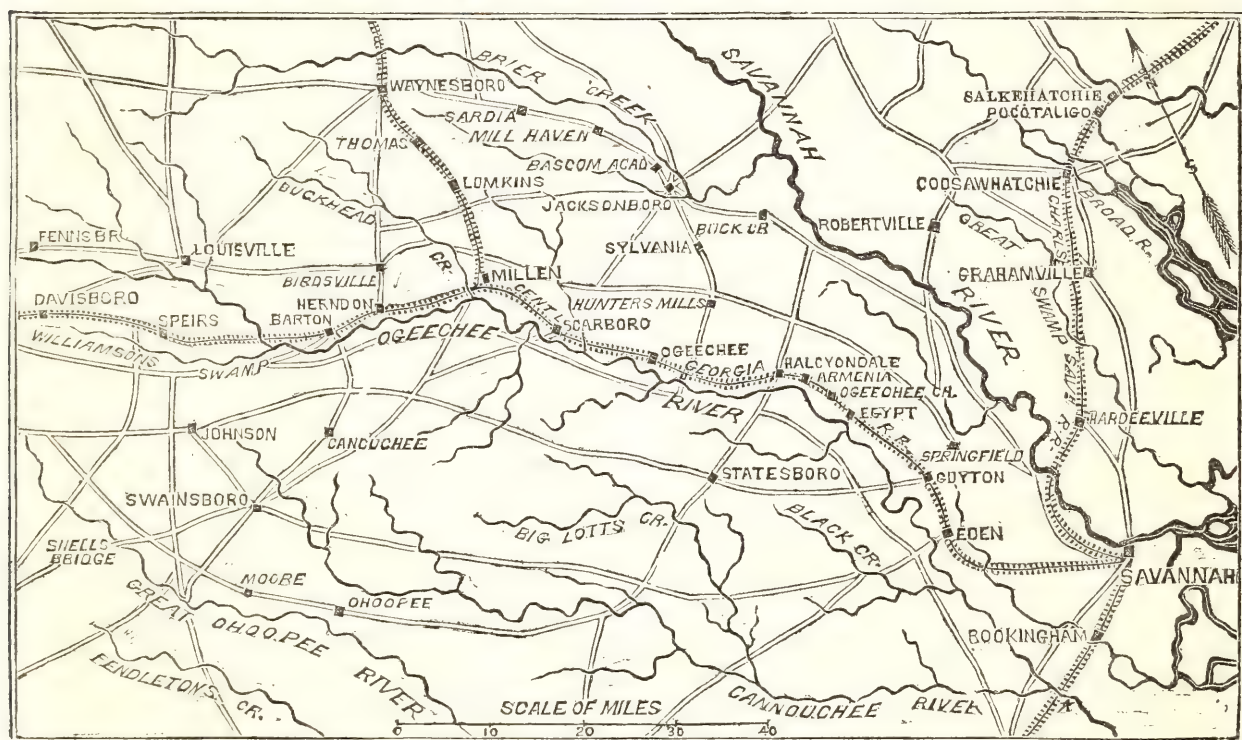
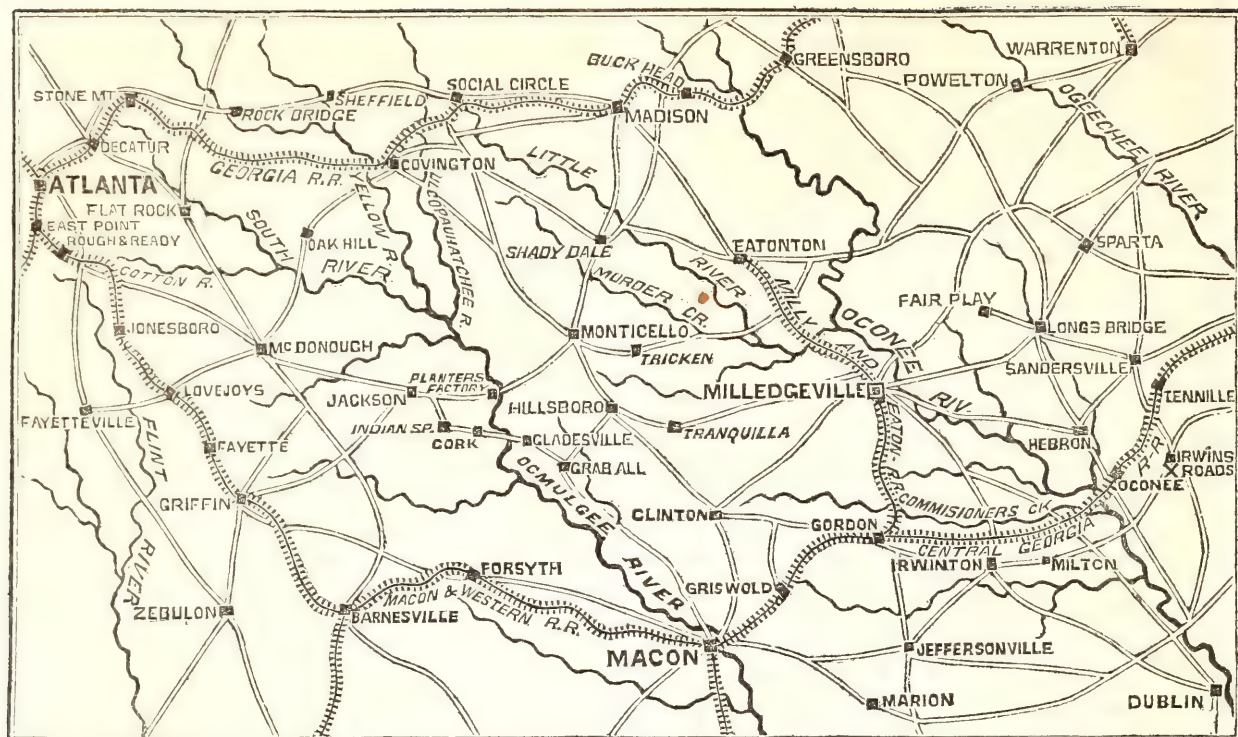
L. M. DAYTON, Aide-de-Camp.

On Nov. 16th the whole army marched eastward in four columns, the two under Slocum, with which was Gen. Sherman, following the railroad toward Augusta, while the right wing,

under Howard, moved along the Macon and Augusta road. Each wing had cavalry moving on its flanks. Whether the immediate objective was to be Augusta or Macon, or both, it was no part of the Federal general's plan to divulge. To perplex the enemy and divide his forces by pretended demonstrations on places widely separated, he judged would be most likely to ensure him a speedy and uninterrupted march to the coast.

Gen. Howard's command, of which the 15th corps formed the right wing, followed the railroad as far south as Jonesboro, where the mounted troops of Iverson essayed to make a stand, but were quickly dispersed by Kilpatrick. Thence the column moved east through McDonough and Jackson to the Ocmulgee, which it crossed at Planter's Factory, and passing south, through Monticello and Hillsboro, and between Milledgeville and Clinton, on the 22d struck the Georgia Central Railroad, with its left wing at Gordon, twenty miles east of Macon; the right wing being extended westward toward Griswoldville. In conjunction with the operations of this column the greater part of the Federal cavalry, under the immediate command of Gen. Kilpatrick, made a detour on the extreme right, through Griffin and Forsyth, toward Macon, within five miles of which place he was ordered to demonstrate. The rebels at first believed this to be another raid on a large scale; but learning of the approach of Gen. Howard's column they made haste to concentrate at Macon all their available troops, consisting of some cavalry under Wheeler, a small body of regulars, and several brigades of militia. They still remained in ignorance of Gen. Slocum's movement in the direction of Augusta, but believed Macon to be the main objective point of Gen. Sherman. On the 20th about eight hundred Federal cavalry, with four cannon, made a feigned attack on East Macon, two miles east of the city, which though resulting in little loss on either side, very effectually accomplished its purpose of deceiving the enemy. At one period of the fight a rebel battery was captured in a daring charge by the Federal troops, who, however, having no means of carrying off the guns, were obliged to relinquish them to the enemy. The Federal cavalry finally retired in the direction of Griswoldville after destroying several miles of railroad east of Walnut Creek.

Upon striking the Georgia Central Railroad, on the 22d, the 15th and 17th corps immediately began to destroy the track and the road bed between Gordon and Griswoldville in that thorough manner in which previous experience had rendered the troops adepts. It was while this work was going on that the most serious battle of the campaign up to this date took place. A brigade of infantry, with a section of artillery and some cavalry, under Gen. Walcott, forming the extreme right wing of the 15th corps, had been thrown forward to



The above Maps represent a belt of country about 80 miles in width and 260 in length, which may be said to have been covered by the operations of the expeditionary army. The lines of march pursued by the four main columns did not, perhaps, extend to the extreme limits of this region; but there is little of it east of the Atlanta and Macon Railroad and west of the Savannah River which was not visited by the cavalry or foraging parties. By reference to the text the movements of the several columns, down to the investment of Savannah, can be readily traced.

Griswoldville, to continue the demonstration against Macon so successfully commenced by Gen. Kilpatrick two days previous. After burning the principal buildings in the town, the troops took position in a wood, protected in front by an open morass, and threw up a rail barricade. At 2 o'clock in the afternoon a rebel force about five thousand strong was perceived approaching from the direction of Macon. The Federal cavalry fell slowly back on either flank of the infantry, protecting them from attack in flank and rear, and leaving the enemy no alternative but to make a direct front attack. The latter, comprising several brigades of militia under Gen. Phillips, with a part of Hardee's old command brought up from Savannah, advanced with considerable confidence; and with that ignorance of danger common to raw troops, attempted to carry by storm the Federal position. Six desperate assaults were made, which Gen. Walcott's troops from behind their breastworks repelled with ease and with trifling loss, while the enemy, exposed to a withering fire and part of the time floundering in the morass, paid dearly for their temerity and inexperience. They finally retired toward Macon, leaving three hundred dead upon the field, and having met with a total loss estimated at two thousand five hundred, including Gen. Anderson severely wounded. Their own estimate placed their loss at six hundred and fourteen, which, from all the facts attainable, is manifestly an under estimate. Macon could easily have been taken by Gen. Howard after this encounter, but the Federal commander-in-chief, from prudential motives, did not deem it advisable to make the attempt. His base being, in technical language, "in the air," the capture of a place of so little intrinsic importance, now that its railroad connections were severed, was not essential to the plan of the campaign.

Meanwhile the left wing of the expeditionary army pursued its march along the Augusta and Macon Railroad in two parallel columns, of which the left or outer one was the 20th corps. The 14th corps was accompanied by Gen. Sherman in person. The latter, having destroyed the railroad effectually as far as Covington, turned thence, on the 19th, southeast toward Milledgeville, while the 20th corps, which had previously marched somewhat north of the railroad, continued the work of destruction as far as Madison, sixty-nine miles east of Atlanta and one hundred and two west of Augusta. This was intended to be a demonstration against the latter city, and the more completely to deceive the enemy the Federal cavalry moving on this wing was sent as far east as Union Point, seventy-five miles from Augusta. From Madison the 20th corps marched nearly due south through Eatonton to Milledgeville, where its advance arrived on the 21st, followed on the next day by the 14th corps, which passed through Shady Dale and Eatonton. Neither corps encountered any opposition worth mentioning during the march.

At the time the expedition started from Atlanta the Georgia Legislature was in session at Milledgeville. The announcement of the approach of Kilpatrick's cavalry gave them at first no alarm, Macon being supposed to be the place aimed at, and the movement itself a raid. But when on the 18th it was ascertained that Gen. Howard's wing was moving through McDonough in a southeasterly direction, and that Gen. Slocum was evidently approaching from the north, an almost ludicrous panic and consternation seized upon the whole body of legislators, who, with Gov. Brown, fled in unseemly haste to Augusta with such valuables as could be packed within a few hours. On the morning of the 20th, two days after the departure of the legislature, a small party of Federal scouts dashed into the town, which was at once surrendered to them by the Mayor.

For several days previous to the evacuation of Atlanta, rumors of the probability of such an event were prevalent both in the loyal and disloyal States. By the latter the movement was supposed to have been forced upon Gen. Sherman by the aggressive campaign of Hood in Tennessee, and to promise substantial advantages to the rebel cause, no doubt being entertained that the Federal general, unable to maintain his communications with Chattanooga, had resolved to abandon his recent conquest and march back to Tennessee. The evacuation of Atlanta was in fact claimed as a rebel triumph. The cavalry advance toward Macon became in that light merely a demonstration to cover the retreat of the main body. When, however, the real purpose of Gen. Sherman became apparent, the unprepared condition of Georgia to oppose such a movement seems for the first time to have occurred to the State and Confederate authorities. Uttering almost in a single breath predictions of the speedy overthrow of Sherman and appeals to the people to rally against the invader, they exhibited in reality a degree of alarm which had any thing but an encouraging effect upon the public mind. On the 18th the following characteristic appeal was issued by Gen. Beauregard from his headquarters at Corinth, Ala.:

To the People of Georgia:

Arise for the defence of your native soil! Rally around your patriotic Governor and gallant soldiers. Obstruct and destroy all the roads in Sherman's front, flank, and rear, and his army will soon starve in your midst. Be confident. Be resolute. Trust in an overruling Providence, and success will soon crown your efforts. I hasten to join you in the defence of your homes and firesides.

G. T. BEAUREGARD.

Simultaneous with this came the following appeal from one of the Georgia Senators in the Confederate Congress:

RICHMOND, NOV. 18.

To the People of Georgia:

You have now the best opportunity ever yet presented to destroy the enemy. Put every thing at the disposal of our Generals, remove all provisions from the path of the invader, and put all obstructions in his path.

Every citizen with his gun and every negro with his spade and axe can do the work of a soldier. You can destroy the enemy by retarding his march.

Georgians be firm, act promptly, and fear not.

(Signed) B. H. HILL.

I most cordially approve the above.

JAMES A. SEDDON, Sec'y of War.

And this also from the Georgia delegation in the lower house of Congress:

RICHMOND, NOV. 19, 1864.

To the People of Georgia:

We have had a special conference with President Davis and the Secretary of War, and are able to assure you that they have done, and are still doing, all that can be done to meet the emergency that presses upon you. Let every man fly to arms. Remove your negroes, horses, cattle, and provisions from Sherman's army, and burn what you cannot carry. Burn all bridges, and block up the roads in his route. Assail the invader in front, flank, and rear, by night and by day. Let him have no rest.

JULIAN HARTRIDGE, MARK BLAUFORD,
J. H. REYNOLDS, Gen. N. LESTER,
JNO. T. SHEWMAKER, JOS. M. SMITH.

One of the last acts of Gov. Brown, before his hurried flight from Milledgeville, was to issue a proclamation ordering a levy *en masse* of the whole free white population of the State between the ages of sixteen and forty-five years, except the legislature and judiciary, ordained ministers of the gospel, railroad employés and telegraph operators, and all persons physically unable to bear arms. They were required to undergo military service for forty days, and failure to report at the designated places was to be considered equivalent to desertion. Should the directors or superintendents of railroad companies refuse to afford proper coöperation with the military authorities they were to be sent immediately to the front. Pursuant to a resolution of the Legislature the Governor also offered pardon to the prisoners in the penitentiary at Milledgeville if they would volunteer and prove themselves good soldiers. About a hundred accepted the offer. These preparations came manifestly too late to offer any other than a feeble resistance to the advance of Gen. Sherman's well-appointed army; and whatever opposition the latter did encounter during the remainder of the campaign was due to the efforts of such fragmentary bodies of Confederate troops or organized State militia as could be hastily concentrated.

But few of the troops that reached the neighborhood of Milledgeville entered the town, two or three regiments only being detailed to do provost guard duty and destroy public property. The magazines, penitentiary, arsenals, depot buildings, factories, and storehouses, with seventeen hundred bales of cotton, were burned; but the Capitol and the private residences received no injury, and, as far as possible, pillage was prevented. The principal of the State Asylum, and other persons, expressed their gratitude to Gen. Sherman that order was so fully maintained. Some stores and about twenty-five hundred small arms fell into the possession of the Federal

troops, and in the penitentiary were found some Federal prisoners of war. A number of sick rebels were also captured in the hospital.

While the left wing was enjoying a temporary rest at Milledgeville, the right advanced steadily along the Georgia Central Railroad to the Oconee, destroying every mile of track in its march. The rebels became aware at last that Macon was not to be seriously attacked, and by extraordinary exertions succeeded in getting Gen. Wheeler across the Oconee, in the neighborhood of the railroad bridge, where, aided by a body of militia under Gen. Wayne, he was prepared to dispute the passage. Upon reaching the bridge on the 23d, Gen. Howard found it too well guarded to effect a crossing except with considerable loss. A day or two was occupied with skirmishing across the river banks to occupy the enemy's attention, while the 15th corps was pushed down to a ford eight miles below the railroad, where a pontoon was laid without much difficulty. The rebel forces then made a precipitate retreat, and by the 26th the whole right wing was across the river and moving eastward along the railroad, which was destroyed as the column advanced. The left wing crossed the Oconee near Milledgeville without opposition on the 24th, and moved in a southeasterly direction toward Sandersville, a town lying a little north of the Georgia Central Railroad, and about 15 miles east of the river. This movement hastened the retreat of Gen. Wayne. The 14th corps now took post on the left flank of this column, which position it held during the remainder of the campaign. On the 26th, the 14th and 20th corps, marching on parallel roads, entered Sandersville simultaneously, driving out a body of rebel cavalry which essayed to impede their advance; and on the 27th and 28th both wings were temporarily encamped between Sandersville and Irwin's Cross Roads, a few miles south of the railroad. About this time Gen. Sherman transferred his quarters from the left wing to the 17th corps, then at Tennille, a railroad station near Sandersville.

After the demonstration toward Macon, ending with the action at Griswoldville, Gen. Kilpatrick shifted his cavalry force to the left wing. Remaining a day or two at Milledgeville to recruit, he started thence on the 25th in the direction of Waynesboro, a station on the Augusta and Millen Railroad, 75 miles due east, for the purpose partly of covering the passage of the main body of the army across the Ogeechee, the next great river on the route east of the Oconee, and partly of conducting a feint toward Augusta. On the 27th, a few hundred of his cavalry, under Captains Hays and Estes, dashed into Waynesboro, burned the railroad bridge over Briar Creek in the neighborhood, and after inflicting other damage, fell back on the succeeding day to the main cavalry body which lay east of the Ogeechee, in the neighborhood of Louisville. One of the prime objects of the advance was to surprise Millen

and release the Federal prisoners confined there; but nothing more than a demonstration in that direction was attempted, information reaching Gen. Kilpatrick that the enemy had for weeks previous been gradually removing the prisoners to some less exposed point in Southern Georgia.

On the 28th the 14th corps struck the Ogeechee River at Fenn's Bridge, 15 miles northeast of Sandersville, crossed on pontoons after some hours' delay, and marching down the left bank of the river reached Louisville on the 29th. The 20th corps at the same time moved along the railroad, which from Davisboro station immediately south of Fenn's bridge, follows for about 20 miles a course parallel with the Ogeechee. The 17th and 15th corps moved south of the railroad, the 15th, with which was Gen. Howard, covering the right flank of the army. The cavalry under Gen. Wheeler fell back steadily in the path of the advancing columns, seeking to delay their movements, and during the 28th and 29th had much sharp skirmishing with the Federal cavalry in the neighborhood of Louisville. Up to this time the objective point of Gen. Sherman was as much an uncertainty to the rebel leaders as at the commencement of the campaign; but in the appearance of Gen. Kilpatrick on the left flank of the Federal army, and especially in the occupation of Louisville by the 14th corps, Gen. Wheeler fancied he detected an intention to move in force upon Waynesboro, and thence to Augusta, 30 miles further north. That he should be thus deceived was part of the plan of Gen. Sherman, who gladly witnessed the rebel cavalry moving to the north to obstruct the supposed advance upon Augusta, and thus leaving him at liberty to cross the Ogeechee with his main body. On the 30th, the 20th and 17th corps, which had been actively engaged for several days in destroying the railroad between Tennille station and the river, succeeded in crossing with little difficulty, the former at the railroad bridge, and the latter near Barton station, a few miles further east. The 15th corps pursued its march in a parallel line with the other columns on the right bank of the river. The Ogeechee was naturally a line of great strength to the enemy, who might have made its passage a costly effort to the Federal army. That three of its four corps should have, under these circumstances, crossed without loss was esteemed one of the most brilliant pieces of strategy witnessed during the campaign.

On the morning of Nov. 30th Gens. Baird's and Morgan's divisions of the 14th corps moved forward a short distance on the road toward Waynesboro, which was the signal for Gen. Kilpatrick to renew, in coöperation with these troops, his demonstration against Augusta. For the purpose also of expediting Gen. Wheeler's movement to the north, the remaining division of the 14th corps demonstrated on the same day against his left flank. This had the desired effect, and during Dec. 1st that

general rapidly fell back before the Federal advance. During the 1st 2d and 3d constant skirmishing took place between the Federal and rebel cavalry, the latter being gradually pushed beyond Waynesboro. On the 3d they were found strongly posted on the railroad, two miles northeast of the town, with heavy rail barricades in front, and a swamp and railroad embankment on either flank. Two or three vigorous charges by the Federal cavalry sufficed to drive them from their defences with considerable loss. Up to this point Baird's division of the 14th corps formed the infantry support to the cavalry. The remaining divisions of this corps upon reaching Buckhead Creek had turned east to Lumpkin's station on the Augusta and Millen Railroad, 10 miles south of Waynesboro, where on the 3d and 4th they destroyed a considerable portion of the track. They then marched in a southeasterly direction for Jacksonboro, 20 miles east of Millen, where, on the 5th, they united with Gens. Kilpatrick and Baird, who having finished their demonstration against Augusta, moved rapidly south from Waynesboro on the 4th.

Meanwhile the 20th and 17th corps advanced steadily along the railroad, and on Dec. 2d the latter reached Millen. The 20th corps passed somewhat north of Millen, through Birdsville, and thence marched southeast, while the 15th corps moved in two columns to the west of the Ogeechee River, a day's march in advance of the main body. The whole army, pivoting, it may be said, upon Millen, now swung slowly around from its eastern course, and moved in parallel columns directly southward, all, with the exception of the 15th corps, marching down the peninsula formed by the Ogeechee and Savannah Rivers. The 17th corps followed the railroad, destroying it from Millen downward. The success of the feint toward Augusta was now demonstrated in the fact that Gen. Sherman was pursuing an uninterrupted march to the coast, with his army well in hand, while a large rebel force was concentrated in Augusta, too far in the rear of the Federal army to check its progress for a day, and utterly useless for offensive purposes. Even when it was ascertained that Gen. Sherman was moving south from Millen, the enemy appear to have been uncertain whether Savannah, Darien, Brunswick, or even Port Royal harbor was to be his objective point. After the deflection of the Federal march southward from Millen, however, they admitted that Gen. Sherman might possibly escape.

As the Federal army continued its advance down the peninsula between the Savannah and Ogeechee Rivers, it became apparent to Gen. Hardee, who held Savannah with fifteen thousand men, a great part of whom were militia, that that city was to be the objective of Gen. Sherman. A line of works, stretching from river to river, had been erected to delay the Federal advance; and for the purpose of preventing an attack upon the Savannah and

Gulf Railroad, which was being employed to its utmost capacity to bring supplies and reinforcements to the city, a force was sent across the Ogeechee, which it was supposed would offer effectual resistance to the progress of the 15th corps. The greater part of the latter, however, had crossed to the east bank of the Ogeechee, on the 7th, near Eden, and on the succeeding day Gen. Corse's division was pushed forward between the Little and Great Ogeechee, thirteen miles in advance of the main column, to the canal connecting the Ogeechee with the Savannah. The canal was quickly bridged, and the division intrenched in a strong position on the south side, the enemy, after a brief resistance, abandoning their advanced lines, and taking refuge within the fortifications proper of Savannah. Other portions of the 15th corps were immediately brought up to support Gen. Corse, and on the 9th a detachment moved forward to the Savannah and Gulf Railroad, destroyed the track for several miles around Miller's station, and captured a train of eighteen cars, with many prisoners, thus cutting off communication between Savannah and the South.

While the extreme right was thus closing in upon the rear of Savannah, the main body moved south by rapid marches between the Ogeechee and Savannah Rivers. The weather, which had been for the most part favorable during the first half of the campaign, became rainy after the columns passed Millen, and the swampy regions of the coast, which the army had now entered upon, offered serious obstacles to rapid marching. But, inspired by continued successes and the prospect of soon opening communications with the fleet on the coast, the troops pushed forward with no more delays than were caused by bridging streams or corduroying swamps, and on the evening of the 10th the advance of the several columns had reached positions varying from three to eight miles distant from Savannah. On the march the left wing struck the Savannah and Charleston Railroad where it crosses the Savannah River, from which point southward the track was thoroughly destroyed. The enemy showed considerable resistance as the Federal army approached the city, and the 14th and 17th corps sustained some loss in skirmishing. A number of men having been wounded by the explosion of shells and torpedoes, buried and concealed in the road, the rebel prisoners were placed in front of the columns, and compelled to remove them. Kilpatrick covered the rear, and kept at bay such scattered bodies of cavalry as attempted to harass the march. The 11th and 12th were occupied in putting the troops in position, establishing batteries, erecting breastworks, and in other operations connected with a regular investment, and on the latter day the army was concentrated so as to form a semicircle, extending from the Savannah River to the Savannah and Gulf Railroad. The line was about ten miles long, the extreme

left, held by the 20th corps, being about three miles from the city, while the extreme right of the 15th corps, resting on the railroad, was eleven miles distant. Next to the 20th corps came the 14th, and next to that on the right the 17th. Everywhere the troops encountered a strong line of earthworks, having heavy guns in position, and held apparently by a large force. These were the exterior fortifications of Savannah, and although of considerable extent, were so flanked by a series of impassable swamps stretching across the peninsula, as to be capable of easy defence. All the openings to these morasses, as well as the roads leading through them, had been fortified with extreme care, and could hardly be carried without severe loss.

Meanwhile, as early as the 9th, Capt. Duncan and two scouts had been sent from the 15th corps on the hazardous enterprise of penetrating the enemy's lines and reaching the coast, for the purpose of communicating with the fleet, which it was known was on the alert for intelligence from Gen. Sherman's army. Embarking in a small skiff on the Ogeechee, at nightfall, they paddled down the river until warned by the approach of day to conceal themselves in the rice swamps. On the night of the 10th they resumed their voyage, and creeping past Fort McAllister and the picket boats during a rain storm, emerged into Ossabaw Sound, where, on the morning of the 11th, they were picked up by the Federal gunboat *Flag*, which immediately conveyed them to Hilton Head. Gen. Foster, commanding the department, was at once summoned from Pocotaligo, where he was demonstrating against the Charleston and Savannah Railroad in aid of Gen. Sherman's movement, and received from the scouts Gen. Howard's despatch of the 9th: "We have had perfect success, and the army is in fine spirits." This was the first direct intelligence from the expeditionary army since its departure from Atlanta, and its reception in the North a few days later caused universal rejoicing. The greater part of the available naval force on the station being already in the Savannah River for the purpose of co-operating with the army, nothing remained to be done but to send a few vessels around to Ossabaw and Wassaw Sounds to endeavor to open communications. Wassaw Sound, into which empties the Wilmington River, being nearer the city, was carefully explored by Gen. Foster and Admiral Dahlgren, and both there and in Ossabaw Sound the gunboats were directed to make frequent signals with the shore.

Gen. Sherman having determined that Ossabaw Sound, which forms the mouth of the Ogeechee, afforded the most practicable means of communicating with the fleet, immediately took measures to reduce Fort McAllister, which commands the water approaches in that direction. This work, situated on the right bank of the Great Ogeechee, about six miles from

the Sound, was one of the strongest of its class in the South, and had successfully resisted attacks by the Monitor fleet in January and March, 1863. It comprised three half bastions and two curtains, and mounted twenty-one guns, several of which were 8-inch and 10-inch pieces. Every line of approach, both by land and water, was swept by howitzers and field-pieces placed on the bastions, and along its front extended a ditch forty feet wide and of great depth, into whose bottom were driven heavy palisades. Outside of the ditch was a formidable line of abatis, and beyond this the land approaches were thickly planted with torpedoes. The fort had received additions in armament and garrison since the naval attacks, and was now held by two hundred and fifty men, commanded by Major Anderson and Captains Clinch and White.

On the evening of the 12th Gen. Hazen's division of the 15th corps, to which was assigned the duty of assaulting the fort, marched from its position on the Savannah and Gulf Railroad toward Kingsbridge over the Great Ogeechee, distant about six miles. This structure having been destroyed by the enemy, a new one, eighteen hundred feet in length, was erected during the night, and at daybreak of the 13th the column pushed on for Fort McAllister. At half-past four in the afternoon the work was completely invested, and the troops advanced to the assault in a single line, over an open space of six hundred yards, the greater part of which consisted of a rice swamp. The obstacles were formidable enough to have deterred veterans of more experience than those who formed the attacking column, and might have justified the erection of intrenchments and a system of gradual approaches, which would have involved a loss of valuable time and delayed the opening of communications with the fleet. "Carry the place by assault to-night if possible," was Gen. Sherman's order to Hazen, and the troops, fighting under the immediate eye of their commander, who was watching the action from a house-top some miles distant, and aroused to a high pitch of enthusiasm, pressed eagerly forward, regardless of bursting torpedoes or the fire from the fort. In an almost incredible short space of time the open ground was crossed, the abatis surmounted, and the ditch reached. A few minutes sufficed to remove the palisades, and the men, with loud cheers, swarmed over the parapet, shooting and bayoneting the gunners who refused to surrender, and planted the national colors upon the rampart. The assault occupied barely twenty minutes, and from first to last the storming column never wavered in its advance. The Federal loss was but twenty-three killed and eighty-two wounded, owing to the celerity of the movement, and that of the enemy amounted to fourteen killed and twenty-one wounded. Two hundred and eleven rebel officers and men were taken prisoners. On the succeeding day the latter were employed

in removing the torpedoes buried around the fort.

Just previous to the assault Gen. Sherman detected a gunboat reconnoitring in the river below the fort, and at once opened communications with her by signals. No sooner was the fort taken than he embarked in a rowboat on the Ogeechee, and a few hours later was taken on board of the steamtug *Dandelion* in the cabin of which he wrote his first despatch to the Secretary of War as follows:

ON BOARD DANDELION, OSSABAW SOUND, {
11:50 P. M., Dec. 13. }

To-day, at 5 P. M., Gen. Hazen's division of the 15th corps carried Fort McAllister by assault, capturing its entire garrison and stores. This opened to us the Ossabaw Sound, and I pushed down to this gunboat to communicate with the fleet. Before opening communication we had completely destroyed all the railroads leading into Savannah and invested the city. The left is on the Savannah River, three miles above the city, and the right on the Ogeechee, at Kingsbridge. The army is in splendid order, and equal to any thing. The weather has been fine, and supplies were abundant. Our march was most agreeable, and we were not at all arrested by guerrillas.

We reached Savannah three days ago, but owing to Fort McAllister could not communicate; but now we have McAllister we can go ahead.

We have already captured two boats on the Savannah River, and prevented their gunboats from coming down.

I estimate the population of Savannah at twenty-five thousand and the garrison at fifteen thousand. Gen. Hardee commands.

We have not lost a wagon on the trip, but have gathered in a large supply of negroes, mules, horses, etc., and our teams are in far better condition than when we started.

My first duty will to clear the army of surplus negroes, mules, and horses. We have utterly destroyed over two hundred miles of rails, and consumed stores and provisions that were essential to Lee's and Hood's armies. The quick work made with McAllister and the opening of communication with our fleet, and the consequent independence for supplies, dissipates all their boasted threats to head me off and starve the army.

I regard Savannah as already gained.

Yours, truly,

W. T. SHERMAN, Major-General.

On the succeeding day he met Gen. Foster and Admiral Dahlgren in Wassaw Sound, where measures were concerted for opening permanent communication between the army and the fleet, and for efficient coöperation by the latter in the reduction of Savannah. The new base was established on the Ogeechee at Kingsbridge, and the obstructions in the river having been removed, a number of transports passed up on the 16th and 17th. On the 16th several tons of mail matter were distributed among the soldiers.

Meanwhile the lines of investment were steadily pressed around Savannah, prisoners being employed to remove the torpedoes buried by the enemy along the chief avenues of approach. On every side of the city but that fronting the river the investment was complete. By means of rows of piles, sunken vessels, and the guns of Forts Jackson, Lee, and Lawton, the enemy commanded the river to within a few miles of Fort Pulaski. Be-

tween the city and the South Carolina shore intervenes Hutchinson's Island, several miles in length, the upper end of which had been seized by Gen. Slocum as the Federal left wing approached the city. But the lower end, divided from the upper by a canal, was fortified and still held by the enemy; and somewhat below the island, on the South Carolina side, commences Union Causeway, traversing the extensive swamps intervening between Savannah and Charleston, and offering a practicable line of retreat to Gen. Hardee. To approach the city from the north, along the Carolina shore, through the wide stretch of swamps and rice-fields, artificially and skilfully flooded, seemed almost an impossibility, and the enemy relied confidently upon a protracted and perhaps successful resistance. On the 16th Gen. Sherman sent a formal demand for the surrender of Savannah, closing his despatch with Hood's words to the colored troops at Dalton. To this General Hardee replied that as his communications were still open and his men supplied with subsistence, he was able to withstand a long siege, and was determined to hold the city until his forces were overpowered.

Gen. Sherman now rapidly pushed forward his work, and by means of a substantial corduroy road traversing the swamps and rice-fields between Kingsbridge and the city, brought up heavy siege guns which by the 20th were put in position. Perceiving this, and also that preparations were making to close up the Federal lines on the left, Gen. Hardee seems to have become suddenly aware of the danger that menaced the city, and alive to the necessity of securing his own retreat while Union Causeway afforded an avenue of escape. On the afternoon of the 20th his troops were hurriedly set to work to destroy the navy yard and Government property, while the formidable iron-clads, Georgia and Savannah, moved up the river and commenced a furious fire on the Federal left, supported by several batteries. Under cover of this fire the garrison was transported during the night of the 20th, by steamboats, rowboats, and rafts to Union Causeway, and on the morning of the 21st the troops were well on their way to Charleston. Before leaving, they blew up the iron-clads and the fortifications below the city.

At dawn of the 21st the evacuation became known to the Federal pickets, and several regiments were sent forward to occupy the deserted intrenchments. A few hours later Gen. Sherman entered the city at the head of his body-guard, and received its formal surrender from the municipal authorities. The following despatch to the President announced this crowning success of the campaign:

SAVANNAH, GA., December 22.

His Excellency President Lincoln:

I beg to present you as a Christmas gift the city of Savannah, with one hundred and fifty heavy guns and plenty of ammunition, and also about twenty-five thousand bales of cotton.

W. T. SHERMAN, Major-General.

The following from Gen. Foster gives additional details of the capture:

STEAMER GOLDEN STATE, SAVANNAH RIVER, }
December 22—7 P. M. }

To Lieut. Gen.-Grant and Maj.-Gen. H. W. Halleck:

I have the honor to report that I have just returned from Gen. Sherman's headquarters in Savannah.

I send Major Gray, of my staff, as bearer of despatches from Gen. Sherman to you, and also a message to the President.

The city of Savannah was occupied on the morning of the 21st. Gen. Hardee, anticipating the contemplated assault, escaped with the main body of his infantry and light artillery on the morning of the 20th, by crossing the river to Union Causeway, opposite the city. The rebel iron-clads were blown up, and the navy yard was burned. All the rest of the city is intact, and contains twenty thousand citizens, quiet and well disposed.

The captures include eight hundred prisoners, one hundred and fifty guns, thirteen locomotives in good order, one hundred and ninety cars, a large supply of ammunition and materials of war, three steamers, and thirty-three thousand bales of cotton, safely stored in warehouses. All these valuable fruits of an almost bloodless victory have been, like Atlanta, fairly won.

I opened communication with the city with my steamers to-day, taking up what torpedoes we could see, and passing safely over others. Arrangements are made to clear the channel of all obstructions.

J. G. FOSTER, Major-General.

With the capture of Savannah ended the great winter campaign through Georgia, just five weeks after the Federal army left Atlanta. Within that period Gen. Sherman traversed at his leisure, and with a total loss of less than fifteen hundred men, a tract of country varying from sixty to twenty miles in width, and completely destroyed the great railroad quadrilateral of which Atlanta, Macon, Augusta, and Savannah formed the four corners. When it is recollected that from Atlanta to Madison on the Georgia road, and from the neighborhood of Macon to Savannah, the track was systematically torn up, beside considerable portions of the Milledgeville branch and the Augusta and Millen road, Gen. Sherman's estimate of 200 miles destroyed will seem under the mark. The work of destruction was carried on with a completeness and deliberation unknown to previous expeditions. Every rail was heated and twisted; every tie, bridge, tank, wood-shed, and depot building was burned, and every culvert blown up. For miles on the Georgia, Georgia Central, and Augusta and Millen roads, the track is carried over marshy territory by extensive trestle-work. This was all burned or otherwise injured beyond the possibility of immediate replacement. Almost from the moment of departure the army literally fed on the fat of the land, and fared probably better on the march than in camp. Live stock, poultry, Indian meal, sweet potatoes, sorghum syrup, and other luxuries were found in an abundance far exceeding the demands of the men, and many thousand head of cattle, horses, and mules were gathered up on the march and brought safely to the coast. The army is said to have encamped around Savannah with fifty days' rations of beef on the hoof. As a rule the

regulations respecting pillaging were observed by the troops, but of necessity many instances occurred where private property, not necessary to sustain life or assist military operations, was appropriated by stragglers. Such occurrences are unavoidable in the unopposed progress of a large army through a well-stocked country. As was expected, large numbers of slaves, of both sexes and of all ages, seized the opportunity to gain their freedom, and followed in the wake of the several columns. The able-bodied men did good service as pioneers, teamsters, or laborers, and in many cases the places where horses, cattle, provisions, cotton, or valuables were concealed, were revealed by the colored fugitives. On several occasions this class of followers became so numerous as to impede the movements of the army and the trains. Many dropped off from time to time exhausted by the march; but from eight to ten thousand succeeded in reaching Savannah. Cotton was of course invariably burned wherever discovered, and the loss is estimated at 15,000 bales. The most remarkable feature of the campaign was the trifling opposition which the enemy opposed to the expeditionary army, and the ease with which every attack was repelled. In every engagement, down to the smallest skirmish, the Federal troops, having an absolute faith in their leader which made them equal to any task he might impose, showed their superiority. The cavalry advance, supported occasionally by a division or two of infantry, and frequently engaging superior numbers, was found adequate for any thing which the enemy could oppose to them. Full half the loss sustained by Gen. Sherman was of stragglers and plunderers, surprised and captured by the enemy while out of the direct line of march.

Upon the surrender of Savannah, Gen. Geary was appointed military commander. The city was found uninjured, the Federal cannon having never opened upon it, and was crowded with refugees from the interior, many of whom were without the means of procuring food. Measures were adopted for supplying the wants of these persons, and stringent orders issued by Gen. Geary for the protection of peaceful citizens and their property against outrages by soldiers. The cotton was, however, appropriated by the United States Government, with the design of shipping it to the North for sale. The following order was issued by Gen. Sherman for the government of the city:

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI, IN THE FIELD, SAVANNAH, GA., Dec. 26th, 1864. }
Special Field Orders No. 143.

The city of Savannah and surrounding country will be held as a military post and adapted to future military uses; but as it contains a population of some 20,000 people, who must be provided for, and as other citizens may come, it is proper to lay down certain general principles, that all within its military jurisdiction may understand their relative duties and obligations.

I. During war, the military is superior to civil authority, and where interests clash the civil must

give way; yet where there is no conflict, every encouragement should be given to well-disposed and peaceable inhabitants to resume their usual pursuits. Families should be disturbed as little as possible in their residences, and tradesmen allowed the free use of their shops, tools, &c. Churches, schools, all places of amusement and recreation, should be encouraged, and streets and roads made perfectly safe to persons in their usual pursuits. Passes should not be exacted within the line of outer pickets, but if any person shall abuse these privileges by communicating with the enemy, or doing any act of hostility to the Government of the United States, he or she will be punished with the utmost rigor of the law. Commerce with the outer world will be resumed to an extent commensurate with the wants of the citizens, governed by the restrictions and rules of the Treasury Department.

II. The Chief Quartermaster and Commissary of the army may give suitable employment to the people, white and black, or transport them to such points as they choose, where employment may be had, and may extend temporary relief, in the way of provisions and vacant houses, to the worthy and needy, until such time as they can help themselves. They will select, first, the buildings for the necessary uses of the army; next, a sufficient number of stores to be turned over to the Treasury Agent for trade stores. All vacant storehouses or dwellings, and all buildings belonging to absent rebels, will be construed and used as belonging to the United States, until such times as their titles can be settled by the courts of the United States.

III. The Mayor and City Council of Savannah will continue and exercise their functions as such, and will, in concert with the commanding officer of the post and Chief Quartermaster, see that the fire companies are kept in organization, the streets cleaned and lighted, and keep up a good understanding between the citizens and soldiers. They will ascertain and report to the Chief C. S., as soon as possible, the names and number of worthy families that need assistance and support.

The Mayor will forthwith give public notice that the time has come when all must choose their course, viz.: to remain within our lines and conduct themselves as good citizens, or depart in peace. He will ascertain the names of all who choose to leave Savannah, and report their names and residence to the Chief Quartermaster, that measures may be taken to transport them beyond the lines.

IV. Not more than two newspapers will be published in Savannah, and their editors and proprietors will be held to the strictest accountability, and will be punished severely in person and property for any libelous publication, mischievous matter, premature news, exaggerated statements, or any comments whatever upon the acts of the constituted authorities; they will be held accountable even for such articles though copied from other papers.

By order of Maj.-Gen. W. T. SHERMAN.

L. M. DAYTON, Aide-de-Camp.

In marked contrast with the inhabitants of other Confederate cities captured during the war, the population of Savannah showed a desire to conform their conduct to circumstances, and refrained from open insults or efforts to vex or harass their captors. It does not appear that a bale of cotton, or indeed any thing of positive value, was destroyed by the citizens to prevent its falling into the hands of the Federal troops. A latent Union feeling was even developed, and at a meeting of influential citizens convened on the 28th, in pursuance of a call from Mayor Arnold, to take into consideration "matters relating to the present and future

welfare of the city," the following resolutions were unanimously adopted:

Whereas, By the fortunes of war and the surrender of the city by the civil authorities, Savannah passes once more under the authority of the United States; and whereas we believe that the interests of the city will be best subserved and promoted by a full and free expression of our views in relation to our present condition, we, therefore, the people of Savannah, in full meeting assembled, do hereby resolve,

1st. That we accept the position, and in the language of the President of the United States, seek to have "peace by laying down our arms and submitting to the national authority under the Constitution, leaving all questions which remain to be adjusted by the peaceful means of legislation, conference, and votes."

Resolved, 2d. That laying aside all differences and burying bygones in the graves of the past, we will use our best endeavors once more to bring back the prosperity and commerce we once enjoyed.

Resolved, 3d. That we do not put ourselves in the position of a conquered city asking terms of a conqueror, but we claim the immunities and privileges contained in the proclamation and message of the President of the United States, and in all the legislation of Congress in reference to a people situated as we are; and while we owe on our part a strict obedience to the laws of the United States, we ask the protection over our persons, lives, and property recognized by those laws.

Resolved, 4th. That we respectfully request his Excellency the Governor to call a convention of the people of Georgia, by any constitutional means in his power, to give them an opportunity of voting upon the question whether they wish the war between the two sections of the country to continue.

Resolved, 5th. That Major-General Sherman having placed as military commander of this post Brigadier-General Geary, who has, by his urbanity as a gentleman and his uniform kindness to our citizens, done all in his power to protect them and their property from insult and injury, it is the unanimous desire of all present that he be allowed to remain in his present position, and that for the reasons above stated the thanks of the citizens are hereby tendered to him and the officers under his command.

Resolved, 6th. That an official copy of these resolutions be sent to the President of the United States, the Governor of Georgia, General Sherman, and to each the Mayors of Augusta, Columbus, Macon, and Atlanta.

Finding the people so tractable and resigned to their condition, Gen. Geary exerted himself to protect them from oppression, and to maintain order; and several instances occurred of soldiers being severely punished for drunkenness, pillaging, or other improper acts. Measures were at once taken to prepare the Custom House and Post Office for the former uses, and by several of the insurance companies the propriety of establishing a National Bank, under the Act of Congress, was seriously considered.

On the 17th, while the investment of Savannah was in progress, a large body of cavalry, with infantry supports, started down the Savannah and Gulf Railroad, which was thoroughly destroyed to the Altamaha River, 50 miles distant, together with four miles of trestle-work immediately adjoining the river. The common supposition was, that the expedition was going to release the Federal prisoners conveyed to some point south of Millen. This would have involved a wider separation from the main

army than was consistent with prudence, and Gen. Sherman probably felt sufficiently compensated in the destruction of the only remaining link of railroad connecting Savannah with the Gulf. The close of the year found him at Savannah planning another campaign in a different direction.

Gen. Sheridan, after taking command of the army on the upper Potomac, held a strong position near the railroad from Harper's Ferry toward Winchester. On Sept. 14th a reconnoissance was made by Gen. Wilson within two miles of Winchester, which resulted in the capture of the 8th South Carolina infantry, numbering 136 men and 16 officers. On the 18th Gen. Gardner made an attack on Gen. Averill, at Martinsburg, but was repulsed. At this time the main body of Gen. Early's army was in the vicinity of Bunker Hill, northwest of the position held by Gen. Sheridan. By a rapid advance along the Winchester road Gen. Sheridan could gain the rear of the enemy, and he quickly embraced the opportunity. The 6th and 19th corps began to move at 3 A.M. on the morning of the 19th. Gen. Crook followed three hours later and joined the main column at the crossing of the Opequan. This advance was stubbornly resisted, and the first and second lines were temporarily thrown into confusion. But the artillery being brought into position, the ranks were reformed, and a severe contest ensued. At some points the opposing lines were not more than two hundred yards apart. By a successful cavalry charge the enemy were thrown into confusion and driven from the field. The enemy retreated toward Fisher's Hill, a short distance south of Strasburg, closely followed by Gen. Sheridan. That evening he sent the following despatch to Gen. Grant:

WINCHESTER, VA., Sept. 19, 7.30 P. M.

Lieut.-Gen. U. S. Grant:

I have the honor to report that I attacked the forces of Gen. Early over the Berryville pike, at the crossing of Opequan Creek, and after a most stubborn and sanguinary engagement, which lasted from early in the morning until 5 o'clock in the evening, completely defeated him, driving him through Winchester, capturing twenty-five hundred prisoners, five pieces of artillery, nine army flags, and most of their wounded. The rebel Generals Rhodes and Gordon were killed, and three other general officers wounded. Most of the enemy's wounded and all of their dead fell into our hands.

Our losses are severe. Among them Gen. D. A. Russell, commanding a division in the Sixth corps, who was killed by a cannon ball. Generals Upton, McIntosh, and Chapman were wounded.

I cannot yet tell our losses. The conduct of the officers and men was most superb. They charged and carried every position taken up by the rebels from Opequan Creek to Winchester. The rebels were strong in numbers and very obstinate in their fighting.

I desire to mention to the Lieut.-General commanding the army the gallant conduct of Generals Wright, Crook, Emory, Torbert, and the officers and men under their command. To them the country is indebted for this handsome victory.

D. H. SHERIDAN,
Major-General Commanding.

The force of Gen. Sheridan was composed as

follows: 6th corps, about 12,000; 19th corps (two divisions), 9,000; Crook's corps, 12,000; cavalry (three divisions), 10,000; artillery, about 2,000; total, 45,000, and 20 or 22 batteries, 6 guns each.

That of the enemy was known to consist of Gens. Early and Breckinridge's corps, amounting to about 20,000 men, exclusive of cavalry and artillery, which was estimated at 10,000 more. The artillery consisted of 14 batteries of 6 guns each.

On Sept. 22d Gen. Sheridan attacked the enemy's position at Fisher's Hill, and by forcing back the left of his line and throwing a force in his rear, compelled him to abandon it. He thus described and reported his success:

HEADQ'RS MIDDLE MILITARY DIVISION, }
SIX MILES FROM WOODSTOCK, }
11.30 P. M. September 22d. }

Lieut.-General Grant:

I have the honor to report that I achieved a most signal victory over the army of General Early at Fisher's Hill to-day. I found the rebel army posted with its right resting on the north fork of the Shenandoah, and extending across the Strasburg valley westward to North Mountain, occupying a position which appeared almost impregnable.

After a great deal of manœuvring during the day, General Crook's command was transferred to the extreme right of the line on North Mountain, and he furiously attacked the left of the enemy's line, carrying every thing before him. While General Crook was driving the enemy in the greatest confusion, and sweeping down behind their breastworks, the Sixth and Nineteenth army corps attacked the works in front, and the whole rebel army appeared to be broken up. They fled in the utmost confusion. Sixteen pieces of artillery were captured, also a great many caissons, artillery horses, &c., &c.

I am to-night pushing down the valley. I cannot say how many prisoners I have captured, nor do I know either my own or the enemy's casualties. Only darkness has saved the whole of Early's army from total destruction. My attack could not be made until 4 o'clock in the evening, which left but little daylight to operate in.

The 1st and 3d cavalry divisions went down the Luray Valley to-day, and if they push on vigorously to the main valley, the result of this day's engagement will be still more signal. The victory was very complete.

(Signed,) P. H. SHERIDAN, Maj.-Gen. Com.

The number of prisoners taken was eleven hundred. The pursuit was made and continued to Staunton, which Gen. Sheridan occupied with his cavalry and inflicted much damage upon the enemy. He then leisurely and destructively fell back toward Strasburg. The losses of the enemy in these battles in killed, wounded, and missing was estimated at nearly ten thousand men. The losses of Gen. Sheridan were also severe.

On the night of the 27th Gen. Averill met with a repulse near Brown's Gap, and on the following day fell back six miles. He lost some twelve men. While Gen. Sheridan was at Staunton all public property was destroyed, including the railroad and factories. His cavalry then proceeded to Waynesboro for the purpose of destroying the iron railroad bridge and all the barns and mills in that section of country. The force of Gen. Early, in the mean time, had

retreated through Brown's Gap with their wagon trains, but on learning of the operations of the Federal cavalry, Kershaw's division of infantry and Fitzhugh Lee's cavalry were ordered to march in their rear and cut off the command of Gen. Torbert at Waynesboro. The latter, however, marched all night by way of Staunton and escaped.

Gen. Sheridan thus reported his march back to Woodstock:

WOODSTOCK, VA., Oct. 7, P. M.

To Gen. U. S. Grant:

I have the honor to report my command at this point to night. I commenced moving back from Port Republic, Mount Crawford, Bridgewater, and Harrisonburg yesterday morning. The grain and forage in advance of these points had previously been destroyed in coming back to this point.

The whole country, from the Blue Ridge to the North Mountain, has been made untenable for a rebel army. I have destroyed over 2,000 barns filled with wheat, hay, and farming implements, over 70 mills filled with wheat and flour; four herds of cattle have been driven before the army, and not less than 3,000 sheep have been killed and issued to the troops.

This destruction embraces the Luray and Little Fork Valleys as well as the main valley. A large number of horses have been obtained, a proper estimate of which I cannot now make.

Lieut. John R. Meigs, my engineer officer, was murdered beyond Harrisonburg near Dayton. For this atrocious act all houses within an area of five miles were burned. Since I came into this valley from Harper's Ferry, up to Harrisonburg, every train, small party, and every straggler has been bushwhacked by people, many of whom have protection papers from commanders who have been hitherto in that valley.

The people here are getting sick of the war; heretofore they have had no reason to complain, because they have been living in great abundance.

I have not been followed by the enemy up to this point, with the exception of a small force of rebel cavalry that showed themselves some distance behind my rear guard. To-day a party of 100 of the 8th Va. cavalry, which I had stationed at the bridge over the North Shenandoah near Mount Jackson, was attacked by McNeil with seventeen men while they were asleep, and the whole party dispersed or captured. I think they will all turn up. I learn that 56 of them had reached Winchester. McNeil was mortally wounded and fell into our hands. This was most fortunate, as he was the most daring and dangerous of all bushwhackers in this section of the country.

(Signed) P. H. SHERIDAN, Major-Gen.

A correspondent, who was present with the army, thus describes the scenes of this march:

The atmosphere, from horizon to horizon, has been black with the smoke of a hundred conflagrations, and at night a gleam, brighter and more lurid than sunset, has shot from every verge. The orders have been to destroy all forage in stacks and barns, and to drive the stock before for the subsistence of the army. The execution of these orders has been thorough, and in some instances, where barns, near dwelling houses, have been fired, has resulted in the destruction of the latter. In no instance, except in that of the burning of dwellings within five miles, in retaliation for the murder of Lieut. Meigs, have orders been issued for the burning of houses, or have such orders been sanctioned by Gen. Sheridan. Such wholesale incendiarism could not have been pursued, however, without undue license being taken by the worst class of soldiers, and there have been frequent instances of rascality and pillage. Indiscriminating (for with such swift work discrimina-

tion is impracticable), relentless, merciless, the torch has done its terrible business in the centre and on either side of the valley. Few barns and stables have escaped. The gardens and cornfields have been desolated. The cattle, hogs, sheep, cows, oxen, nearly five thousand in all, have been driven from every farm. The poor, alike with the rich, have suffered. Some have lost their all.

"The wailing of women and children mingling with the crackling of flames, has sounded from scores of dwellings. I have seen mothers weeping over the loss of that which was necessary to their children's lives, setting aside their own, their last cow, their last bit of flour pilfered by stragglers, the last morsel that they had in the world to eat or drink. Young girls with flushed cheeks, and pale with tearful or tearless eye, have pleaded with and cursed the men whom the necessities of war have forced to burn the buildings reared by their fathers, and turn them into paupers in a day. The completeness of the desolation is awful. Hundreds of nearly starving people are going north. Our trains are crowded with them. They line the wayside. Hundreds more are coming—not half the inhabitants of the valley can subsist on it in its present condition. Absolute want is in mansions used in other days to extravagant luxury.

A committee, consisting of thirty-six citizens and the same number of magistrates, appointed by the county court of Rockingham for the purpose of making an estimate of the losses of that county by the execution of Gen. Sheridan's orders, made an investigation and reported as follows:

Dwelling houses burned, 30; barns burned, 450; mills burned, 31; fencing destroyed (miles), 100; bushels of wheat destroyed, 100,000; bushels of corn destroyed, 50,000; tons of hay destroyed, 6,233; cattle carried off, 1,750; horses carried off, 1,750; sheep carried off, 4,200; hogs carried off, 3,350; factories burned, 3; furnace burned, 1. In addition to which there was an immense amount of farming utensils of every description destroyed, many of them of great value, such as McCormick's reapers, and threshing machines; also household and kitchen furniture, money, bonds, plate, &c., &c., the whole loss being estimated at the enormous sum of \$25,000,000.

As Gen. Sheridan moved down the valley toward the Potomac River, he was followed close by the enemy's cavalry in considerable force, under Gen. Rosser, the infantry being further in the rear. On Oct. 9th the head of the column of infantry having entered Strasburg by the eastern road, while the rear was some four miles further south, and the enemy following the cavalry on the western road had advanced so far as to bring the infantry upon their right rear, the cavalry under Gens. Custer and Merritt turned and made an attack. At the same time a report spread among the enemy's cavalry that the Federal infantry were flanking them. They immediately gave way, and a stampede ensued. The pursuit continued to Columbia Furnace, seven miles south of Fisher's Hill. The loss of the enemy was eleven pieces of artillery and about three hundred men. Gen. Sheridan then continued to fall back as far as Cedar Run. While at this position, on Oct. 19th, his force was suddenly attacked by the enemy before daylight, and his lines thrown into confusion with every prospect of a serious disaster. The left flank of the 8th corps was

turned and the army driven back four miles with the loss of twenty-four pieces of artillery. At this moment Gen. Sheridan arrived on the field, and re-forming his lines, awaited the attack of the enemy. This was made at 1 P.M. and repulsed. At 3 P.M. Sheridan attacked the enemy and completely routed him, capturing fifty-four pieces of artillery, including his own pieces. His despatch from the battle-field to Gen. Grant was as follows:

CEDAR CREEK, VA., Oct. 19, 10 P.M.

Lieut.-Gen. Grant, City Point:

I have the honor to report that my army at Cedar Creek was attacked at Alacken this morning before daylight, and my left was turned and driven in in confusion. In fact, most of the line was driven in confusion, with the loss of 20 pieces of artillery. I hastened from Winchester, where I was on my return from Washington, and found my army between Middletown and Newton, having been driven back about four miles. I here took the affair in hand and quickly marched the corps forward, formed a compact line of battle to repulse an attack of the enemy, which was done handsomely at about 1 o'clock, P.M. At 3 P.M., after some changes of the cavalry from the left to the right flank, I attacked with great vigor, driving and routing the enemy, capturing, according to the last report, 43 pieces of artillery and very many prisoners. * * * *

I have to regret the loss of Gen. Bidwell, killed, and Gens. Wright, Grover, and Ricketts, wounded. Wright is slightly wounded. Affairs at times looked badly, but by the gallantry of our brave officers and men disaster has been converted into a splendid victory. Darkness again intervened to shut off greater results. I now occupy Strasburg. As soon as practicable I will send you further particulars.

(Signed) P. H. SHERIDAN, Maj.-General.

On the next day he further reported as follows:

CEDAR CREEK, VA., Oct. 20, 11:30 A.M.

To Lieut.-Gen. Grant, City Point:

We have again been favored by a great victory, won from disaster, by the gallantry of our officers and men. The attack on the enemy was made at 3 P.M., by a left half-wheel of the whole line, with a division of cavalry turning each flank of the enemy. The whole line advanced.

The enemy, after a stubborn resistance, broke and fled, and were pushed with vigor. The artillery captured will, probably, be over fifty pieces. This, of course, includes what were captured from our troops early in the morning. At least 1,600 prisoners have been brought in; also wagons and ambulances in large numbers. This morning the cavalry made a dash at Fisher's Hill and carried it; the enemy having fled during the night, leaving only a small rear guard.

I have to regret the loss of many valuable officers killed and wounded. Among them is Col. James Thorburn, commanding a division of Crook's command, killed; Col. Sherwood, commanding a brigade, but would not leave the field. I cannot yet give a full account, as many of our men who were captured in the morning have since made their escape and are coming in. Ramseur, commanding a division in Early's army, died this morning.

(Signed) P. H. SHERIDAN.

The enemy were pursued nearly to Mt. Jackson. The loss of Gen. Sheridan's army in the morning was between 800 and 1,000 taken prisoners. He took afterwards from 1,500 to 2,000 of the enemy prisoners, and 300 wagons and ambulances. The losses in killed and wounded on either side have not been reported.

They are known to have been severe. With the exception of a few affairs of small consequence, this closed the military operations in the Shenandoah valley for the remainder of the year; Gen. Early's force took a position further up the valley, while Gen. Sheridan's army was scattered in detachments widely separated. On Nov. 14th the President issued the following order:

WAR DEPARTMENT, WASHINGTON, Nov. 14th, 1864.

Ordered by the President:—1. That the resignation of George B. McClellan as major-general in the United States Army, dated November 8th, and received by the Adjutant-General on the 10th inst., be accepted as of the 8th of November.

2. That for personal gallantry, military skill, and just confidence in the courage and patriotism of his troops displayed by Philip H. Sheridan on the 19th of October, at Cedar Run, whereby, under the blessing of Providence, his routed army was reorganized, a great national disaster averted, and a brilliant victory achieved over the rebels for the third time in pitched battle within thirty days, Philip H. Sheridan is appointed Major-General in the United States Army, to rank as such from the 8th day of November, 1864.

By order of the President of the United States.

E. D. TOWNSEND,

Assistant Adjutant-General.

All that district of country west of Washington and immediately south of the Potomac River was infested with guerrillas throughout the year. Col. Mosby was their leader. Many of their expeditions were conducted with great boldness. Sometimes they came within a few miles of Washington. On one occasion during the year they captured a passenger train on the Baltimore and Ohio Railroad, between Harper's Ferry and Martinsburg. A rail was removed, and the train thus running off the track was brought to a stop. Their proceedings have been thus graphically described:

In an instant we heard the guerrillas entering the cars from both ends. Surmising their errand, I jerked my watch from my pocket, handed it to a lady companion, telling her to secrete it, which she did. Just then one of the fellows stood before me with a pistol close to my head and demanded my pocket book. I obeyed with commendable diligence. He passed on to relieve my neighbor of hat, coat, watch and pocket book. Another of the band approached, pistol in hand, "Here, you d—d Yank, hand over your watch." "You're too late," I answered promptly, "it is gone." The fellow seemed satisfied with this and went on.

A very demonstrative fat lady, seated near the end of our car, just then jumped up, caught one of the rebels in her arms. "Oh my love, my dear man, you will not kill me," she screamed, and at the same time clinging to him until in ungallant anger he roared, "Confound you, let me go; I will lose my part of the plunder with your stupidity." We were then ordered out, as the train was to be set on fire. On leaving the cars we had to climb a steep sand bank about twenty feet high, there to await further orders. The passengers in the sleeping-cars fared worse, as all, with one exception, lost their hats, coats, boots, watches, and money. When they were ejected from their quarters, and ascended the hill, they presented a sorry appearance—just conscious of their loss, trembling with cold, and fearing they might be invited to visit Richmond. In one car there were sixty German emigrants bound for Ohio, who, when the thieves demanded their money,

showed fight. To intimidate the rest, two men were instantly shot by the butchers and a woman wounded. The remainder were then ordered to leave the cars, but did not understand the command. Mosby ordered his men to fire the cars and burn the "damn Dutch." The conductor begged of him to hold on until he could find a man who could speak German. The poor creatures were at last made to understand. They left the car; it was set on fire, and the two men and one wounded woman left in the flames.

There were about thirty Union soldiers on board, unarmed, returning to their commands. Those were taken prisoners, and also forty or fifty of the passengers were ordered to fall in line to be taken off. About this time I felt a little nervous, not having any strong desire to visit Libby; but fortunately as I had a screaming babe in my arms I was not one of the chosen. The whole party were soon ordered to march. Then followed hurried, agonizing farewells, and the victims moved forward. We all supposed they were on their way to Richmond, but only the soldiers met with this fate. The citizens were taken a short distance to a piece of woods and thoroughly searched and robbed of whatever money they had left and the best of their clothes. Then arose a cry that the Yanks were in the woods; the guerrillas mounted and started off in a hurry, but in five minutes they were back and exclaimed, "a false alarm!" and they fell to plundering still further. By this time the mail, express, and baggage had been robbed, and what they generally did not want was in flames, and the gentlemen were left no extra clothing, and certainly no surplus cash.

One of the ladies of our party lost all her baggage. In vain she begged a plethoric-looking guerilla to spare her clothing and that of her child. "There are no valuables in the trunk; you certainly can do nothing with its contents," she pleaded. "Pooh," sneered the "chivalry," as he swaggered past her, "they will do to help on the flame," and help the flames they accordingly did.

It was then announced by one of the officers that every rider had a place for a woman in front of him on his horse, but this beastly threat was not carried out. They then made a final search, and saw the work was complete; the train had been burned, a paymaster with \$63,000 robbed, the passengers plundered of their hats, coats, boots, watches and money, and, locking and burning the mail, express, and baggage, they made us a boisterous farewell.

Missouri became the scene of a hostile invasion under Gen. Price, in the autumn. Various rumors and threats had been in circulation among the enemy for some months previous. About the 21st of September these rumors ripened into a certainty by a movement of Gen. Sterling Price across the Arkansas with two divisions of cavalry and three batteries of artillery. He joined Gen. Shelby near Batesville, sixty miles south of the boundary line of the Missouri, and was prepared to advance with 15,000 to 20,000 mounted veterans. The Federal force then in the Department under Gen. Rosecrans consisted of 6,500 mounted men for field duty scattered over a country four hundred miles long, and three hundred broad, with partially organized new infantry regiments and dismounted men. These latter were employed to cover the great depots at St. Louis, Jefferson City, St. Joseph, Macon, Springfield, Rolla, and Pilot Knob, to guard railroad bridges and protect as far as possible the lives and property of citizens from the guerillas who swarmed over the whole country

bordering on the Missouri River. At this time Gen. A. J. Smith being at Cairo with 4,500 troops was ordered to Missouri. Preparations were made to concentrate the forces as soon as it should become manifest what course Gen. Price would pursue, and the enrolled militia of the State made ready to take the field.

When it became evident that Springfield was safe from the blow, Gen. Sanborn moved with all his available cavalry to reënforce Rolla, where Gen. McNeil was preparing to secure the depots and supply trains, while Gen. Ewing, with the 47th Missouri volunteer infantry, detachments of the 1st, 2d, and 3d State militia, and the 14th Iowa, defended Pilot Knob on Sept. 27th, and proved the presence of the enemy's entire force in southeast Missouri. The defence of Gen. Ewing was a severe blow to the enemy, and allowed time for the enrolled militia and citizens of St. Louis to prepare for its defence. At this time it was covered only by Gen. Smith's infantry and three regiments of cavalry thrown as far as practicable toward the enemy.

In the midst of the preparations at St. Louis, the 132d, 134th, 136th, 139th, 140th, and 142d regiments of Illinois hundred days' volunteers arrived, which secured the safety of that city. Meantime the 1st, 2d, 3d, 4th, 10th, 11th, 13th, and 80th regiments of enrolled militia, and the National Guard of St. Louis, organized under Gens. Pike, Wolff and Miller, to support Gen. Smith's infantry, and turn the tide of invasion westward.

The troops of the central district of the State were concentrated by Gen. Brown at Jefferson City, and being reënforced by Gen. Fisk with all the available troops north of the Missouri River, they were prepared for the defence of the State capital. In these efforts the citizens cooperated with enthusiasm.

Meanwhile, Gen. Price with his army, after awaiting a day or two at Richwood's, and threatening St. Louis, started for the State capital. At the same time Gens. McNeil and Sanborn, with all their available cavalry, moved by forced marches and reached the point of danger a few miles in advance of Price, and, uniting with Gens. Fisk and Brown, saved the State capital, and struck another blow to the hopes of the invaders.

On Oct. 8th, Gen. Pleasanton assumed command at Jefferson City, and sent Sanborn with all his mounted force, four thousand one hundred strong, to follow the enemy and harass them until the remaining cavalry and infantry supports could come up. The rear-guard of the enemy was thus driven upon their main force near Burnville, and Gen. Price was kept between the Federal force and the Missouri River until the latter were joined on the 19th by the command of Winslow, consisting of fifteen hundred men who had followed the enemy from Arkansas. This formed a provisional cavalry division of sixty-five hundred men under Gen. Pleasanton exclusive of escort

guards. On the 22d, this force fell upon Gen. Fagan at Independence and routed him, capturing two guns. On the 23d, the Big Blue was passed, and a contest with the main force of the enemy took place, by which they were driven by dark beyond the Little Santa Fé. On the 24th, after a march of sixty miles, the enemy were overtaken at midnight at Marais des Cygnes. Skirmishing began at 4 A.M. on the 25th with artillery, when the enemy were driven from the field with loss of mules, horses, etc. They fell back skirmishing to the Little Osage Crossing, where a charge was made upon two divisions of them by two advanced brigades under Cols. Benteen and Phillips, and eight pieces of artillery and nearly one thousand prisoners, including Gens. Marmaduke and Cabell, were captured. The pursuit was kept up by Gen. Sanborn's brigade with repeated and successful charges to the Marmiton, whence the enemy fled under cover of night toward Arkansas. Kansas troops and Gen. Benteen's brigade followed rapidly, and on the 28th Sanborn reached Newtonia, where the enemy made his last stand, in time to turn the tide of battle, which was going against Gen. Blunt, and routing the enemy, thus giving the final blow to the invasion.

The loss of the enemy was ten pieces of artillery, a large number of small arms, nearly all his trains and plunder, and, besides his killed, wounded and deserters, 1,958 prisoners. Gen. Price claimed to have added to his force 6,000 Missourians. All his schemes were defeated, and the injury done was confined to the narrow belt of country over which his army marched. The Federal loss was 346 officers and men. After crossing into Arkansas the force of the enemy became greatly reduced.

Some military operations took place in East Tennessee near the close of the year, the most important of which was the defeat of Gen. A. C. Gillem by the enemy under Gen. Breckinridge. On Nov. 12th Gen. Breckinridge attacked the Federal forces and drove them from their intrenchments. On the 13th he again attacked them near Russellville. Gen. Gillem gradually fell back in the direction of Knoxville, and was pursued by the enemy as far as Strawberry Plains. Gen. Gillem lost heavily in killed and wounded, besides several hundred prisoners. Later in the year an expedition from East Tennessee was made by Gen. Stoneman, in conjunction with Gen. Burbridge, with better success. On Dec. 12th Gen. Stoneman, with a mounted force of four thousand men, and the brigade of Gen. Gillem, moved against the enemy, who were drawn up at Kingsport, on the Halsten River, to dispute its passage. This force was flanked by Gen. Gillem, with a loss of a hundred men and a wagon train, and pursued to Bristol, where Gillem captured two hundred and fifty more, two trains of cars, five engines, and a large amount of stores. On Dec. 14th Gen. Burbridge advanced to attack Gen. Vaughn at Zollicoffer, but the latter withdrew to Abing-

don, which was captured by Burbridge, with much stores. A portion of the salt-works at this point was also destroyed. The pursuit of Vaughn was continued by Gen. Gillem, with the support of Brown's brigade, and some loss inflicted on him. A force was also sent to the Virginia railroad near Glade Springs, which destroyed a large number of bridges and depots, a large amount of rolling stock, and the extensive iron works near Marion. Upon the advance of the Confederate Gen. Breckinridge it withdrew to Kentucky.

The operations in Middle Tennessee became very important near the close of the year. On Nov. 4th, Johnsonville, a depot for supplies on the Tennessee River, was attacked and destroyed by Col. Forrest. The value of property burned was estimated at more than six million dollars. This result was achieved by planting batteries on the opposite bank of the river and destroying the small gunboats which lay near the place for its protection.

The movement of Gen. Sherman's force toward Savannah, with the necessary reduction of the Federal forces in Tennessee, tempted Gen. Hood to advance into that State with the hope that by the coöperation of Gen. Breckinridge in East Tennessee, the entire State might be recovered and restored to the Confederacy. On Nov. 21st Gen. Hood began to move north from the Tennessee River for the capture of Nashville, and on the 23d his army took possession of Pulaski, which had been just evacuated by the small Federal force under Gen. Hatch. Pushing forward with some skirmishing, Columbia was occupied on the 26th. Meanwhile the force left under Gen. Thomas by Gen. Sherman, continued to fall back toward Nashville. The enemy appeared before Franklin on the 30th, and Gen. Schofield prepared to make a stand. The force of Gen. Hood, however, was divided into two columns, one to attack Franklin in front, and the other to move down Harpeth River, cross over it some distance east of Franklin, and endeavor to get into the Federal rear. At 4 P. M. on Wednesday, the 30th, Gen. Hood's main column made a heavy and persistent attack on Franklin in front, but Gen. Schofield, who was in command with 15,000 men, managed to hold his own until dusk, and then ordered a retreat. This was accelerated by the news of the flanking column having crossed Harpeth River several miles east of Franklin. The retreat was continued all night, and on Thursday at daylight reached a point seven miles south of Nashville, where Gen. A. J. Smith's corps was posted. The Confederate flanking column, after crossing Harpeth River attacked a Federal cavalry brigade, and compelled it to retreat. The force reached Gen. Smith's position about the same time as Gen. Schofield. The enemy followed both, and Gen. Smith being hard pressed abandoned his position and fell back to the outer line of the Nashville intrenchments, three miles from the town.

Great consternation prevailed in Nashville. Business was suspended. The citizens and the vast army of Government laborers were put under arms. The army of Gen. Thomas was put in line of battle three miles south of Nashville, and the enemy advanced to a point five miles distant. The intervening space became a scene of constant skirmishing. Meantime Gen. Hood proposed to blockade the Cumberland River, cut the Louisville and Nashville road, and thus compel Gen. Thomas to evacuate the city. To execute this purpose more effectively, he fell back from his works before the city to intrench himself in the Overton range of hills, and thus cut off Thomas from Rousseau at Murfreesboro, and with his cavalry and Breckinridge's forces cut off Bridgeport and Chattanooga.

Reënforcements were now sent to Gen. Thomas with the greatest despatch, and he determined to dislodge Gen. Hood from his position, which he had already begun to strengthen. Accordingly, early on Dec. 15th, a feint was made on Hood's right and a real attack upon his left, which resulted in driving it from the river below the city as far as Franklin's pike, a distance of eight miles. The train and headquarters of Gen. Chalmers were captured; another train of twenty wagons, together with a thousand prisoners and sixteen pieces of artillery. During the ensuing night Gen. Hood contracted his lines back to the Brentwood range of hills, massing on the Franklin pike to keep it open, in case of retreat, and to cover his large wagon train, which was moving by by-roads into the pike. On the next morning the battle was renewed. The Federal position remained unchanged from the previous day. Steedman on the extreme left, Wood connecting with him on the left of the Franklin pike. Garrard's division of A. J. Smith's corps connecting with the right of Wood's; next came McArthur, then Col. Moore, connecting with Gen. Schofield's left. Gen. Cox formed Schofield's right and Gen. Couch his left. Wilson's cavalry came up on Schofield's right, along the Hillsboro pike, with orders to operate south of the hills, and, if possible, turn the enemy's flank and cut off his retreat. Movements commenced at 10 A. M., and in the afternoon the action became close and obstinate. Near dusk the enemy began to give way, and a rout soon followed. They were pursued until dark through the gap of the hills and along the Franklin pike. Some four thousand prisoners were captured.

The following is Gen. Thomas's report of this day's conflict :

HEADQUARTERS DEPT OF THE CUMBERLAND, EIGHT }
MILES FROM NASHVILLE, Dec. 16—6 P. M. }

To the President of the United States, Hon. E. M. Stanton, and Lieut.-General Grant :

This army thanks you for your approbation of its conduct yesterday, and assure you that it is not misplaced. I have the honor to report that the enemy has been pressed at all points to-day on his line of retreat to the Brentwood Hill. Brig.-Gen. Hatch, of Wilson's corps of cavalry, on the right, turned the enemy's left, and captured a large number of prisoners. The number is not reported.

Maj.-Gen. Schofield's corps, next on the left wing of the cavalry, carried several hills, capturing many prisoners and six pieces of artillery.

Maj.-Gen. Smith, next on the left of Maj.-Gen. Schofield, carried the salient point of the enemy's line, with McMillan's brigade of McArthur's division, capturing sixteen pieces of artillery, two brigadier generals, and about 2,000 prisoners.

Brig.-Gen. Garrard's division, of Smith's command, next on the left of McArthur's division, carried the enemy's intrenchments, capturing all the artillery and troops of the enemy on the line.

Brig.-Gen. Wood's troops on the Franklin Pike took up the assault, capturing the enemy's intrenchments, and in his retreat also capturing eight pieces of artillery, something over 600 prisoners, and drove the enemy within one mile of the Brentwood Hill Pass.

Maj.-Gen. Stedman, commanding detachments of the different armies of the Military Division of the Mississippi, most nobly supported Gen. Wood's left, and took a most honorable part in the operations of the day. I have ordered the pursuit to be continued in the morning at daylight. Although the troops are very much fatigued, the utmost enthusiasm prevails.

I must not forget to report the operations of Brig.-Gen. Johnson, in successfully driving the enemy, with the coöperation of the gunboats under Lieut. Commander Fitch, from their established batteries on the Cumberland, below the city of Nashville, and of the success of Brig.-Gen. Croxton's brigade, in covering and protecting our right and rear in the operations of to-day and yesterday. Although I have no report of the number of prisoners captured by Johnson's and Croxton's command, I know they have made a large number.

I am also glad to be able to state that the number of prisoners captured yesterday greatly exceeds the number reported by telegraph. The woods, fields, and intrenchments are filled with the enemy's small arms, abandoned in the retreat. In conclusion, I am happy to state that all this has been effected with very small loss to us. Our loss probably does not exceed 300, and very few killed.

(Signed) G. H. THOMAS, Major-General.

Early on the next morning the Federal pursuit was renewed. A large number of wounded were captured on the road to Franklin, and also stragglers. The cavalry harassed the flanks and rear of the enemy and scattered any force that offered resistance. The following is Gen. Thomas's report of the 17th :

HEADQ'S DEPARTMENT OF THE CUMBERLAND, }
Near FRANKLIN, TENN., Dec. 17th, 8 P. M. }

We have pressed the enemy to-day beyond Franklin, capturing his hospitals, containing over 1,500 wounded, and about 150 of our wounded, in addition to the above. Gen. Knipe, commanding a division of cavalry, drove the enemy's rear-guard through Franklin to-day, capturing about 250 prisoners and five battle-flags with very little loss on our side. Citizens of Franklin represent Hood's army as completely demoralized. In addition to the captures of yesterday, reported in my despatches of last night, I have the honor to report the capture of Gen. Rucker, and about 250 of the enemy's cavalry, in a fight that occurred about 8 o'clock last night between Gen. Rucker and Gen. Hatch of our cavalry.

The enemy has been pressed to-day both in front and on both flanks. Brig.-Gen. Johnson succeeded in striking him on the flank just beyond Franklin, capturing quite a number of prisoners—number not yet reported. My cavalry is pressing him closely through, and I am very much in hopes of getting many more prisoners to-morrow.

GEO. H. THOMAS, Major-General.

The entire loss of the enemy was 13,189 in prisoners, including several general and nearly

one thousand other officers of lower grades, and seventy-two pieces of artillery. During the same period over two thousand deserters were received. The Federal loss was about 10,000 in killed, wounded, and missing. Gen. Hood retired with his remaining force into the northern part of Alabama.

Some military expeditions were made near the close of the year. A force left Vicksburg under Gen. Dana, in the latter part of November, for the purpose of coöperating with Gen. Sherman by occupying the enemy in Mississippi. It reached the Mississippi Central Railroad on Nov. 25th, and after an obstinate engagement succeeded in destroying the Big Black River bridge. Several miles of the track of the railroad, including culverts, stations, 2,600 bales of cotton, two locomotives, four cars, twenty barrels of salt, and \$160,000 worth of stores at Vaughan station were also destroyed.

About the same time an expedition organized under the direction of Gen. Canby, consisting of a cavalry force under Gen. Davidson, left Baton Rouge. Thence it marched to Tangiphiho and destroyed the railroad to Jackson, burning bridges and railroad buildings. Thence it moved to Franklinville, capturing a mail and prisoners. Thence it moved to West Pascagoula. These movements caused a great panic in Mississippi, and created alarm for the safety of Mobile, thus effectively coöperating with Gen. Sherman.

In December a force, consisting of five divisions under the command of Maj.-Gen. Warren, made a raid upon the Weldon Railroad. The Nottoway was reached about midday Dec. 8th, and destroyed; thence the railroad track was destroyed nearly to Bellfield station, twenty miles south. On the 10th the expedition started on its return, followed by crowds of negroes, and arrived after an absence of four days. Its loss was about a half dozen men.

At the close of the year the area of territory held by the Federal armies was about the same as at the end of the previous year. The war during the year had been the cause of immense destruction to the South, both in men and property. In the latter probably there is no parallel in modern history. Its effect was apparent in the exhausted condition of the country.

The Indians on the frontier maintained a hostile attitude during a portion of the year. The plan of operations of Maj.-Gen. Pope, who was in command, embraced three objects: first, the chastisement and subjection of the bands of savages on both sides of the Missouri River, who continued refractory and hostile; secondly, the protection of the overland route to Idaho, by the establishment of strong military posts within the Indian country; thirdly, the security of the Minnesota and Iowa frontier against raids.

Several conflicts took place between the Indians and Gens. Sibley and Sully in the northwest, and Curtis in Kansas, by which their numbers were greatly reduced, and their provisions and property destroyed. For the attack on Fort Fisher, *see* NAVAL OPERATIONS.

ASIA. Among the empires of Asia, only three remain under the rule of native governments, China, Japan, Persia. Each is coming, from year to year, into closer contact with the civilized nations of the world, and in consequence of this intercourse undergoing a radical transformation.

China continues to court the friendship of foreign powers. Two of them have greatly aided her in her struggle against the powerful rebellion of the Taepings. Thanks to the English and French officers and contingents, the Chinese Government made, during the year 1864, very rapid progress toward the entire suppression of this rebellion, and the capture of Nankin seemed to deal but the fatal blow. (See CHINA.)

The Government of Japan, although sending a new embassy to Europe, made desperate efforts to repeal at least the concessions formerly made to foreigners. The representatives of the foreign powers were, however, found unwilling to abandon their acquired rights. New attacks upon vessels of foreign nations were made in the straits of Simonoseki, but promptly and severely punished by an expedition conjointly undertaken by ships of England, France, Holland, and the United States. After this new proof of the superior power of foreign civilized nations, both the Prince, who had directed the treacherous attack, and the Government of Yedo, showed much readiness to improve their relations with the foreigners. (See JAPAN.)

British India was generally quiet, although a petty war began and ended on the north-west frontier, and an expedition was engaged in punishing an affront offered to a British ambassador by the ruler of Bhootan. The viceroyal reign of Sir John Lawrence was illustrated by a grand "Durbar," in which he addressed an assembly of great but tributary powers in the most widely known native tongue. (See INDIA.)

The steady and rapid progress which the arms of Russia are achieving in Asia are attracting the consideration of the whole world, and exciting the serious alarm of English statesmen. The barrier presented by the mountain chain of the Caucasus to the extension of the Russian dominions ceased, in 1864, to exist by the termination of the long war against the Circassians, and the Russian Government was thus enabled to devote her whole power to the accomplishment of one of the objects of her settled policy—that of attaining for herself the supremacy of Asia. Even before the Caucasus was entirely subjugated the Russians had already made good their footing in Toorkistan, having taken possession of Khiva and sent pioneers as far as Bokhara. Since the termination of the Circassian war, they have assumed the offensive with a force evidently much larger than they ever before had in the field in that part of Central Asia, to make war against the principality of Khokand. The campaign was

brought to a successful close with surprising vigor. Fort after fort was stormed in rapid succession, and, according to the latest advices, Khokand itself was taken, and the Khan, after making submission to the conquerors, was replaced on his throne, as a vassal of Russia. Thus Russia has already subjugated two of the states of Turkistan, Khiva and Khokand; and of the other two, Bokhara and the Affghan principality of Balkh; the former is governed by a king who is the chosen ally or friend of the Russians. Russia is now the most formidable military and political power of Central Asia, and only one independent state separates her dominions from those of the Government of British India. (See RUSSIA.)

France, after some hesitation respecting the policy she should pursue with the provinces ceded to her in Cochin China, concluded to keep them. The King of Cambodia appears to be entirely devoted to the French. He paid a visit to the capital of the French provinces at Saigon, and was received with all the honors which are usually shown to royalty in Europe.

The king of Siam has appointed consuls at Rangoon and Maulmain, and has given other signs of his desire to establish friendly relations with the civilized nations, an example which is, thus far, not followed by the king of Ava, who steadily opposes progress, and is remarkable only for being a gigantic monopolist.

AUSTRIA, an Empire of Europe. The reigning sovereign is Francis Joseph I., Emperor of Austria and King of Bohemia and Hungary. The Emperor has only one son, Rudolph, Archduke of Austria and heir apparent, Imperial Prince of Hungary and Bohemia, born August 21, 1858.

Austria has been a constitutional monarchy since 1849. The first constitution of March 4, which was of a very democratic character, was repealed by an imperial decree Dec. 31, 1851. The present constitution was established by an imperial diploma, dated Oct. 20, 1860, followed by a decree or "Patent" of Feb. 26, 1851. The main feature of the present constitution is a tripartite Legislature, consisting—1. Of the Provincial Diets, of which there are eighteen, viz.: Hungary, Bohemia, Lombardo-Venice, Dalmatia, Croatia and Slavonia, Galicia, Upper Austria, Lower Austria, Salzburg, Styria, Carinthia, Carniola, Bukowina, Moravia, Silesia, Tyrol, and Vorarlberg, Transylvania, Istria, and Trieste; 2. A Central Diet, called the *Reichsrath*, or Council of the Empire, consisting of two Houses; and 3. The *Enger Reichsrath*, or Partial Council of the Empire, which is formed by the full *Reichsrath*, leaving out in both Houses the representatives of Hungary and of Croatia. To these provinces a larger share of self-government is given than to the remaining ones. The Lower House is composed of 343 members, elected by the eighteen Provincial Diets in the following proportions: Hungary, 85; Bohemia, 54; Lombardo-Venice, 20; Dalmatia, 5; Croatia and Slavonia, 9; Galicia, 38; Upper Aus-

tria, 10; Lower Austria, 18; Salzburg, 3; Styria, 13; Carinthia, 5; Carniola, 6; Bukovina, 5; Moravia, 22; Silesia, 6; Tyrol and Vorarlberg, 12; Transylvania, 26; and Istria and Trieste, 6. Each Provincial Diet consists of only one assembly, composed—1st, of the archbishops and bishops of the Roman Catholic and Oriental Greek Church and the chancellors of the universities; 2d, of the representatives of great estates, elected by all landowners paying not less than one hundred florins taxes; 3d, of the representatives of towns, elected by those citizens who possess municipal rights; 4th, of the representatives of boards of commerce and trade unions, chosen by the representatives of rural communes, elected by such communes or by such inhabitants as pay a small amount of direct taxation.

To the revenue of the Empire the German-Slavonic population contributes about 65 per cent., the Kingdom of Hungary 25 per cent., and Venetia about 6 per cent. Among the most important items of the revenue is the monopoly of the Government for tobacco, which has existed since 1670, and has been continually increasing of late years. Among the items of expenditures the interest on the public debt is the largest. This debt has gradually grown up to immense proportions. While in 1763 it was 150,000,000 florins, it was 283,000,000 in 1781, 349,000,000 in 1789, and from that year until 1863 there has not been a single year in which the revenue of the year has come up to the expenditure. According to a report of the Commission on the Public Debt, published in the official Vienna Gazette of Nov. 15, 1862, the capital of the debt, both consolidated and floating, amounted, on Oct. 31, 1862, to 2,364,316,761 florins, of which the floating debt consisted of 396,972,206 florins. The sum of 2,237,932 florins, which at that moment was contained in the deposit bank, being deducted from that amount, there remained 2,362,078,829 florins as the net amount of the general debt. In addition, the Lombardo-Venetian debt amounted to 66,419,385 florins, and the debt of the land-redemption fund was 522,586,239 florins. A new loan of 80,000,000 florins was contracted in November, 1863, and another loan of 90,000,000 florins in May, 1864. The latter loan, sanctioned by the Reichsrath in the vote of the budget estimates for 1863-'64, was to defray in part the expenditure incurred in the war against Denmark.

According to official returns Austria possessed, on the peace footing, at the end of October, 1863, an army of 269,103 men, rank and file, with 42,201 horses. The navy consisted, in August, 1864, of thirty-nine steamers, with 639 guns and 11,730 horse-power, and twenty sailing vessels, with 145 guns.

The session of the Reichsrath of 1863 was brought to a close by a speech from the Emperor on the 15th of February. He said that, with great satisfaction, he observed the material and intellectual progress made by Austria.

He expressed his thanks for the support and sympathy he had received from the whole monarchy. The session had not been unfruitful, some important bills having already been sanctioned. Eastern Galicia and the Bukovina would have the advantage of railways, and a line would also be constructed in Transylvania. In conformity with the vote of the Federal Diet, and in concert with the King of Prussia, he had taken part in the federal execution in Holstein, and Schleswig had been occupied as a pledge. The Emperor said, in conclusion, "Austria has shown that, in her rejuvenated form, she preserves her good old spirit, and that the inheritance of her strength and glory abides with her on the new path of liberty which she has entered."

Notwithstanding the hopes expressed in this speech of the Emperor, very little progress was made in the conciliation of the disaffected nationalities. The state of Galicia appeared to be so alarming that, on the 28th of February, the state of siege was proclaimed in all Galicia and Cracow. The ordinances published on this occasion by the Governor, Count Mensdorff, were to the following effect:

The civil authorities are subordinated to the military commander of the kingdom of Galicia. The courts-martial have to administer justice on the basis of the civil laws wherever they are in accordance with the military laws and with the military method of procedure in criminal cases. Thus, persons guilty of high treason, misprision of treason, offences against members of the Imperial family, rebellion, sedition, murder, or disturbance of the public peace, will be punished according to laws contained in certain paragraphs of the Civil Code. The military authorities are also charged to proceed against all persons who may offend against the laws for the regulation of the public press. The commander of the forces in Galicia is empowered to commute punishment, or even to grant a full pardon, if the person convicted be not sentenced to more than one year's imprisonment. He has also the power temporarily to suspend the appearance of periodical papers, or altogether to suppress them. The new laws relative to the personal liberty of the subject and to the inviolability of his domicile are suspended.

An order was also issued for a general surrender of arms to the police authorities in Galicia within a fortnight, and that under pain of heavy fines and imprisonment. Persons attempting to conceal weapons of war and ammunition were to pay a fine of 1000 florins, or to be closely imprisoned for one year. Government officials and persons wearing the national (Polish) costume were allowed to retain their side-arms. All foreigners sojourning in Galicia were summoned to present themselves to the police authorities within forty-eight hours, and to obtain permission to remain in the country. On the 13th of March disturbances broke out in Pesth, Hungary, but they were easily suppressed. The repeated reports that the Government would convoke the Diet of Hungary, in order to make a new attempt at reconciliation, proved to be unfounded.

The Franco-Italian convention concluded on the 15th of September, led to the resignation

of Count Rechberg, who, since 1859, had been minister of foreign affairs. His resignation was accepted by the Emperor on the 27th of October, and he was succeeded by Count Mensdorff-Pouilly. According to the programme of the new minister, Austria is to assume as much as possible a defensive policy.

The new session of the Reichsrath commenced on the 12th of November. It was formally opened on the 14th by a speech, in which the Emperor declared that a good understanding and friendly relations existed between Austria and the other Great Powers, congratulated his people upon the conclusion of war with Denmark, urged legislation for the improvement of the finances and of railway communication, and announced that he was negotiating respecting the politico-economical unity of Germany. Hungary, Venetia, and Croatia were again unrepresented in the Diet. The Czech members of Bohemia, likewise, were absent, and on the 5th of December sent in a declaration to the effect that they resigned the post to which their constituents had elected them. Of the Polish members, only nine made their appearance. The lower house of the Reichsrath, in reply to the speech from the

throne, adopted an address to the Emperor, in which they express a wish that the Croatian and Hungarian Diets may be convened after the close of the session; that the Government, coöperating with the German Confederation, may assist the duchies of Schleswig and Holstein in fully obtaining their rights in the succession question; that the Government would oppose any tendency to separation adverse to the interests of the German Confederation, and endeavor to strengthen by federal reform the bond between German States; that the exceptional circumstances necessitating the proclamation of a state of siege in Galicia would shortly disappear; that a reduction may be made in the military and naval expenditure. It then declares that a law establishing ministerial responsibility is urgently needed to complete the Austrian constitution.

In October a band of a few hundred armed Italians broke into Venetia, and made an attempt to capture the town of Udine. The attempt was easily suppressed by the Government. The Government of Italy officially disapproved this attempt, and disarmed the insurgents, who were forced into the territory of Lombardy.

B

BACHE, FRANKLIN, M. D., an eminent American physician, savant, and author, born in Philadelphia, Oct. 25, 1792, died in that city March 19, 1864. He was the oldest great-grandson of Benjamin Franklin. He was educated at the University of Pennsylvania, graduating in 1810, and soon after commencing the study of medicine, received his medical diploma from the same university in 1814. In 1813 he entered the army as assistant-surgeon, and in 1814 was appointed surgeon. He remained in the army till 1816, when he resigned and commenced the practice of his profession in Philadelphia. From 1824 to 1836 he was physician to the Walnut Street prison; from 1826 to 1832, Professor of Chemistry in the Franklin Institute; from 1829 to 1839, physician to the Eastern Penitentiary; from 1831 to 1841, Professor of Chemistry in the Philadelphia College of Pharmacy; and from 1841 to his decease he was Professor of Chemistry in the Jefferson Medical College. He was also for some time President of the American Philosophical Society, and at the time of his death President of the Deaf and Dumb Asylum corporation. As an author he was perhaps best known by his share in the preparation of the successive editions of the United States Dispensatory, the first of which was published in 1833, and the last a year or two since. He was also one of the Publishing Committee of the United States Pharmacopœia, and made many valuable additions to that work and the

Dispensatory in relation to the Materia Medica. His profound learning, urbane manners, and amiable character won him a large measure of public esteem.

BAPTISTS. The "Baptist Almanac" for 1865 does not contain any later denominational statistics than the almanac for 1864, according to which the Regular Baptists numbered 1,039,400 in the United States, 15,285 in Nova Scotia, 8,392 in New Brunswick, 13,764 in Canada, and 36,500 in the West India Islands; total in North America, 1,113,341. Anti-Mission Baptists, 63,000; Free-Will Baptists, 57,007; Six-Principle Baptists, 3,000; Seventh-Day Baptists, 6,686; Church of God Winebrennarians, 14,000; Disciples (Campbellites), 300,000; Tunkers, 20,000.

The annual meeting of the General Baptist Benevolent Associations was held, in 1864, in Philadelphia. The following is a brief summary of the operations of the societies and their present condition: The receipts of the American Baptist Missionary Union, which held its 50th annual meeting from May 24th to May 26th, were \$135,525.25; payments, \$135,014.63; balance in treasury, April 1st, 1864, \$510.64. The number of missions in connection with the Union, is 19. In the Asiatic Missions there are 15 stations and about 400 out-stations. In the French and German Missions not far from 1,100 stations and out-stations. The number of missionaries, including those in this country, and exclusive of those in Europe,

is 40 males and 36 females. Native preachers and assistants, exclusive of those in Europe, not far from 500; in Europe, 160; total, 660. The number of churches is 660; of baptisms, 2,500. The whole number of members is 35,000.

The meeting unanimously adopted the following resolutions on the state of the country:

Resolved, That we regard the rebellion inaugurated by the Southern States for the purpose of destroying the Union which our fathers founded, and establishing a slaveholders' confederacy, as utterly causeless and inexcusable—a crime against civilization, humanity, freedom, and God, unparalleled in all centuries.

That we tender to the President and the national authorities the assurance of our confidence and of our sympathy with their efforts to maintain the integrity of the republic; of our prayers for their success; of our readiness to sustain them by the sacrifices of property and life, and of our hearty assent to the policy of conquering disunion by uprooting slavery, its cause.

That we rejoice in the interest and coöperation manifested by the Government with respect to the establishment of schools and Christian institutions throughout the recovered portions of the Southern land, as an evidence of its practical recognition of the Gospel of Christ as the only sure basis, and the best safeguard of national peace and prosperity, and that we offer it our most cordial thanks for the facilities afforded to our own kindred organizations in the prosecution of this momentous work.

That however prolonged may be the conflict, and however great the cost which we may be required to pay, our trust in the final triumph of liberty and righteousness is unshaken, and amid victory and defeat alike, we rest in the conviction that a merciful though chastening Providence will bring forth from the carnage and woe of this civil war a brighter, grander future for our country and the world.

Hon. A. Hubbell, Hon. J. R. Doolittle, U. S. Senator from Wisconsin, and M. B. Anderson, LL. D., were appointed a committee to convey the resolutions to the President of the United States. Hon. Ira Harris, U. S. Senator from New York, was elected President of the Union for the ensuing year. It was also resolved to raise a special jubilee fund of \$50,000 for the reinforcement of missions. \$15,000 were subscribed on the spot.

At the 40th anniversary of the American Baptist Publication Society, which was held on May 23d, the receipts of the year were stated to be \$108,587.60; expenditures, \$106,728.35; balance in treasury, \$1,859.25.

Twenty-six new publications have been stereotyped and added to the list during the year. Of these, including the Annual Report and Almanac, 361,000 copies have been printed.

The new editions of former publications have been—of books, 107,000 copies; of tracts, 60,000 copies; making the issues of the year, new and old, amount to 528,000 copies, containing 25,528,500 actual, or 29,136,375 18mo pages.

The Society's catalogue numbers at the present time 786 publications. Of these, 404 are bound volumes; 94 are in paper covers, and 280 are tracts. Of the tracts 11 are in the Swedish language, 7 in French, 10 in German, and 230 in English, of which 28 are for children.

Thirty-eight missionary colporteurs have been employed during the year, of whom 3 labored among the freedmen of Louisiana, North and South Carolina, and 14 in Sweden.

The American Baptist Home Mission held its 32d meeting on May 19th, and reported its receipts as \$72,904; expenditures, \$55,504. The Society employs 135 missionaries, none of whom preach in foreign languages.

A French Regular Baptist Missionary Society was established in 1863, to labor among the French in Canada and the United States, by means of pastors, evangelists, the press, and the training of young men for the missionary work.

The receipts of the American and Foreign Bible Society, whose 27th meeting was held on May 21st, were \$30,719; expenditures, \$27,668; volumes issued, 28,778; total since 1837, 1,888,836.

The 21st anniversary of the American Baptist Free Mission Society was held at Perry, N. Y., May 20th, 1864. The receipts for the year were \$22,905; the expenditures, \$19,320.

The Society unanimously adopted a resolution—

That in view of the vast and preëminent claims of the Home Missionary work in the present great crisis of the country, the receipts of the society should be \$150,000 the current year, and that the pastors and churches throughout the land be requested to do their part promptly and cheerfully in raising this amount.

The Secretary of War, at the beginning of the year, gave full and formal authority to the American Baptist Home Mission Society to take possession of every abandoned Baptist meeting-house within the limits of the insurrectionary districts, and of every other Baptist church edifice in the hands of the rebels. From Southern sources it was ascertained that Richmond College, Wake Forrest College, N. C., the Furman Institute, S. C., the Mercer College, Ga., have all been suspended, and that the Female College at Richmond is closed. Of the Lutheran Baptist papers, the "Religious Herald," of Richmond, the "Biblical Recorder," at Raleigh, N. C., and the "Southern Baptist," Charleston, S. C., were still in existence, though, owing to the scarcity of paper, on a half sheet.

The Southern Baptist Convention held its last biennial session at Augusta, Ga., in May, 1863. For the means to support its missionaries in China and Africa, it is mainly dependent upon Maryland and Kentucky. By permission of the Post-Office and War Departments, the correspondence and remittances of the Convention pass through Northern channels.

The "Tunker" denomination of Baptists lost one of their most prominent men, Elder John Kline, of Rockingham, Va. The Rockingham "Register" remarks on this event:

The Rev. John Kline, of Linville's Creek, in this county, an aged Tunker preacher of considerable

prominence, and a man of great influence with and in his Church, was shot and killed near his residence about 11 o'clock, on Wednesday morning of last week (15th June.) He had gone to a neighbor's in the direction of Tusleytown, we learn, to clean a clock, and was on his return when the tragedy occurred. He was shot in the groin and breast with four balls, and is supposed to have been instantly killed. He had some money and his watch on his person when he was killed—these were not disturbed by the party by whom he was slain.

He was known as an uncompromising Union man, and during the early part of the war had been arrested by order of Gen. Jackson for disloyalty. He had, however, been honorably acquitted, and was pursuing "the even tenor of his way," passing frequently, by permission of the authorities, within the Yankee lines to preach and hold other religious services. He was a man of the strictest integrity in his business transactions, and was highly esteemed in his Church, whose membership will mourn his death as the removal of one of the pillars of the Church. The motives which induced some assassins to waylay and kill him will probably be never fully known and understood; but the cause of his death doubtless had some connection with the troubles that now afflict the country, occupying, as he was believed to do, a position of antagonism in feeling to the Confederacy. While the people differed with Mr. Kline in the erroneous views which he entertained, yet all good citizens must deplore such a lawless wreaking of vengeance upon the person of an unarmed and feeble old man. Such things show how rapidly we are drifting into scenes which must be full of terror to us all.

Sweden has now seven Baptist associations, with the following memberships on Jan. 1, 1864: Norland, 1,821; Dala, 226; Stockholm, 1,124; Nerike, 1,395; Smaland, 242; Gotland, 366; Skane, 1,017; total, 6,191. Eight hundred and forty persons were baptized during the year, and nine new churches constituted.

The "Baptist Handbook" for 1865 contains the following general summary of Baptist churches in Great Britain :

England	1,813
Wales	455
Scotland	96
Ireland	36
Total,	2,400

It would appear that of this number of churches the compilers of the "Handbook," or the Secretary to the Union, have obtained returns from 1,893—a very large proportion—as to the number of members belonging to each. The total is 198,295. Having this broad basis, an approximate estimate has been made for the remainder, which gives a total of 249,809 members of Baptist Churches in the United Kingdom, or an average of 102 members for each church.

The anniversary of the Baptist Union was held on the 25th of April, when it was stated that the increase of the reported churches for the year was only 1 5-8 per church, the lowest average for eight years. In the matter of chapel building it was found that the total amount of debt owed by Baptist churches for their chapels was \$567,500, of which \$27,500 had been paid the last year, and it was resolved to ask the denomination for \$500,000 as a building fund. The total receipts of the Mis-

sionary Society were \$176,096 (about \$40,000 more than the receipts of the American Missionary Union).

At the annual meeting of the Baptist Association of Victoria in 1864, it was reported that 22 churches had increased their memberships from 1,326 in 1863 to 1,585 in 1864. The number of Sunday school scholars advanced from 1,793 to 2,231 in 1864; and that of teachers from 197 in 1863 to 258 in 1864.

The Baptist missions in Burmah have now taken so deep root, that the missionaries called a General Convention, which was to meet at Rangoon, in November, 1864, and to take the initiatory steps for an independent organization of these churches. The views of the Executive Mission of the American Baptist Missionary Union, which has thus far supported the missionaries of the Burmah churches, are expressed in a circular to the missionaries, in which they desire information on the following points:

1. To what extent may the supervision of the Press and the Theological Seminary be committed to the proposed convention?
2. Would it be advisable at once to place all funds for missionary operations, beyond the salaries of the missionaries, in a round sum, in the treasury of your convention, to be disbursed by you? Have not such funds long enough been appropriated, to the last rupee, by a committee sitting in Boston? Is it not time the responsibility was assumed and carried by men on the banks of the Irrawadi?
3. A native agency, its importance, and how it may be called out, developed, and made most effective. Compensation of such when it should come, how large it should be, and in what manner bestowed—that is, whether as a fixed salary, or made contingent on time spent and value of service?
4. How many missionaries, speaking one and the same language, may be properly stationed in the same city or vicinity?
5. Jungle and village labor—have we had enough of it, as compared with local and town agency, especially among the Burmans?
6. Is it not time for the missionaries to be members of the churches in Burmah, and hence subject to the care and discipline of those churches?

BATES, JOSHUA, an eminent English banker and financier of American origin, born in Weymouth, Mass., in 1788, died in London, Sept. 24th, 1864. Mr. Bates came of a good and honorable family, who had borne a fair share in the doings of Plymouth Colony and Massachusetts, prior to the Revolution, and his father had been a colonel in the Revolutionary army. His early education was conducted by Rev. Jacob Norton, the clergyman of Weymouth, and at the age of fifteen he entered the counting-house of William Gray & Son, of Boston, at that time the leading merchants of New England. Here he displayed so rare an aptitude for acquiring commercial knowledge, and such sound judgment in conducting business, that even before he attained his majority, both father and son trusted him with their most complicated and difficult affairs. The Embargo Act, and the Berlin and Milan Decrees, caused great trouble to the Grays, who were largely engaged in commerce

with Europe, having seldom less than forty ships afloat, and they despatched Mr. Bates, then just of age, to Europe to manage the difficult business of protecting their interests there. This duty brought him into intimate relations with the Hopes and Barings, and other great commercial houses in Europe, and as he continued to have the control of Mr. Gray's affairs all over Europe for several years after the peace, these houses became deeply impressed with his remarkable business abilities. In 1826, through the influence of Baring Brothers & Co., he formed a house in London, in connection with Mr. John Baring, son of Sir Thomas Baring, under the firm of Bates & Baring. On the death of Mr. Holland, of the house of Baring Brothers & Co., both Mr. Bates and Mr. John Baring were made partners in the house of Baring Brothers & Co., and for many years past Mr. Bates has been the leading member of the firm, the high reputation of which has been greatly advanced by his uncommon abilities, judgment, and sterling integrity. In 1854, when a joint commission was appointed to make a final settlement of claims between citizens of Great Britain and the United States, Mr. Bates was appointed umpire between the British and American commissioners in all cases where they could not agree. The position was one of great delicacy and responsibility, but the justice and equity of his numerous decisions has never been called in question in either country. Mr. Bates, in his youth, had felt the necessity for a good public library, and though he succeeded in obtaining the books which he needed, he never forgot the difficulties encountered for the want of them. Hence, when he learned, in 1852, that the city of Boston was about taking measures for the establishment of a free public library, he immediately addressed a letter to the Mayor of Boston, offering \$50,000 toward such a library, conditioned only that the interest of the money should be spent in the purchase of books of permanent value and authority, and that the city should always provide comfortable accommodations for its use day and evening by at least one hundred readers. But his liberality did not stop there. As soon as a suitable building was undertaken he began to send books for it in large quantities; and when the building was opened, in January, 1858, he had forwarded between 20,000 and 30,000 volumes, besides those purchased from the interest of the fund. His interest in his native country did not abate to the close of his life. During the present war, his sympathies for the United States Government have been freely manifested; and it is perhaps due as much to his prudent counsels and judicious suggestions, as to those of any citizen of either country, that a war between England and the United States, which more than once has seemed imminent, has been averted.

BAVARIA. JOSEPH MAXIMILIAN II., King of, born at Munich, November 28th, 1811, died

in the same city, March 10th, 1864. He was educated at the University of Göttingen, where he distinguished himself as a student, and subsequently avoided as far as possible all connection with public affairs, devoting his whole attention to science, literature, and art, until the abdication of his father in March, 1848, called him most unwillingly from his studies, to the cares and duties of the throne. His administration was moderately liberal, the revolutions of 1848 rendering it unsafe for a German King to attempt to maintain a despotic Government; and though for a time he indulged in some tyrannical measures, such as the exile of political writers, and the dissolution of the Diet, yet he soon returned to more liberal views, and in 1855 attempted to ameliorate the condition of the Jews in his dominions, a measure upon which none of his predecessors had ever ventured. He had taken an active part in the Danish question, insisting upon the right of the Prince of Augustenburg to the Government of Schleswig-Holstein, and repudiating in the Diet the policy of Austria and Prussia, and the London treaty of 1852, in which Bavaria was not represented, and in this position he was supported by a majority of the lesser Governments of Germany. His sympathies on this question were more strongly enlisted against Denmark, probably, from the fact that his brother Otho had been expelled from the throne of Greece, and a Danish Prince crowned in his stead, to the prejudice of his own son, who he had hoped would succeed to the vacant throne. The chief merit of Maximilian II.'s reign, however, was the liberal encouragement he gave to science, literature, and art. Following the example of his father, he did his utmost to beautify his capital. A church of great magnificence in exact imitation of a Roman Basilica, a crystal palace erected for an international exhibition which did not prove a success, a noble triumphal arch standing between the Glyptothek and the Pinacothek, and broad boulevards extending in different directions, show the architectural tastes of the King; while the eminent men whom he called to places of honor and scientific distinction in Munich, exhibit his solicitude for the intellectual advancement of his capital. Ranké was appointed to preside over a historical commission; Liebig was made Professor of Chemistry; Siebold called to the Professorship of Physiology, Anatomy, and Zoology, at the Munich Institute; and Pfeiffer, Carriere, and Geibel brought from other States to adorn his capital by their scholarship. His fostering care was also extended to the scholars, philosophers, and artists already resident at his capital, and under his influence the city maintained fully its previous reputation as the musical capital of Europe. He was succeeded by his son, Ludwig Otto Frederick Wilhelm, born August 25th, 1845, under the title of Ludwig II.

BELGIUM. A kingdom in Europe. Reigning sovereign Leopold I., King of the Belgians, born Dec. 16, 1790, the son of Duke Francis

of Saxe-Saalfeld-Coburg, elected King of the Belgians by the National Congress of Belgium, June 4, 1831, accepted the offer July 12, and ascended the throne July 21, 1831. Heir-apparent of the crown, Leopold, Duke of Brabant, born April 9, 1835.

According to the charter of 1831, Belgium is a "constitutional, representative, and hereditary monarchy." The legislative power is vested in the King, the Chamber of Representatives, and the Senate. The Chambers meet annually in the month of November, and must sit for at least forty days. The Chamber of Representatives consists at present of 116 members, elected in 41 electoral districts. The right of suffrage is exercised by all citizens who pay a small amount of taxes. The eligibility is made dependent upon being a Belgian by birth, or being naturalized, and having attained the twenty-fifth year of age. Every second year one-half of the Chamber of Representatives is renewed. The members of the Senate, just one-half the number of Representatives, are chosen for eight years, and one-half of their number retire every fourth year. To be eligible as a Senator, it is necessary to be a Belgian by birth or naturalization, to be forty years of age, and to pay in direct taxes no less than £84. But if, in a province, the number of persons paying this amount of taxes is not at least in the proportion of one to six thousand of the population, the list is enlarged by the names of such citizens as stand next on the tax roll. The Belgian constitution guarantees to every citizen personal freedom and liberty of conscience.

Belgium is divided into nine provinces, the extent and population of which is as follows :

	Area in Geographical Square Miles.	Inhabitants (Dec. 31, 1862.)
Antwerp.....	51,582	465,003
Brabant.....	59,800	825,124
West Flanders.....	58,923	647,371
East Flanders.....	54,645	810,583
Hainault.....	67,794	835,822
Liege.....	52,714	545,882
Limburg.....	43,943	197,916
Luxemburg.....	80,469	204,597
Namur.....	66,673	304,268
	536,543	4,836,566

The largest cities are Brussels, with 181,799 inhabitants; Ghent, 121,255; Antwerp, 117,324; Liege, 99,905. The foreign commerce of Belgium in 1862 was: imports, 588,754,000 francs; exports, 502,120,000 francs.

The arrivals and departures at the Belgian ports in 1862 were as follows: Arrivals, 3,629 vessels, of 694,800 tons; of these there were 587 Belgian ships, of 71,490 tons; clearances, 3,644 vessels, of 696,773 tons, of which 588 were Belgian ships, having 72,450 tons. The merchant marine, on Dec. 31, 1862, consisted of 103 vessels, having 28,947 tons.

The great majority of the Belgians profess the Roman Catholic religion. The number of Protestants is estimated at about 13,000, that of the Jews at 2,000. The national treasury pays a salary to the ministers of the acknowl-

edged churches. Thus the Roman Catholics received, in 1861, 3,628,130 francs; the Protestants, 45,099 francs; the Jews, 9,500 francs; and the Episcopal Church, 10,300 francs. The Catholic Church has one Archbishop and five Bishops; the former receives an income of 21,000 francs, and each of the Bishops an income of 14,700 francs. All the incomes of the clergy are, however, largely increased by the voluntary contributions of the communes. There are 333 convents in Belgium, 42 for men and 291 for women. Education, which was compulsory under the care of the Dutch Government, has ceased to be so since 1830. In the budget of 1864, the sum set down for public education amounted to 4,500,000 francs. Of the young men drawn by conscription in 1856 and 1859, there were—

Not able to read or write.....	13,343	13,933
Able only to read.....	3,778	2,211
Able to read and write.....	9,718	11,266
Of superior education.....	12,961	14,467

The following interesting facts concerning Belgium are taken from a report made by Mr. Barron, the English Secretary of Lgeation at Brussels:

"The entire population of Belgium is nearly five millions in round numbers; the number to the square mile is 425, and in East Flanders it is 700, while in England the population per square mile is only 377, so that Belgium, in proportion to its extent, has the largest population of any country in Europe. The income is nine millions and a half sterling, or less than £2 per head; whereas the taxation in England and Walês is £2 18s. 4d. per head. Of the nine millions and a half a considerable portion accrues from national property, such as railways, canals, and crown lands, the amount raised by taxation of all kinds being five millions and a half, or about £1 3s. 0d. per head. Fourteen years ago Belgium had a floating debt of a million sterling; but since then, says the authority we are quoting, 'the debt has gradually decreased and the balance increased, so that in 1862 the floating debt had vanished, and the balance amounted to upwards of four millions.' The management of the funded debt, we are assured, has been equally successful. In this happy condition of things, the surplus revenue over expenditure amounts to £360,000, and this sum is devoted to various purposes of internal improvement. In Belgium, taxation is raised principally from three sources—direct taxes on property, trade, licenses, and customs and excise duties."

Mr. Barron shows that the indirect taxes on salt, beer, sugar, wine, and spirits, furnish forty-four per cent. of the revenue raised, and the direct taxes on land and houses thirty-one per cent.

The most important event in the political history of Belgium of the past year is the election of a new Chamber of Deputies, which was held on the 11th of August. The struggle

was—as it has always been since the establishment of Belgian independence in 1831—between the Liberals and the Conservative, or, as it is now commonly called, the Catholic party. Before the dissolution of the Chamber, the Liberal party reckoned 59 votes, and the Catholic 57. The Catholic party, by absence, had been able to render the validity of the sittings impossible, and thus had brought on a dissolution. The election was attended with more than ordinary excitement, and resulted in a decided victory of the Liberals. In the new Chamber the Catholic party has only 52 deputies, and the Liberals reckon 64.

BENJAMIN, PARK, an American editor and poet, born at Demerara, British Guiana, August 14, 1809, died in New York City September 12, 1864. His father, a native of New England but of Welsh descent, was at the time of his birth residing in Demerara as a merchant. An illness in childhood improperly treated caused him a permanent lameness, and at an early age he was sent to his father's home in New England for medical treatment and to be educated. He entered Harvard College in 1825, and after remaining two years in that institution, removed to Trinity College, Hartford, where he graduated in 1829, and immediately commenced the study of law, and was admitted to the bar in Boston in 1832. His tastes inclined, however, much more strongly to literature than to law, and he very soon entered the editorial fraternity, becoming one of the original editors of "The New England Magazine," a periodical established by J. T. Buckingham. In 1837 he removed to New York, and, in connection with Charles Fenno Hoffman, edited the "American Monthly Magazine," and subsequently was associated with Horace Greeley, as editor of the "New Yorker." His next literary enterprise was the editing for a short time the "Brother Jonathan," a weekly literary paper, which, however, he soon abandoned in consequence of some difficulty with the publisher of the paper, and, in conjunction with Epes Sargent and Rufus W. Griswold, started a rival weekly, called the "New World," which for some years had a successful career. Some of his best sonnets and lyric poems appeared in its columns. After five years he sold his interest in this paper, and after a short experience as a bookseller and publisher, devoted himself exclusively to literature, being a frequent contributor to magazines and literary periodicals, and a lecturer and poet before lyceums and on public occasions. His poems, which embrace many popular lyrical and satirical pieces, have never been collected, but are scattered through the recent periodical literature of the country, and several of the larger poems, though often recited, have never appeared in print.

BINGHAM, PEREGRINE, an English jurist and legal writer, born in London in 1788, died in the same city November 1, 1804. He was educated at Winchester and Magdalen College,

Oxford, proceeding B. A. in 1810, and was called to the bar at the Middle Temple in 1818. He was for some years one of the Police Magistrates at Great Marborough Street, and was the author of "The Law and Practice of Executions" (London, 8vo, 1815); "A Treatise on Infancy and Coverture" (London, 8vo, 1816); "A Digest of the Law of Landlord and Tenant, with Precedents" (London, 8vo, 1820); "A System of Shorthand on the Principle of the Association of Ideas" (London, 8vo, 1821); and "Reports in the Common Pleas from Easter Term, 1819, to Michaelmas Term, 1840" (London, 19 vols. 8vo, 1821-1840). Of these the first three were compiled jointly with W. J. Broderip, Esq., the remainder by Mr. Bingham alone.

BIRNEY, DANIEL BELL, a major-general of volunteers in the service of the United States, and at the time of his death commander of the 10th army corps, born in Huntsville, Ala., in 1825, died in Philadelphia, Oct. 18th, 1864. Gen. Birney was a son of the late Hon. J. G. Birney, an Alabama planter and statesman, who emancipated all of his slaves, and coming first to Cincinnati, and afterwards to Michigan, to advocate the cause of emancipation, was, in 1844, the candidate of the liberty party for the presidency. His son received his academical education in Cincinnati, and also studied law there, but after his admission to the bar was for two or three years engaged in mercantile pursuits. In 1848 he removed to Philadelphia and opened a law office, and soon acquired a large practice. He early connected himself with one of the volunteer militia companies of that city, and at the commencement of the war was active in raising a Philadelphia regiment under the three months' call, of which he was appointed lieutenant-colonel. At the expiration of their time of service, the men re-enlisted under him as colonel, and the regiment joined the Army of the Potomac. In February, 1862, he was appointed brigadier-general, and served in all the battles of the Peninsula, as well as those before Washington. In the battle of Fredericksburg he distinguished himself, and in the battle of Chancellorsville his brigade, in Berry's division, rendered efficient service in checking the advance of Jackson's troops after the panic in the 11th corps. After the death of Gen. Berry, he took command of the division, being promoted to a major-generalship, May 23d, 1863, and led it in the battle of Gettysburg, commanding the corps after Gen. Sickles was wounded. After the 2d corps had been recruited to about 40,000 men, he was assigned to the command of one of its divisions, and in the campaign of 1864 his bravery and skill had called forth the warm commendations of his superior officers. In pushing Lee back from the wilderness, in the movements toward the North Anna, the crossing of that river and the Pamunkey, in the actions of Hanover Court House and Bethesda Church, in the battle of Cold Harbor, and in-

deed in every battle of the campaign, his division was foremost in the very heart of danger. On the 23d of July, Gen. Grant promoted him to the command of the 10th army corps, in the Army of the James. Early in October he was taken sick with malarious fever, and his constitution was so seriously impaired by the great exertions he had made at the time of the rebel attack on Kautz's cavalry corps, being then ill in bed, that it could not withstand the onset of the disease. He was brought home to Philadelphia, and though almost in a dying state, insisted on being borne to the polls (the State election being in progress) to vote before he was carried home. He was greatly esteemed and beloved both in the army and in Philadelphia.

BLANCHARD, THOMAS, an American mechanic and inventor, born in Sutton, Worcester County, Mass., June 24, 1788, died in Boston, April 16, 1864. At the age of 18 years he joined his brother, who was engaged in the manufacture of tacks by hand, a slow and difficult process. After six years of study and experiment he perfected a tack machine which would turn out 500 tacks per minute better made than they had ever been by hand. Having sold this machine and the right to make it, he next turned his attention to constructing a machine for turning and finishing gun-barrels by a single operation. He overcame the difficulty of finishing the octagon portion of the barrel at the breech, by changing the action of his lathe to vibratory motion at a given point. The invention of a lathe for turning gunstocks, afterward extended to the turning of all kinds of irregular forms, was his next achievement, and this was really one of the most remarkable inventions of the century. (For description of its mode of operation, *see* BLANCHARD, THOMAS, in *New American Cyclopaedia*, vol. iii., p. 331.) He subsequently became interested in the construction of railroads and locomotives, and made numerous improvements in both. He also contrived boats which would ascend rapids, or rivers having strong currents, invented machines for bending heavy timbers into any required form, machines for cutting and folding envelopes at a single operation, and morticing machines. In all, he took out between 20 and 30 patents, but realized but little from most of them.

BRAZIL, an Empire in South America. It is, in extent of territory, the third country of the world, being exceeded only by China and Russia. The area is estimated at 147,624 geographical or 3,100,104 English square miles. The population, according to the last census of 1856, was 7,677,800, being, on an average, only three persons a square mile. About 2,500,000 of the population are negro slaves, and about 500,000 native Indians. A very extensive mixture of white, the negro, and the Indian races has taken place, and the greater part of the population consists of mixed breeds, which are distinguished as Mulattoes (offspring of a white

with a negro); Nameluco (a white with an Indian); Cafuzo (an Indian with a negro); Curiboco (a Cafuzo with an Indian); Yibaro (a Cafuzo with a negro).

The total value of imports and exports into and from the Empire in each year from 1858 to 1862 was as follows:

	Milreis.	Milreis.
1858	130,364,573	96,199,735
1859	127,181,193	106,782,222
1860	111,622,684	112,950,011
1861	110,517,101	120,725,656
1862	98,190,647	122,554,130

The actual income of the Empire during the years 1860-'63 was as follows: 1860-'61, 53,350,905 milreis; 1861-'62, 55,857,726; 1862-'63, 50,724,034. The budget of expenditures for the year 1864-'65 was estimated at 56,588,818, and the receipts at 52,000,000; deficit 4,588,818. The total amount of the public debt of Brazil in 1863 was as follows, according to the official statement of the Minister of Finance:

1. Foreign Funded Debt, on Dec. 31st, 1863:	
Loan of the year 1824	£2,358,600
“ “ “ 1829	325,200
“ “ “ 1843	362,000
“ “ “ 1852	890,000
“ “ “ 1859	427,000
“ “ “ 1863	3,855,300
For Don Pedro Railway Company, May 9, 1858 ..	1,333,200
For Pernambuco Railway Company and Union Industrial and Mercury Companies, March 16, 1860	1,278,600
	£10,820,200
2. Internal Funded Debt on March 31st, 1863, 76,777,400 milreis.	

In the army estimates for 1863-'64, the strength of the regular force is fixed at 14,000 men, and in extraordinary cases at 25,000, and the strength of the marine troops at from 3,000 to 5,000. The navy, in 1863, consisted of 16 sailing vessels and 22 steamers.

The new session of the Brazilian Parliament was opened on the 9th of May by a speech from the throne. The Emperor announced that in no part of the Empire had the public order been disturbed. The English Government having accepted the mediation of Portugal for reestablishing the diplomatic relations between Brazil and England, the Brazilian Government had likewise accepted this offer. The relations of Brazil with other Powers were unchanged. The continuance of the civil war in Uruguay, and the complaints made by Brazilian residents in that State, had suggested to the Brazilian Government that, without violating its neutrality in the civil war of Uruguay, it ought to send a commissioner to the Government of Montevideo to claim for the Brazilian residents a compliance with those guarantees which the laws of Uruguay grant to foreign residents.

Among the laws needing amendment, the Emperor referred to that of Dec. 3, 1841, on magistracies; that on the national guard; the mortgage law; the electoral law; that concerning the administration of provinces and municipalities. The Emperor also recommended that provisions be made for the introduction

of an efficient system of recruiting, and of a military code, provisions for meeting the deficit, and the prolongation of the Don Pedro Railway.

Though a satisfactory arrangement of the difficulty between Brazil and Great Britain was not reached during the year 1864, the attention of the Brazilian people was diverted from it by the threatening aspect which the relations of the Empire to the Republic of Uruguay assumed. The Government of Brazil maintained that the claims of Brazilian residents in Uruguay for indemnification for losses which they had suffered in the civil war of Uruguay (*See URUGUAY*), had not been properly considered. It began early in 1864 to show marked sympathy with the chief of the insurgents, General Flores, and to concentrate troops on the frontier of Uruguay. On August 4, Brazil presented to the Government of Uruguay an ultimatum, and demanded a reply within six days. On October 11, the commander of the Brazilian fleet, in a circular despatch addressed to diplomatic agents residing in Montevideo, announced his intention to search all the vessels of foreign powers to prevent the landing of contraband of war. This measure called forth a joint protest from the ministers of England, France, Italy, Spain, and Portugal, as Brazil had not yet formally declared war against Uruguay, and, in particular, had not notified the foreign powers of the blockade of the ports of Uruguay. The conduct of Brazil produced in the adjacent States the universal belief that it was her intention to seize Uruguay. In such a scheme the State of Paraguay and the upper provinces of the Argentine Republic are deeply concerned, as the possession of the mouth of the Uruguay River would make their trade, to a large extent, dependent upon the Brazilian Government.

The President of Paraguay, consequently, on August 30th, issued an earnest protest against the threats uttered by Brazil against Uruguay. When it became clear that Brazil persisted in her policy, and had marched troops into the territory of Uruguay, the President of Paraguay declared war against Brazil. A despatch from Mr. Seward to the United States Minister in Paraguay expressed sympathy with the policy of the President of that State. The excitement in the provinces Corrientes and Entre Rios of the Argentine Republic was also so great, that it was expected that they would support Paraguay, even if the Central Government of the Confederation should remain on intimate terms with Brazil. On the progress of the war, *see URUGUAY*.

On October 6th the Confederate privateer Florida was captured in the Bay of Bahia by the U. S. steamer Wachusett. Intelligence of the fact reached Rio Janeiro on the 14th of October. A council of ministers, presided over by the Emperor, was at once held. The Minister for Foreign Affairs, on the 13th of

October, addressed a note to the Minister of the United States, detailing to him the facts in the case, and expressing a belief that he would hasten to give the Imperial Government assurances that the Government of the Union would attend to the just remonstrances of the Empire. (*See DIPLOMATIC CORRESPONDENCE.*)

On the escape of the Wachusett with the Florida from the port of Bahia becoming known to the Brazilian Government at Rio Janeiro, that Government at once removed the President of the Province of Bahia, and ordered to the metropolis the officers of its naval squadron and of the forts in that port, for the purpose of submitting to a court of inquiry whether they had used due exertion in repelling this violation of the territorial waters of the Empire, and in attempting to prevent the escape of the Federal ship-of-war with its capture. In addition, the Brazilian Government issued orders inhibiting the admission of the Wachusett to any port of the Empire.

For several years the Government of Brazil has endeavored to encourage European immigration. It has offered liberal inducements to settlers, and—as the stream of emigration comes mostly from the Protestant countries of Europe—it has promised to Protestant settlers not only freedom of their religious worship, but the support of their ministers, churches, and schools. A considerable number of colonies have consequently been established by emigrants, and Brazil is at present the only country in South or Central America which has a number of Protestant congregations. On the progress and present condition of these congregations interesting information has been recently furnished by a German Protestant missionary, from which the following are a few extracts:

The oldest and largest Protestant congregation in Brazil is the English congregation of Rio Janeiro. Its origin dates from the beginning of the present century, and the number of its members is from 4,000 to 5,000. There are other English Protestant congregations at Bahia and Pernambuco.

The American Presbyterians have likewise a congregation at Bahia. They also sustain missionaries in Rio Janeiro and in the city and Province of Sao Paulo.

The German Protestant congregation in Rio Janeiro was established in 1826. For sixteen years the congregation, which has now also a school and numbers about 2,500 members, has become self-supporting. The Province of Rio Janeiro has, besides the congregation in the capital, two others at New Friburg and Petropolis. They have both a church and a school, but have suffered greatly from the failure of the Brazilian Government to fulfil the contract entered into with the colonists. The congregation of Petropolis has received a missionary from the Basle Mission-House, whose interest in the fate of the German and Swiss emigrants to Brazil was enlisted in 1861 by Baron Von Tschudi, the ambassador of Switzerland in Rio Janeiro. The Basle mission-house has since sent out five more missionaries to Brazil. The Protestants of Juiz de Fora, a colony situated about twenty-four leagues from Petropolis, are connected with the congregation of the latter place.

The province of Espirito has 4 German Protestant

congregations—at Santa Isabel, with about 400 members; Santa Leopoldina, with 700 members; Rio Novo, with 90 members, and Philadelphia. There is also a congregation of Hollanders, which is served by a German pastor.

In the province of Sao Paulo there are German Protestants at 5 different places; but very little has as yet been done in point of organization.

The province of Santa Catharina has 4 German congregations—Donna Francisca, with 3,000 Protestants; Blumenau, with 2,000, and the two adjoining colonies, Theresopolis and Santa Isabel, together with 1,100 Protestants.

The largest Protestant German congregation of Brazil is at Sao Leopoldo, in the province Rio Grande de Sul. Sao Leopoldo consists of several colonies, situated at some distance from each other on a road cut into the forest, and has a population of more than 12,000 inhabitants, and 3 Protestant ministers.

Besides the places enumerated, there are a number of others which have the nucleus of Protestant congregations. Altogether, there are in Brazil 24 pastors (3 English, 5 Americans, 16 Germans) in 25 congregations (3 English, 5 American, 17 German).

BRINE, THE UTILIZATION OF.—When fresh meat has been sprinkled with salt for a few days, it is found to be swimming in brine. Fresh meat contains more than three-fourths of its weight of water, which is retained in it as in a sponge. But it has not the power to retain brine to that extent, and, in similar circumstances, absorbs only about half as much saturated brine as water; under the action of salt, therefore, flesh allowed a portion of its water to flow out. This expelled water, as might naturally be supposed, is saturated with the soluble, nutritive ingredients of flesh, which is, in fact, juice of flesh—soup—with all its valuable and restorative properties. In the large curing establishments of cities considerable quantities of this brine are produced and thrown away as useless. A process of dialysis has recently been successfully applied to this material for the removal of the salts of brine and for the production at a cheap rate of pure fresh extract of meat. A Mr. Whitelaw, of Glasgow, has introduced the process with success.

The brine, after being filtered to free it from any particles of flesh or other mechanical impurities it might contain, is then subjected to the operation of dialysis. The vessels or bags in which the operations are conducted may be made of various materials and of many shapes, but whatever might be their material or shape they are called “dialysers.” Such an apparatus as the following would be found to answer the purpose: A square vat, made of a frame-work of iron, filled up with sheets of skin or parchment-paper in such a way as to be water-tight, and strengthened if necessary by stays or straps of metal. The sides, ends, and bottom being composed of this soft, dialysing material, exposed a great surface to the action of the water contained in an outer vat, in which the dialyser was placed. A series of ox-bladders, fitted with stop-cocks, or gutta-percha mouth-tubes, and plugs, and hung on rods stretching across and into vats of water,

is found to be a very cheap and effective arrangement. Skins of animals may also be employed, either as open bags or closed, and fitted with stop-cocks, or bags of double cloth, with a layer of soft gelatine interspersed between them. Other arrangements will readily suggest themselves, and may be adopted according to circumstances. But supposing the bladder arrangement were taken, which will be found practically the best, being cheap, easily managed, and exposing a great surface to the dialytic action. The bladders are filled with the filtered brine by means of fillers, and hung in rows on poles across, and suspended into vats of water. The water in those vats is renewed once a day, or oftener if required, and at the end of the third or fourth day, according to the size of the bladders employed, almost all the common salt and nitre of the brine has been removed, and the liquid contained in the bladders is pure juice of flesh in a fresh and wholesome condition. The juice as obtained from the “dialysers,” might now be employed in making rich soups without any further preparation, or it might be concentrated by evaporation to the state of solid extract of meat. The liquid from the dialysers might be treated in several ways. It might be evaporated in an enamelled vessel to a more or less concentrated state, or to dryness, and in these various conditions packed in tins or jars for sale. It might be concentrated at a temperature of 120°, by means of a vacuum-pan or other suitable contrivance, so as to retain the albumen and other matters in a soluble form. Again, the more or less concentrated liquid might be used along with flour used in the manufacture of meat biscuits. The products are all highly nutritive, portable, and admirably adapted for the use of hospitals, for an army in the field, and for ships’ stores. The dialysis of brine might be conducted in salt water, so as to remove the greater portion of its salt, and the process completed in a small quantity of fresh rain or other water. In this way ships at sea might economize their brine, and so restore to the meat in a great measure the nutritive power that it had lost in the process of salting. Thus, then, Mr. Whitelaw obtained an extract of flesh at a cheap rate, from a hitherto waste material. Two gallons of brine yielded one pound of solid extract, containing the coagulated albumen and coloring matter. For the production of the same directly from meat, something like twenty pounds of lean beef would be required. The quantity of brine annually wasted was very great. He believed he was considerably under the truth when he said that in Glasgow alone sixty thousand gallons were thrown away yearly. If they estimated one gallon as equal to seven pounds of meat in soup-producing power, then this was equal to a yearly waste of one hundred and eighty-seven tons of meat without bone. Estimating the meat as worth sixpence per pound, this amounted to a loss

of £10,472. In this way the waste over the country must be very great. In the great American curing establishments the brine wasted must be something enormous, as he found that in eight of the Federal States four million pigs were slaughtered and cured during the season of 1863.

BROWN, Sir WILLIAM, a British merchant, born at Ballymena, County Antrim, Ireland, March 5, 1784, died at Richmond Hill, near Liverpool, March 3, 1864. Early in the present century he migrated with his father, Alexander Brown, to Baltimore, and received his commercial education in the counting-house of what eventually became the firm of Alexander Brown and Sons, linen importers of that city. In 1809 William returned to England and established a branch of the firm in Liverpool. Within a few years additional branches were established in New York and Philadelphia, and the business, assuming by degrees a more general character, was finally confined principally to banking transactions. The reputation of the house for sagacity and probity and its known connections with both sides of the Atlantic, made it a most important medium for business communications between the United States and Great Britain. During the commercial crisis of 1837 the firm held American bills for a very large amount, including nearly £800,000 of protested paper, and had at the same time to meet engagements in England amounting to £1,950,000. Their own resources were, to a considerable extent, locked up in American securities, not immediately available, and during the panic prevailing on both sides of the Atlantic it was impossible to draw bills or to remit specie to England. But as the suspension of the firm, even for a limited time, would have greatly aggravated the commercial embarrassments of the period, the English branch succeeded in effecting a loan from the Bank of England for the whole amount of its engagements in that country, depositing securities for the advance to the amount of £5,000,000. The whole sum borrowed from the Bank was repaid in six months, and thenceforth the house enjoyed an unsurpassed reputation for business integrity both in Europe and America. In 1844 Mr Brown unsuccessfully contested the representation of South Lancashire in Parliament, but in 1846, and again in the general election of 1847, he was returned without opposition, and continued to hold his seat until 1859. He was a constant attendant on the business of the House of Commons, and though not a frequent speaker, was considered a leading authority on questions of finance and commerce. In 1850 he carried on through the columns of the "Pennsylvanian" newspaper a correspondence with Mr. Meredith, United States Secretary of the Treasury, and Abbott Lawrence, in defence of Free Trade. During the latter part of his life he was much interested in the establishment of the Museum and Free Library of Liverpool, a large portion of

the expense of which was defrayed by him. He was also a handsome contributor to the hospitals and other public charities of the city, and in the famine in Ireland, in 1847, and on other occasions, showed much philanthropic zeal. In 1852 he was appointed Deputy-Lieutenant of Lancashire, and during 1863 he served as high sheriff. About a year before his death he was created a baronet. Though so many years had elapsed since his departure from the United States, he never ceased to feel a warm interest in that country, with which his business relations always remained close, and was often its defender against unjust aspersions. The progress of the existing civil war seemed to make no change in his friendly feelings to the American people, and he is known to have liberally aided the efforts inaugurated by the latter in 1862 to send food to the suffering Lancashire operatives.

BULLIONS, Rev. PETER, D. D., an American clergyman, teacher, and author, born at Moss Side, about five miles west of Perth, Scotland, in December, 1791, died at Troy, New York, Feb. 13, 1864. His father, though in but moderate circumstances, kept him constantly at school till he was sixteen years of age, though most of the time he worked upon his father's little farm morning and evening. The next two and a half years were devoted entirely to agricultural labors, and his father was desirous that he should be apprenticed to a mechanical business. He himself, however, was very anxious to obtain a liberal education, and commenced preparing for college at a school near his father's. In the autumn of 1810 he entered the University of Edinburgh, and took a three years' course, supporting himself partly by his previous earnings and partly by teaching. In September, 1813, immediately after leaving college, he commenced the study of theology under Professor Paxton of the Associate Church, and continued under his instruction for four years, sustaining himself by teaching during his vacations. The death of his father in 1813 threw upon him the whole charge of the family, and the four years of his theological course were consequently years of intense labor and anxiety. In June, 1817, he was licensed to preach by the Presbytery of Edinburgh, and three weeks later married and embarked for New York. After spending a few months as a temporary supply to churches in Washington County, N. Y., and its vicinity, Mr. Bullions was ordained and settled in March, 1818, as pastor of the Presbyterian Church at Argyle, in that county. After a remarkably successful pastorate of six years, his health, impaired by the excessive physical exertion of attending to his duties in a congregation so widely scattered, declined so much that he was compelled to resign. In November, 1824, he accepted the professorship of languages in the Albany Academy, one of the best and most liberally endowed institutions of its class in the country. He held this professorship for twenty-four years, resigning in 1848. In 1832

the pastor of that church till his death. He was also for more than twenty years one of the Regents of the University of the State of New York, a position of honor, and one involving much severe labor, but without emolument. Dr. Campbell was a man of remarkably quick perception, tenacious memory, great decision of character, and of courteous and dignified manners. He possessed great executive ability, methodical habits, and admirable taste; and though possessed of extraordinary eloquence and the other graces which adapted him to his profession, it was often remarked that he might have filled with equal ability and success any other station in the State or nation. His last sickness was very brief, lasting but five days. Though a vigorous and able writer, Dr. Campbell had published very little; a few sermons, some of the reports of the Board of Regents, and occasional addresses are, we believe, all his avowed publications.

CANADA. His Excellency, the Right Hon. Charles Stanley, Viscount Monck, Baron Monck of Ballytramon, in the County of Wexford, Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c.

The Cabinet: President of the Council, George Brown, Receiver-General and Minister of Militia Affairs; Colonel Sir E. P. Taché, Premier; Attorney-General for Upper Canada, John A. Macdonald; Attorney-General for Lower Canada, G. E. Cartier; Minister of Finance, A. T. Galt; Provincial Secretary, William McDougall; Commissioner of Crown Lands, A. Campbell; Minister of Agriculture and Statistics, T. D. McGee; Postmaster-General, W. P. Howland; Commissioner of Public Works, J. C. Chapais; Solicitor-General for Upper Canada, James Cockburn; Solicitor-General for Lower Canada, H. L. Langwin.

In the latter part of May, 1862, the Coalition Administration of Messrs. Cartier and Macdonald (John A.), after governing Canada with little or no intermission for a period of eight years, was defeated upon the third stage in the passage of the Volunteer Militia Bill—an elaborate measure calculated to place the citizen soldiery of the Province on a more efficient footing, and to do much else toward the defence of the country in the event of sudden aggression. Although a majority in the Assembly decided against the enactment of this very necessary piece of legislation, it is not to be supposed that the members who composed it were actuated by a spirit of disloyalty, or that they had a disregard to the wants of the country on defence. The measure was looked upon as an expensive one, and this appeared to be the main objection to it. The formation of a new Ministry was entrusted to Mr. Sandfield Macdonald, a gentleman who had previously held a sort of middle course in politics, with a leaning toward the Reform party. He, with the coöperation of Mr. Sicotte, the leader of

the *Rouge* party from Lower Canada, called to the Council-board prominent members of the Reform party, and with a policy which consisted of what is known in Canada as "*Double majority*," or governing each section of the Province by its own preponderance of representatives in the House; with retrenchment in the civil expenses of the Government; extension of the Northwest Territory, and the construction of the Inter-Colonial Railway (*i. e.* between Canada and the Lower or maritime Provinces), as to its salient points, endeavored to administer the affairs of the country, although standing in a minority in both Houses of Parliament. The new Government, although composed of many gentlemen of integrity and ability, and allowed the fullest opportunity by the Opposition (led by the Hon. John A. Macdonald, a British-American statesman of great acknowledged ability), to propound and carry out their policy, after a year's tenure failed to satisfy the Assembly of their ability further to hold the seals of office. By an adverse vote* in May, 1863, Parliament declared its want of confidence in the occupants of the Treasury benches. A change in the *personnel* in the Lower Canada portion of the Government (the substitution of M. Dorion for M. Sicotte in the leadership) took place, and with this and other changes, not the least of which was the abandonment of the "Double Majority" principle, an appeal to the people was made. The general election took place in the middle of the summer season, a very inappropriate time, and the Government, as remodelled, gained a large majority in Upper Canada. But if they were successful in one section of the country they lost heavily in the other. The Opposition, strengthened by the accession to its ranks of the expelled portion of the cabinet, carried every thing before them in Lower Canada. Three ministers of the Crown were defeated in their several constituencies—one of whom courting his ill-fate in two places.

The session of Parliament which followed in the fall of the year, was one of the fiercest—in point of antagonism and strife between the two parties—ever held in Canada. The curious anomaly was presented of Government and Opposition standing on a footing of equality in party strength, or nearly so. The former possessed a majority of three, and upon several divisions not even that. All useful legislation was stopped; the whole time of the House was taken up in party disputes. Yet notwithstanding the efforts of a powerful, united, and persistent Opposition, ministers maintained a precarious existence against the repeated attacks of their Parliamentary assailants.

Previous to the general election, Mr. George Brown, the former leader of the Reform party in Upper Canada, who, upon his defeat for Toronto in 1861, had temporarily retired from

* The Resolution was moved by the leader of the Opposition in a powerful and logical speech, which will be long remembered in the Canadian Parliament.

public life, again entered the political arena as a member of the Assembly. Although having great cause of complaint against his party for the ill treatment he had experienced at their hands since the first of these events, he nevertheless, after his return to Parliament, lent the Reform government the full force of his support and that of his influential journal, the Toronto "Globe;" and this, no doubt, contributed in a great measure to their success in the Western Province. Mr. Brown, since his advent into public life, had set himself up as the champion of Upper Canada rights. He had demanded for her increased representation in Parliament according to her excess of population over Lower Canada. The majority in each section is composed of people of different nationalities and of different creeds, and it may well be supposed that such a demand would be viewed by the weaker of the two with great distrust and as a covert design upon its liberties. It is not here asserted that this was the intention or the object of the demand, which, on a fair consideration of the case, may be deemed a sufficiently just one, but such was the light in which it was looked upon by the French Canadians of the Lower Province. A feeling of wide-spread and deep-seated antipathy between both people, which manifested itself on every possible occasion, had arisen out of the discussion of this question, and not a Parliamentary election took place in Canada but the main issue rested upon "Representation by Population." Many a statesman who had adorned the Senate-halls of his country had been driven with ignominy from public life by the people of Upper Canada because his convictions would not allow him to countenance the principle. Such was the result of the influence of the views of Mr. Brown, that at times vague fears were apprehended for the peace of the country. To counteract these, and to preserve inviolate the Constitutional Union of the two Provinces, was the object of the Liberal Conservative party of which Mr. John A. Macdonald was the leader. Suffice it to say of Mr. Macdonald, that if to-day Canada holds an important place on the map of the world, it is more or less the result of his labors during his twenty odd years of parliamentary and ministerial generalship.*

The Government continued, with few changes, to hold office until the session of March, 1864; yet, notwithstanding their every effort, failed to strengthen themselves. Indeed, it would seem that their present policy was such as to have the effect of curtailing the support they had possessed during the previous session. One good measure, and only one, emanated from them that has been of considerable benefit to Canada: the establishment of schools for the professional education of officers of the Volunteer Force. In the mean time the Opposition or "British Constitutional party," as

they were now called, was slowly but steadily gathering strength. In two or three casual election contests which ensued, victory was declared on their side, and in many places they were the recipients of demonstrations and ovations in their honor.

These events would seem to have had their due effect upon the ministry, for shortly after the assembling of Parliament, finding himself and his colleagues unequal longer to hold the reins of power, Mr. S. Macdonald sent in his and their resignations. A crisis arrives. The Opposition, although in a small majority, are deemed too weak to occupy the vacant seats at the Cabinet board. Negotiations are entered into between prominent men on each side, between Sir E. P. Taché and Mr. Cartier on the one part, and Mr. McDougall, a rising statesman who has already attained an eminent position in Canada, and Mr. Ferguson Blair on the other; but both resulted in a want of agreement. The Governor-General at length entrusts the formation of a Cabinet to Sir E. P. Taché and Mr. J. A. Macdonald without the aid of the Liberal party. A Ministry is formed which in the *personnel* numbers men of rare talents and abilities and great Parliamentary knowledge and experience. The policy of the new Government is such as to satisfy the expectations formed by their friends, but not so the ex-ministerial party; and with all the power and strength of which the latter is capable, the members of the Upper Canada section of the Government are assailed at their reelection. One minister alone, however, is defeated. The expectations of the Government to carry through the remainder of the session of Parliament and to develop their policy are doomed to disappointment; for, on a sudden, they are attacked by a motion, not affecting their policy, or, indeed, in any way relating to the Administration to which they belong, but to a particular member who had held office in a previous Government, and the result of the motion is shown in a majority of two against them. The Ministry resign, and again for the second time within a few months a ministerial crisis ensues. Things had come to a "dead-lock," and some arrangement between the two parties had to be come to. This was the germ of the Confederation policy of the Canadian Government. In the dilemma in which political parties were placed Mr. Brown stepped forth to the relief of the Ministry. He was the man whom, of all others, had brought about the present state of affairs, and it was meet that he should be the instrument of conciliation, and the party who should restore harmony to the system of Government. In the preceding session Mr. Brown had put upon the "notice paper" a motion for a committee for the ostensible purpose of taking into consideration the claims of Upper Canada to increased representation, and if possible to devise some scheme that would have the effect of satisfying this claim. The committee had not been appointed

* Many men have wrought for the public weal in Canada, but none so ably and none so effectually as him we speak of.

until the present session, and its report had but just been made to the House. It recommended the adoption of the Federal principle in British North America as a necessary step toward the attainment of the object in view. In the negotiations which ensued between Mr. Brown and the leaders of the Government, he demanded the adoption of this report as the basis of the policy of the Government; and it is but justice to the leaders of the Lower Canada section of the Administration to say, that in acceding to this proposition they manifested a spirit of patriotism for their country worthy of all praise. Mr. Brown entered the Government, taking the place of Mr. Buchanan as President of the Council, and brought with him two prominent and able members of the Liberal party (Messrs. McDougall and Mowat), who had held office in the previous Cabinet.

In the meanwhile, previous to the occurrence of these events, the several Governments of the Maritime Provinces (Nova Scotia, New Brunswick, and Prince Edward Island) had resolved upon a Federal Union among themselves, the first-named of which Provinces had taken the initiative in the matter. A joint conference of delegates from each Government took place at Charlottetown on 1st September for the above purpose. Thither the members of the Canadian Government proceeded upon the invitation of their Colonial brethren, and there they unfolded the object of their mission. After the various addresses had been made by prominent members as to the desirability of Union between the whole of British North America and the mutual advantages likely to result from such connection, the conference closed, and the second one was appointed to take place at Quebec on 15th October. Previous, however, to returning home, the Canadian ministers were the recipients of various demonstrations, proving unmistakably that the best wishes of the people of the Lower Provinces were with them in their endeavors to build up a great Northern Anglo-Saxon nationality. The conference at Quebec was composed of the following members:

Canada.—Hon. Messrs. Sir E. P. Taché, John A. Macdonald, Brown, Cartier, Galt, McGee, McDougall, Campbell, Mowat, Cockburn, Chapais, and Langwin.

Nova Scotia.—Hon. Messrs. Tupper, Henry, McCully, Dickey, and Archibald.

New Brunswick.—Hon. Messrs. Tilley, Steeves, Johnson, Mitchell, Chandler, Gray, and Fisher.

Prince Edward Island.—Hon. Messrs. Gray, Palmer, Pope, Macdonald, Coles, Haviland, and Whelan.

Newfoundland.—Messrs. Carter and Shea appeared for the purpose of watching the proceedings on behalf of this Colony.

The Executive Secretary was Major Hewitt Bernard, the Chief Clerk of the Crown Law Department of Canada.

As the result of perhaps one of the most memorable meetings of the kind held on this continent* we give a copy of the resolutions adopted at the Conference. (See PUBLIC DOCUMENTS.)

After the rising of the Conference the Dele-

gates paid a rapid visit to the various cities and towns in the Province, and were everywhere received by the people with the utmost enthusiasm. The manner in which the resolutions were received by the Home Government is shown in the following letter:

DOWNING STREET, 3d December, 1864.

MY LORD.—Her Majesty's Government have received with the most cordial satisfaction your Lordship's despatch of the 7th ultimo, transmitting for their consideration the Resolutions adopted by the Representatives of the several Provinces of British North America, who are assembled at Quebec.

With the sanction of the Crown, and upon the invitation of the Governor-General, men of every Province, chosen by the respective Lieutenant-Governors, without distinction of party, assembled to consider questions of the utmost interest to every subject of the Queen, of whatever race or faith, resident in those Provinces: and have arrived at a conclusion destined to exercise a most important influence upon the future welfare of the whole community.

Animated by the warmest sentiments of loyalty and devotion to their Sovereign; earnestly desirous to secure for their posterity, throughout all future time, the advantages which they enjoy as subjects of the British Crown, steadfastly attached to the Institutions under which they live,—they have conducted their deliberations with patient sagacity, and have arrived at unanimous conclusions on questions involving many difficulties, and calculated, under less favorable auspices, to have given rise to many differences of opinion.

Such an event is in the highest degree honorable to those who have taken part in these deliberations.

It must inspire confidence in the men by whose judgment and temper this result has been attained, and will ever remain on record as evidence of the salutary influence exercised by the Institutions under which these qualities have been so signally developed.

Her Majesty's Government have given to your despatch and to the Resolutions of the Conference, their most deliberate consideration. They have regarded them as a whole, and as having been designed by those who framed them, to establish as complete and perfect a Union of the whole, into one Government, as the circumstances of the case and a due consideration of existing interests would admit. They accept them, therefore, as being, in the deliberate judgment of those best qualified to decide upon the subject, the best framework of a measure to be passed by the Imperial Parliament for attaining that most desirable result.

The point of principal importance to the practical well-working of the scheme, is the accurate determination of the limits between the authority of the Central and that of the Local Legislatures, in their relation to each other. It has not been possible to exclude from the Resolutions some provisions which appear to be less consistent than might, perhaps, have been desired with the simplicity and unity of the system. But, upon the whole, it appears to her Majesty's Government that precautions have been taken which are obviously intended to secure to the Central Government the means of effective action throughout the several Provinces, and to guard against those evils which must inevitably arise, if any doubt were permitted to exist as to the respective limits of Central and Local authority. They are glad to observe that, although large powers of legislation are intended to be vested in local bodies, yet the principle of central control has been steadily kept in view. The importance of this principle cannot be overrated. Its maintenance is essential to the practical efficiency of the system and to its harmonious operation, both in the General Government and in the Governments of the several Provinces. A very important part of this subject is the expense

* The Conference sat sixteen days.

which may attend the working of the Central and the Local Government. Her Majesty's Government cannot but express the earnest hope that the arrangements which may be adopted in this respect, may not be of such a nature as to increase—at least in any considerable degree—the whole expenditure, or to make any material addition to the taxation, and thereby retard the internal industry, or tend to impose new burdens on the commerce of the country.

Her Majesty's Government are anxious to lose no time in conveying to you their general approval of the proceedings of the Conference. There are, however, two provisions of great importance which seem to require revision. The first of these is the provision contained in the 44th Resolution, with respect to the exercise of the Prerogative of Pardon. It appears to her Majesty's Government that this duty belongs to the Representative of the Sovereign, and could not with propriety be devolved upon the Lieutenant-Governors, who will, under the present scheme, be appointed, not directly by the Crown, but by the Central Government of the United Provinces.

The second point which her Majesty's Government desire should be reconsidered is the Constitution of the Legislative Council. They appreciate the considerations which have influenced the Conference in determining the mode in which this body, so important to the Constitution of the Legislature, should be composed. But it appears to them to require further consideration whether, if the members be appointed for life, and their number be fixed, there will be any sufficient means of restoring harmony between the Legislative Council and the popular Assembly, if it shall ever unfortunately happen that a decided difference of opinion shall arise between them.

These two points, relating to the Prerogative of the Crown and to the Constitution of the Upper Chamber, have appeared to require distinct and separate notice. Questions of minor consequence and matters of detailed arrangement may properly be reserved for a future time, when the provisions of the bill intended to be submitted to the Imperial Parliament shall come under consideration. Her Majesty's Government anticipate no serious difficulty in this part of the case, since the Resolutions will generally be found sufficiently explicit to guide those who will be entrusted with the preparation of the Bill. It appears to them, therefore, that you should now take immediate measures, in concert with the Lieutenant-Governors of the several Provinces, for submitting to their respective Legislatures this project of the Conference; and if, as I hope, you are able to report that those Legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power for carrying it into effect. It will probably be found to be the most convenient course that, in concert with the Lieutenant-Governors, you should select a deputation of the persons best qualified to proceed to this country, that they may be present during the preparation of the Bill, and give to her Majesty's Government the benefit of their counsel upon any questions which may arise during the passage of the measure through the two Houses of Parliament.

(Signed) EDWARD CARDWELL.

Governor Viscount MONCK.

*The Financial Position of the Provinces.**

	Debt, 1863.	Inc'me, 1863.	Outlay, 1863.
Nova Scotia.....	\$4,858,547	\$1,185,629	\$1,072,274
New Brunswick.....	5,702,991	899,991	884,613
Newfoundland (1862).....	946,000	450,000	479,420
P. E. Island.....	240,673	197,354	171,718
Mar. Provinces.....	\$11,748,211	\$2,763,004	\$2,608,025
Canada.....	67,263,994	9,760,316	10,742,807
Totals	\$79,012,205	\$12,523,320	\$13,350,892

Increased Revenues in 1864.

Canada, without the produce of the new taxes....	\$1,500,000
New Brunswick.....	100,000
Nova Scotia.....	100,000
	\$1,700,000

Deficit of 1863.....	\$827,512
Surplus of 1864.....	872,488

\$1,700,000

Total Revenues of all the Colonies, 1864.....	\$14,223,320
Outlay.....	13,350,892

Estimated surplus.....	\$872,488
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The Position of the Confederation, estimated on the basis of 1864.

	Revenue now produced for General Government.	Local Revenue which would not go into the general Chest.	Subsidy to be paid to each Province.	Difference available for the purposes of the General Government.
Canada	\$11,250,000	\$1,297,043	\$2,006,121	
Nova Scotia....	1,300,000	107,000	264,000	
New Brunswick	1,000,000	89,000	264,000	
Prince Edward Island	2,000,000	32,000	153,723	
Newfoundland..	450,000	5,000	369,000	
	\$13,260,000	\$1,530,043	\$3,056,849	\$9,543,108

	Expenditure.	Local Outlay.	Difference payable by the General Government.
Canada.....	\$9,800,000	\$2,260,149	
Nova Scotia.....	1,222,355	667,000	
New Brunswick.....	834,518	424,047	
P. E. Island.....	171,718	124,016	
Newfoundland.....	479,000	479,000	
	\$12,507,591	\$3,954,212	\$8,553,379

Surplus at the disposal of the Government....	\$1,089,729
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Average of the Present Tariffs.

Canada.....	20 per cent.
Nova Scotia.....	10 "
New Brunswick.....	15½ "
Newfoundland	11 "
Prince Edward Island.....	10 "

Future Position of the Provinces.

	Local Revenues.	Estimated Outlay for 1864, under present Government.	Estimated Local Outlay under the Union.
Nova Scotia.....	\$107,000	\$667,000	\$371,000
New Brunswick.....	89,000	404,047	353,000
P. E. Island.....	32,000	171,718	124,015
Newfoundland.....	5,000	479,000	250,000
	\$233,000	\$1,721,765	\$1,198,015
Canada.....	1,297,043	\$2,021,979 + 238,170	+
	\$1,530,043	\$3,951,914	+

The Auditor's Statement of the Liabilities of Canada.

Debenture debt, direct and indirect.....	\$65,238,649	21
Miscellaneous liabilities.....	64,426	14
Common School Fund.....	1,181,958	85
Indian Fund.....	1,577,802	46
Banking Accounts.....	3,396,962	81

* Average of the last four years.

† Interest on excess of debt.

‡ Not estimated by Mr. Galt, for reasons given in the speech.

* Appended to printed copy of Mr. Galt's speech (*Montreal Gazette Office*, 1864).

Liabilities brought forward.....	\$71,459,799	47
Seigniorial Tenure :		
Capital to Seigniors.....	\$2,899,711	09
Chargeable on Municipalities' Fund.....	196,719	66
On Account of Jesuits' Estates.....	140,271	87
Indemnity to the Townships.....	891,500	00
	4,118,202	62
	\$75,578,022	09
Less--Sinking Funds.....	\$4,883,177	11
Cash and Bank Accounts,	2,248,891	87
	7,132,068	98
	\$68,445,953	11
From which, for reasons given in his speech, Mr. Galt deducted the Common School Fund.....	1,181,958	85
Leaving as net liabilities.....	\$67,263,994	27

Imports, Exports, and Tonnage of the Provinces.

	Imports.	Exports.	Sea-going Tonnage, inward and outward.
Canada.....	\$45,964,000	\$41,841,000	\$2,133,000
Nova Scotia.....	10,210,391	8,420,668	1,431,953
New Brunswick.....	7,764,824	8,964,784	1,386,980
P. E. Island.....	1,428,028	1,627,540	No returns.
Newfoundland.....	5,242,720	6,002,212	" "
	70,600,963	\$66,846,604	4,952,934
	66,846,604	Lake tonnage..	6,907,000
Total Trade.....	\$137,447,567	Total tons..	11,859,934

Total value of the Imports and Exports of Canada for the years 1863 and 1864. Eleven months ending Nov. 30th :

<i>Imports.</i>	
1863.....	\$48,914,692
1864.....	50,619,217
<i>Exports.</i>	
1863.....	\$35,186,925
1864.....	33,317,873

During the latter part of the year Canada became involved, to a certain extent, in the difficulties existing in the United States. Their adjacent position to United States territory, and the neutral policy which they have preserved, in accordance with the spirit of the Queen's proclamation to that effect, have rendered the British American Provinces, since the commencement of the war, a secure retreat and asylum for all manner of political and military refugees from the South. That many of these persons, acting under the authority of the Confederate Government, should have violated the hospitality which they thus enjoyed, by concocting plots and raids upon the adjoining republic, and otherwise endeavoring to embroil the Government of Great Britain, speaks little to the credit of the Confederates, and has filled the minds of the Canadian people and the Government with indignation.

It was feared as the result of one of these raids—that upon the town of St. Albans and vicinity, in the State of Vermont, in the month of October, by Lieut. Bennett H. Young and his associates (an account of which is elsewhere given), that complications would arise between the Governments of the United States and Canada, which would ultimately lead to any but a pacific settlement.

The raiders, after the commission of the offence before mentioned, being pursued by the authorities of the United States, fled across the Canadian frontier, claiming British protection, on the ground of the neutrality of Great Britain. Being arrested and brought before the judge of the Court of Quarter Sessions (an inferior judicial official maintained in the cities of Canada) at Montreal, they, after the lapse of some time, were released from custody by the judge (Mr. Coursol) on the ground of "no jurisdiction"—a wrong interpretation of the statute for the trial of offences of this nature. This decision aroused a spirit of much dissatisfaction on the part of the authorities of both countries ; the celebrated proclamation of Gen. Dix followed, which, but for the prompt and commendable action of the President in revoking it, would, if carried out, have had the almost certain effect of provoking the Government of Great Britain into war with the United States. The Canadian people were ready to defend their own soil from aggression, and the mother country was both able and willing to supplement them in their patriotic endeavors. It is but justice to the Canadian Government to say that, viewing Mr. Coursol's decision as bad in law, as unjust in principle, they at once, after its rendering, took measures to counteract the bad effects it would be likely to give rise to, and also to preserve the public peace, both from the incursions of the Federal authorities and the depredations of any future raiders.

A proclamation was issued offering rewards for the rearrest of Young and the other raiders, under which he and most of his accomplices were apprehended. A large and efficient body of police were appointed for service on the frontier, under the command of experienced leaders. About two thousand of the volunteer militia force of the Province were also called out to aid the civil power in the same locality, should this extreme course have to be resorted to. Stipendiary magistrates (empowered to act over a large extent of country, entrusted with large powers, and receiving salaries from Government) were placed on the commission of the peace. Both volunteers and militia, as well as the last-named functionaries, were still serving at their several posts on the 1st January, 1865 ; the term of service of the volunteers extends to the 1st May, 1865, when, very probably, they will be replaced by a new brigade. Parliament was convened for an early period (19th January), in order that other and, if possible, more stringent measures might be devised for the preservation of the public peace.

All the acts of the Canadian authorities betoken a lively desire on their part to maintain amicable relations with the United States. The expense of these measures will be considerable, and has been estimated at \$100,000 per month. Meanwhile Young and his associates, at the close of the year, were confined in the Montreal jail, awaiting their trial before the Superior Court of Lower Canada.

CARLISLE, GEORGE WILLIAM FREDERICK HOWARD, seventh Earl of, born in London April 18, 1802, died at Castle Howard, Dec. 5, 1864. He was educated at Eton and Christ Church College, Oxford, where he attained a high reputation as a scholar, being especially distinguished for his skill in versification. In 1821 he obtained two of the University prizes for his poems, the Chancellor's prize for Latin, and the Newdegate for English verse. He took his degree in 1823 and was first class in classics. At this time and until his elevation to the peerage he bore the courtesy title of Lord Morpeth. In 1826 he accompanied his uncle, the late Duke of Devonshire, to Russia to attend the Coronation of the Emperor Nicholas, and was a great favorite in St. Petersburg from his rank and his engaging manners. Soon after his return he was elected to the House of Commons for the family-seat of Morpeth, and one of his earliest speeches (in 1830) was a defence of the character of the Russian Emperor, who was charged with great cruelties in suppressing the Polish insurrection. This occasioned, at first, some displeasure on the part of the Liberals, with whom Lord Morpeth had ranged himself on entering the House; but his evidently strong sympathies for Reformatory measures and for every measure which would elevate the working classes soon won their confidence. After the passage of the Reform Bill, in 1832, Lord Morpeth represented the West Riding of Yorkshire from 1833 to 1844, when he was defeated by the Conservatives. From 1835 to 1841, under the Melbourne Administration, he was Secretary of State for Ireland. In 1844 he visited the United States, and made an extended tour, carefully investigating its institutions and the social and intellectual condition of its people, and after his return prepared a lecture on the United States, which he delivered before the Mechanics' Institute at Leeds and to other bodies of workingmen, which was afterward published, and did much to diffuse correct views in regard to the United States among the community. In 1847 he was appointed Lord-Lieutenant of the East-Riding of Yorkshire, and from 1846 to 1848 he sat in the House of Commons for the West Riding of Yorkshire. In October, 1848, the death of his father caused his elevation to the peerage as Earl of Carlisle, and under the Russell administration he took his seat in the Cabinet as Chancellor of the Duchy of Lancaster, which office he held from 1849 to 1851. In 1853 he was elected Lord Rector of the University of Aberdeen. From 1851 to 1855 he did not hold office, and visited the East. After his return, he published a graceful and pleasant volume of his travels, entitled "A Diary in Turkish and Greek Waters." On the accession of Lord Palmerston to the Premiership, in 1855, he was nominated Lord-Lieutenant of Ireland and held the position till the incoming of the Derby Ministry in 1858, when he was superseded, but after the return of

Lord Palmerston to power, he resumed the Viceroyalty, which he retained till August, 1864, when he resigned, in consequence of ill health. His administration in Ireland was very popular, and he won the good-will of all classes by his amiable manners and his deep interest in all that concerned the working-classes. In 1858 he published a work on the prophecies, entitled "The Second Vision of Daniel." Lord Carlisle had taken a great interest in the reformation of juvenile delinquents, and had not only encouraged and regulated the establishment of reformatories throughout the United Kingdom, but had established a model institution of the kind on his estate at Castle Howard. He had also commenced the erection of a church at Welburn, near his estate, but died before its completion.

Throughout the struggle in which we have been engaged for the past four years, the Earl of Carlisle has ever been the fast friend of the United States, and had, in public and in private, avowed his firm belief in our final success, and his earnest sympathy with our cause. These avowals had drawn forth the hostility and displeasure of many of the English nobility, but his manner and bearing, as well as his intimate knowledge of American affairs, were well-fitted to disarm prejudice and add weight to the cause he advocated. The Earl was unmarried, and is succeeded by his brother the Hon. and Rev. William George Howard, Rector of Landesborough in Yorkshire.

CHASE, IRAH, D. D., an American Baptist clergyman and theologian, born in Stratton, Vermont, Oct. 5, 1793, died at Newtonville, Mass., Nov. 1, 1864. He graduated at Middlebury College in 1814, and immediately entered the Theological Seminary at Andover, Mass. In 1817 he was ordained as a Baptist minister, and after a year of missionary labor in Western Virginia became, in 1818, a professor in the theological school at Philadelphia of which Rev. Dr. Staughton was the presiding officer, and which was soon after transferred to Washington. He continued in this professorship for seven years, one of which he spent in Europe. In 1825 he removed to Massachusetts, and took a prominent part in the establishment of the Newton Theological Institution at Newton Centre, Mass. In this Institution he was a Professor for twenty years, but resigned in 1845, to devote himself to theological and literary investigations. In 1830 he visited Europe a second time, and was instrumental in founding the Baptist Mission in France. Since that period he has published "The Life of John Bunyan;" "The Design of Baptism, viewed in its relation to the Christian Life;" "The work claiming to be the Constitution of the Holy Apostles, including the Canons, revised from the Greek;" "Infant Baptism an Invention of Man;" together with a large number of Sermons and Essays, and numerous contributions to theological reviews on questions of Church history and doctrine.

CHILI, a Republic in South America. The President of the Republic is José Joaquín Pérez, who was elected, by a unanimous vote, on September 7, 1861. The President is assisted in his executive functions by a Council of State and a Ministry, divided into four departments, namely: the Ministry of the Interior and of Foreign Affairs, the Ministry of Finance, the Ministry of Justice, of Public Instruction, and of Ecclesiastical Affairs, and the Ministry of War and Marine. The ministers appointed for these four departments on June 20th, 1862, were Manuel Antonio Tocornal, Victorino Lastarria, Miguel Guemes, and Marcos Maturano. The excitement produced in Chili in consequence of the seizure of the Chíncha Islands by Spain, led to the resignation of two of the ministers, those of the Interior and of Finance, who were succeeded by Alvaro Covarrubias for the Interior, and Alexander Reyes for the Finances. The Council of State is composed of the ministers, two members of the Courts of Justice, one ecclesiastical dignitary, one general, and several other high functionaries.

According to a report of the Minister of the Interior, the population of the Republic amounted, on December 31st, 1863, to 1,700,055 inhabitants; 849,284 men, and 850,771 women.

The receipts of the Government in 1861 amounted to 5,850,821 piastres, and in 1862 to 6,287,155 piastres. In the budget of 1863 the receipts were estimated at 6,244,887 piastres, the expenditures at 7,585,983 piastres, and the deficit at 1,341,096 piastres.

The Home Debt in December, 1862, amounted to 3,185,625 piastres, and the Foreign Debt to 1,485,800 piastres.

The army, on April 20, 1863, consisted of 2,871 troops of the line, and 28,077 national guards. The fleet, according to a report furnished by the Minister of War to Congress, was, in August, 1863, composed as follows: 1 screw corvette, of 200 horse power, with 20 guns; 1 screw sloop, of 200 horse power, with 5 guns; and two paddle steamers, of 100 horse power, with 2 guns; total, 4 steamers, with 27 guns.

The movement of commerce in 1862 was as follows: Imports, 17,226,655 piastres, against 16,676,314 in 1861; exports, 21,994,432, against 20,349,634 in 1861. In 1863, the imports amounted to 20,487,517 piastres, an increase over those of 1862 of 3,260,862 piastres.

The number and tonnage of vessels which entered and cleared at the ports of the Republic in 1861 and 1862 were as follows:

	ENTERED.		CLEARED.	
	Vessels.	Tonnage.	Vessels.	Tonnage.
1861.....	2,450	884,959	2,423	874,887
1862.....	2,830	985,523	2,782	971,565

The mercantile marine of Chili consisted, at the end of 1862, of 259 vessels, of 57,111 tons burthen, with 2,866 sailors.

The Government and people of Chili took a very active interest in the difficulty between Peru and Spain. (*See PERU.*) The current of public opinion was strongly in favor of aiding Peru in case of a war. The Congress of Chili passed a resolution, by which the Spanish war vessels were forbidden to coal in the ports of Chili. Another resolution was adopted objecting to the recognition of a Mexican monarchy.

This Congress terminated its sittings on Dec. 27th. They approved the public expenditures for the year 1865, and also sanctioned an increase of two millions of dollars on the estimates for public purposes, most of which will be expended on the augmentation of the navy. For this purpose two vessels are under construction in England.

The Government of Chili has for some time devoted its attention to the best means to be adopted for the colonization of the vast tracts of rich country at their disposal, and a decree appointing a commission to report on the subject has been passed. The commissioners met on the 25th of December, and approved of the following measures:

1. The foundation of an emigration office, with branches in Europe.
2. The acquisition by the Government of lands in the central provinces, to instal the emigrants provisionally.
3. A system of contracts between owners of estates and the emigrants by medium of the Central Emigration Office.
4. The assignment of an annual sum by the Government to encourage emigration.

Already a considerable progress has been made by Chili in this object. Admiral Fitzroy, in a speech made before the English Royal Geographical Society on May 9, 1864, pointed to the fact that the new German colony of Port Montt, in a region which, when he surveyed the coast, was peopled only by small bodies of savages, had in ten years become a town of 15,000 inhabitants. A little further to the north there was a place where twenty or thirty ships at a time were loading coal; while at the period of his visit only but a few fragments of coal were seen lying about, which no one thought worth picking up. The range of the Andes is rich in minerals, and the whole of the country to the west is well timbered. Indeed, the country is already becoming the abode of civilized men; for a number of new settlements have lately sprung into existence along the eastern coast and in the Straits of Magellan, as well as on the western side. The forests of the Chilean side include extensive clusters of apple trees of good edible varieties, and the country also possesses three different kinds of potatoes, better than any he had ever eaten at home. Admiral Fitzroy was only surprised, considering the deterioration of the potato plant in England, that some adventurous Englishman had not been out to this region to procure a stock of fresh plants.

An interesting report was made on March 7, 1864, by the Engineer Durois, upon the new Pass through the Andes, and its practicability, with a view to the construction of a railway. According to this report a railroad could be built within four years, and for a sum not exceeding eight millions of dollars, from the valley of Curico to the summit of the Cordillera, which for security and durability would not be surpassed by any mountain road, and it is believed not more obstructed by the snows of winter than the railways of northern New York and Lower Canada. East of the summits there are no serious difficulties to be encountered. "This grand railway completed," says the report of Durois, "the vast and magnificent Argentine Republic would give to her sister of the Pacific a fraternal embrace on the summit of the mountains, which, until the present, have caused their separation, and the entire world would feel the influence of a railway between the Atlantic and the Pacific, as it would not only facilitate and shorten the communication of the Indies and the Pacific with Europe, but afford invaluable advantages to commerce.

CHINA, an empire in Eastern Asia. Emperor Ki-Tsiang (before his accession to the throne, Tsai-Sung), born in 1855, succeeded his father, Hung-fund, in August 22, 1861. Prime Minister, Yih-soo, Prince of Kung. Population, in 1849, estimated at 415,000,000. Area, estimated by McCulloch, at 76,815 geographical square miles; by Malte Brun, at 69,840; by Barrow, at 60,072.

The State Council consists of six members. Subordinate to the State Council are eight colleges, each of which is presided over by a chief director. These colleges are: 1, for external affairs; 2, for nominating and watching the civil officers of the empire; 3, for finances; 4, for worship; 5, for war; 6, for justice; 7, for public labors; 8, for receiving the ambassadors from the tributary countries.

The college of public censors is independent of the State Council. It consists of from forty to fifty members, and it alone has the right to lay remonstrances and complaints before the Emperor. A member of this college always attends the meetings of the eight ministerial departments, without, however, taking part in the discussions. Others are travelling through the empire, and exercising a control over the administration and the higher officers.

The commerce of the ports of Canton and Shanghai, during the years 1860-'62, was as follows:

	CANTON.		SHANGHAI.	
	Imports.	Exports.	Imports.	Exports.
1860.....	4,353,743	3,838,938	18,326,432	10,779,319
1861.....	2,919,908	3,557,590	16,003,062	9,958,957
1862.....			22,863,953	14,667,406

Sir Macdonald Stevenson, to whom is justly accorded the first place amongst the enterpris-

ing men who have achieved the establishment of railways in British India, paid, in 1864, a visit to China, to ascertain what could be done with the Chinese Government with regard to constructing a railway system in China. The plan proposed by Stevenson is to make the main lines first, leaving the branch lines for a time. Assuming Hankow to be a great commercial centre, one trunk line, in his opinion, should run east to Shanghai, 650 miles, one from Shanghai to Peking, 850 miles, one from Hankow to Canton, 850 miles, and one from Hankow to British India, 1,600 miles. Stevenson does not advocate all this being undertaken in the first instance, but lays down a comprehensive plan as the principle on which railroads in China should be constructed. He recommends short lines being commenced with all speed between Tientsin and Peking, and between Shanghai and Soochow, and presumes that these would not only cost little, but would exhibit to the people and the Government the great advantages to be derived from railroads. Stevenson instances the capacity of the Chinese to appreciate cheap and swift travel, by reference to the steamers which ply between Hongkong and Canton. When the fare was one dollar the average daily number of passengers was about two hundred; on the fare being reduced to twenty-five cents, the number rose at least fourfold. The difficulties in the way are classified by Stevenson under three heads: 1st. The coöperation and concurrence of the Chinese Government. 2d. The financial arrangements; and 3d. The engineering difficulties. He meets these by the following considerations: The 1st is a subject for diplomacy—every point being taken to explain to the Imperial Government the advantages of railways, and the means of constructing them. The 2d he also deems a diplomatic affair, depending on the success of the first. That is to say, should a good understanding be come to with the Imperial Government, an arrangement of such a nature could be made as would satisfy capitalists. The 3d he considers to be partially ascertained from the surveys of the Catholic missionaries of the eighteenth century, which he has closely studied. He advocates, of course, proper surveys being made to confirm or condemn those of the padres.

Should the three points above named be satisfactorily solved, there is no doubt that before long there will be the beginning of a great railway system in China.

The cotton trade in the Chinese empire is progressing most favorably. At Canton and Shanghai, up to June, 1864, 52,000 bales of cotton were actually shipped for London and Liverpool, against 12,000 in the corresponding period the year before. Large as this quantity is as compared with former years, the operations of the market are said to have been sadly crippled by the state of the money market, and the scarcity of sycee silver, in which the native dealers are alone willing to make settlements.

The following table shows the number of Protestant missionaries in China in 1864:

NAMES OF TOWNS.	Missionaries.	Missions.	Converts Estimated.
Canton	19	6	150
Swatow	6	2	100
Amoy	12	3	700
Fuhchau	11	3	150
Ningpo	13	4	500
Shanghai	12	5	350
Hankou	2	2	30
Tientsin	7	3	30
Chefoo	3	2	40
Tanchau	6	2	10
Pekin	10	6	440
Hongkong	10	4	440
	111	42	2,500

The year 1864 opened with new and serious disasters for the Taeping rebellion. Major Gordon, early in the year, proceeded to the westward, forty miles from Soochow, to a city named E-shing, on the opposite side of the Tae-hoo Lake. The stockades about this place he took on February 29th. On the 2d of March the garrison evacuated the place without firing a shot. In the attacks on the stockades, Gordon had two or three killed, and four wounded. He next proceeded northwestward for twenty-five miles to a city named Li-ying, which was captured on March 9th, without the loss of a single life. The rebels who here laid down their arms were about 20,000, some 4,000 of whom, who resided not far distant, returned at once to their homes. The commander of this place, Tsze Wang, who was equal in rank to Chang Wang, had been abandoned by his own men. Having taken a portion of his troops out of the stockades to oppose the approaching enemy, he found, on his return, the gates shut against him. Li-ying is an important place in a military point of view, as it cut the rebel district into two portions, and established a communication with the Imperialists in the west. From Li-ying Major Gordon marched upon Kintang, a district town thirty miles north of Li-ying, and the same distance to the west of Chan-chow-foo. An attack upon this town, on March 21st, was, however, repulsed with severe loss to the assailants, and Major Gordon himself severely wounded; and having learned that the Imperialists were falling back from Chan-chow-foo, and that his communications were threatened, he returned to Li-ying. The important city of Kiashing fell into the hands of the Imperialists on March 20th, after a long siege, during which the Imperialist Gen. Ching, one of the ablest officers of the Chinese army, was mortally wounded. On March 31st the city of Hangchow was captured by the Franco-Chinese and the Imperialist troops, and thus nearly the entire Chekeang province cleared of rebels.

The Taepings, in the meanwhile, had reënforced their army by some ten to fifteen thousand Kwang-tung and Kwangsimen, who seem to have surpassed the rest of the rebel army in ferocity. They travelled without any commis-

sariat, devastating villages, and committing frightful atrocities. They showed neither mercy nor consideration toward foreigners, and killed them just as they did others who fell in their power. It was these men who repulsed the Imperial troops at Chang-chow, and who afterwards attacked Kiang-yin, Chang-zu, and other places. On Kiang-yin their attack failed, but at other places they succeeded. Gordon, after his repulse at Kintang, determined on attacking this body of rebels. He came up to a party of them on the 26th March, about ten miles from Kiang-yin, and although he had but 500 men with him, he easily scattered them, on account of their being badly armed. He then made up his mind to attack their main body, which lay near Chang-zu. On the 30th March he despatched Rhode and Howard, with 1,000 men, to attack and drive in the extreme line of the enemy. These officers, however, were completely surrounded, and in cutting their way out lost seven officers and about 150 men.

In April, Major Gordon, having recovered from his wound, again took the field, and on the 11th April attacked and defeated the Taepings at a place called Waisoo. Previous to the action the Taepings mustered over 15,000, while the Imperialists were not more than 10,000. Maj. Gordon next made a move upon the city of Chang-chow-foo, which, after a siege of several weeks, was captured by him in May. Soon after the Imperialist army suffered a very severe loss by the withdrawal of Gordon. From the official correspondence between Sir F. Bruce, the English Minister in Pekin, Gordon, and the English Government, it appears, that before the occupation of the city of Soo-chow (December, 1863), a promise had been given upon the recommendation of Gordon, to the chiefs of the Taepings, or, as they are called, the "Wangs," that their lives should be spared. Notwithstanding this promise the principal Chinese officer, named the Footae, ordered the eight chief Wangs to be brought before him and to be beheaded. As soon as Gordon heard of the particulars he at once decided to retire from the Chinese service unless the Footae, whose name was Li, was removed from the command by the Chinese Government and a public statement made by that Government that he (Gordon) was entirely innocent of all connection with the affair. So far as Gordon's innocence was concerned, the Chinese Government, the Footae himself, and all the parties concerned, made no scruple of bearing witness to it; but they were not so compliant as related to the removal of the Footae. He was a man of great influence in the army, and the state and the Government being either unable or unwilling to remove him, set to work to apologize for his conduct toward the Taeping chiefs; indeed, his conduct in putting them to death was too much in accordance with Chinese customs to be condemned by them with any thing like sincerity. The result was that

the Footae was not removed, and that after considerable correspondence a letter was written by Earl de Grey and Ripon, dated War-office, April 26, 1864, in which Maj.-Gen. Brown, the commander of the British troops at Shanghai, was desired to inform Gordon that the English Government directed him to quit the Chinese service. Lord de Grey and Ripon, however, added: "But if you should deem it advisable to employ him in defending Shanghai and the 30-mile circle around it you are at liberty to do so, pending a reference to me, provided an arrangement can be made by which he would receive his orders direct from yourself, and would not be in the employment of the Chinese Government."

Although withdrawing from active service, Gordon continued, however, to aid the Chinese with his advice, and commenced at Shanghai, under Gen. Brown's direction, the formation of a camp of instruction, as well for the protection of the 30-mile boundary as for the operations beyond it. This camp of instruction was near Junkiang, and was to comprise Chinese already drilled in artillery practice, as well as fresh relays of men to whom such training was new. The plan was that fresh regiments should always replace those that had received a certain amount of instruction. Col. Gordon also went to Nanking and inspected its defences personally. The following decree was issued by the Emperor, bestowing high praises upon Gordon, and conferring upon him the rank of Ti-t'u (General), and the yellow jacket (a distinction about equal to the English grand cross of the Bath):

Formerly, on account of Gordon's having acted as leader of our Imperial forces against the enemy, and having assisted to take Chang-chow, we issued an edict, expressing our will that he should be elevated to the honorary rank of Ti-t'u, and should be presented from ourself with a banner and a medal to mark our appreciation of his services. Li-Hung-Chang now reports that the "ever-victorious army," which Gordon used to lead has been disbanded in the most satisfactory manner, and he begs us to heap further distinction on Gordon's head. Such is the substance of his despatch. Since the spring of last year Gordon has headed the "ever-victorious army," and aided the ordinary Imperial forces in the subjugation of Fushan, the relief of Chang-shu-hsien, the capture of Tait-sang-chou, Quin-san-hsien, Wu-kong-hsien, and, at last (toward the close of the year), the provincial city of Soochow. Then, again, he this year captured Yih-shing-hsien, and Li-yang-hsien, while he compelled the retreat of the rebels at Yang-shai. He finally captured Chang-chow-fu, thus continually heaping meritorious acts one upon another. Moreover, he has, in the most satisfactory and peaceful manner, completed the disbandment of the disciplined army. There was no uncertainty about Gordon's services; he was ever inspired with that bravery and strategic talent which enabled him to prove so formidable. He was also intimately acquainted with the relations existing between China and other Powers. It is, therefore, most necessary for us to mark our approval. Gordon is, therefore, presented with the yellow jacket and a short peacock's feather. He is also presented with the official robes and paraphernalia belonging to the rank of Ti-t'u. Thus will our favor be manifested to him.

Respect this.

On July 19, the city of Nanking, so long the centre of disaffection in China, and the point from which so many gangs of insurgents started on their raids upon the peaceful and wealthy cities of Central China, was captured by the Imperialist army under the command of Tseng-kwo-shuen, the Governor of Chekiang, and brother of the viceroy of the provinces of Kiang-Nan and Kiang-Su. The city was stormed through a breach, caused by a mine sprung under the wall, near the east gate. When the Imperialists made good their entrance into the city, they found that the palace of the Tien-Wang, the leader of the rebellion, and the claimant for many years past of divine honors and attributes, had been burnt to the ground. It was said that the renowned Tien-Wang and his immediate attendants lay buried in its ruins. The Chung-Wang, the most restless and determined of the Taeping generals, was captured. After the assault he managed to leave the city with a few followers, but he was captured three days subsequently by a party of cavalry. The Emperor directed the Chung-Wang to be conveyed to Peking; but this order was subsequently rescinded, and he was ordered to be "cut into a thousand pieces" at Nanking, which sentence was duly carried into execution. From depositions made by the Chung-Wang, at his trial, it appears that missionaries and others were deceived when they believed in a moral inspiration as acting on the Taipings. The Wangs were only ambitious rebels, anxious to overthrow one Government to replace it by another for the sake of their own aggrandizement.

Although the Taipings suffered a severe loss by the capture of their capital, they were not entirely destroyed. They endeavored to collect their forces in the provinces of Nyang-wei and of Kiang-Ti. One of their armies defeated a numerous division of the Imperial army in a pitched battle on the 3d of August. The Peking Government saw consequently that it could not yet disband the army, and requested that the Franco-Chinese corps should continue to serve. At the end of August the Franco-Chinese army occupied the city of Hoochow, the last of the large cities in the hands of the rebels. The latter, much to the surprise of the besiegers, evacuated the place without any conceivable reason, as in the engagements preceding the evacuation of the city, the advantages had been decidedly on their side. Thousands of Taipings still continued to roam about in the country, pursuing their career of robbery and despotism, but they ceased to be a danger to the empire. In November a battle was again fought at Kuang-sing-fu in the province of Kiang-si, between the Imperialist forces and a rebel army led by Hung-Yuancheng, a near relative of the deceased Tien-Wang, and Li-Shui-seng, a relative of the Chung-Wang, whose title was Yu-Wang, or the admired King. The former was killed in action, and the latter was captured. The loss was serious on both sides;

the rebels, however, were totally defeated. In December a body of rebels was in the vicinity of Amoy, but no danger was apprehended from them.

COMMERCE. The commerce of the year with Europe was limited in consequence of the increased duties on imports and the favorable harvests abroad, which diminished the demand for breadstuffs. The official statement of the Treasury Department gives the following results of the trade of the country for the fiscal years 1863 and 1864. The fiscal year ends on June 30th. The specie export for 1863 should be increased \$18,207,879, to embrace a large unusual shipment made from California to England for safety of transit.

	Imports.	1863.	1864.
Goods.....		\$252,731,939	\$328,514,559
Specie		9,555,648	13,155,706
Total		\$262,287,587	\$341,670,265
	Exports.		
Domestic produce.....		\$249,856,649	\$320,292,171
Foreign "		17,796,200	20,373,449
Specie		64,156,610	105,125,750
Total		\$331,809,459	\$445,791,370

The import valuations are in specie, being the invoice value. The export values are in legal tender prices. The advance in gold, as compared with legal tender notes and the increase of taxes, has seriously affected the prices of articles sold for consumption. The following is a comparative table of the prices of sixteen articles which will serve as an illustration :

	March, 1862.	March, 1863.	March, 1864.	December, 1864.
Cordage, Manilla.....	\$9 00 a 10 00	\$18 00 a 18 50	\$19 00 a 20 00	\$24 00 a 25 00
Indigo	1 25 a 2 50	2 00 a 2 85	1 60 a 2 50	2 60 a 3 00
Coffee, Rio, 100 lbs.....	17 25 a 19 50	30 50 a 34 00	36 00 a 37 50	44 00 a 48 00
India rubber.....	48 a 50	85 a 87	83 a 85	1 16 a 1 20
Gunny cloth, 100 yards.....	11 00 a 11 50	16 00 a 16 75	15 50 a 15 75	20 50 a 21 00
Hides, Rio, 100 lbs.....	21 00 a 21 50	30 00 a 31 00	29 50 a 30 00	31 00 a 32 00
Plaster of Paris.....	1 50 a 1 75	3 60 a 3 75	3 25 a 3 50	4 50 a 4 80
Leather, oat. mid.....	27 00 a 30 00	40 00 a 42 00	45 00 a 47 00	49 00 a 52 00
Mahogany.....	35 00 a 45 00	45 00 a 55 00	100 00 a150 00	75 00 a110 00
Molasses, No. gall.....	50 a 55	45 a 47	70 a 80	1 10 a 1 27
Silk, raw.....	5 00 a 5 50	10 00 a 10 50	9 50 a 9 75	14 00 a 15 00
Cassia, 100 lbs.....	31 00 a 32 50	45 00 a 46 00	62 50 a 65 00	100 00 a105 05
Gin.....	26 00 a 27 00	55 00 a 56 00	103 00 a110 00	210 00 a215 00
Sugar, Cuba, 100 lbs.....	6 87 a 8 75	9 25 a 11 50	12 25 a 14 75	16 25 a 22 25
Tin, Banca.....	30 00 a 32 00	56 00 a 58 00	56 00 a 57 00	70 00 a 72 00
Spelter.....	5 50 a 5 70	9 00 a 9 37	12 50 a 13 00	15 00 a 15 50
	\$228 35 a254 25	\$370 55 a396 56	\$516 13 a577 00	\$679 11 a739 27

This average aggregate rise has been as follows :

	Gold premium.	16 articles.	Rise per cent.
March, 1862.....	1½	241 30	...
" 1863.....	54	383 55	60
" 1864.....	59	546 56	130
Dec., 1864.....	1 25	709 19	194

This table shows that the price of commodities keeps always in advance of that of gold. Thus the premium on gold is 125 per cent., and the advance in the articles has been 150 per cent. on the gold price of those articles. These higher prices include the duties, the cost of gold with which payment is made, the price of exchange, the stamps and other taxes, and all the expenses and profits of the importers. Before the goods reach the consumers they are thus loaded with expenses, charges, taxes, and profits, which therefore necessarily diminish the ability of the consumers to take the usual quantities. The home manufacturers have had less to contend with. They have been charged with three per cent. tax, and other charges, and the rise in raw materials and wages, but they have been sustained by a large and effective demand from the Government for most materials of clothing, munitions, etc., at rates which have left a considerable profit. The manufacturing sections have indeed never been so prosperous as during the past year. It is the case, nevertheless, that the stocks of merchandise generally, as well in first hands as those on the shelves of stores, and in posses-

sion of consumers, are far less than in ordinary years.

The revenue of the port of New York during 1864, shows a gain of about \$8,000,000 over the corresponding figures of the previous year :

	1863.	1864.
January.....	\$4,127,906 82	\$6,180,536 09
February.....	3,590,713 47	7,474,027 93
March.....	4,544,460 13	7,659,770 47
April.....	3,957,197 57	13,982,555 60
May.....	3,873,865 42	3,855,186 46
June.....	3,733,934 06	3,311,148 43
July.....	4,912,718 49	3,585,848 44
August.....	6,206,735 58	6,237,364 17
September.....	7,270,543 65	4,084,492 54
October.....	6,233,943 46	3,670,188 38
November.....	5,075,846 24	3,455,156 53
December.....	5,248,189 03	3,440,852 67
Total.....	\$58,886,054 42	\$66,937,127 71

In the previous year the imports were considerable, and the entries were large, under the apprehension of higher duties. By the act of Congress in May doubling the duties, the merchandise taken out of bond was very large in value, thus making the revenue from January to May \$35,296,890.09. These duties represented a large amount of goods taken out of bond, and put on the market at lower rates, and which continued to supply it during the year. The revenue of the last eight months was about 90 per cent. of that of the first four months. The duties of the last eight months being at much higher rates, represent a much smaller amount of goods, and the quantity in

bond at the close of the year was small. To maintain the amount of revenue, it is apparently necessary to reduce the rate of taxation, in order that the present prohibitory tendency of the tariff may be modified, and so permit of greater receipts. The effect of the duty on the cost of goods is also greatly increased by the depreciation of the currency. Thus a certain description of woollens pay sixty per cent. tax in gold, and the same article of home manufacture pays five per cent. in paper. It operates as follows:

Premium cost.....	\$1 00
Premium on exchange.....	\$1 27
Gold duty.....	60
Gold duty premium.....	76
Total tax.....	2 63
Cost imported goods.....	\$3 63

The tax on the home-made article of the same description being only five cents per dollar; as soon, therefore, as the duty becomes prohibitory, the Treasury loses sixty cents in gold and gets only five cents in paper. The imports at the port of New York, monthly, for the year, are shown in the following table:

	1860.	1861.	1862.	1863.	1864.
January.....	\$21,756,273	\$26,872,411	\$12,620,829	\$15,739,576	\$18,977,394
February.....	19,356,379	16,341,707	13,872,140	13,027,846	21,643,937
March.....	23,580,126	18,204,351	18,719,866	18,390,895	23,667,119
April.....	16,971,353	14,886,393	13,252,882	17,385,315	26,168,631
May.....	16,893,151	14,949,281	14,248,521	14,324,925	23,975,144
June.....	19,160,789	12,649,733	12,336,195	12,597,516	23,926,314
July.....	24,881,649	14,938,851	20,353,202	16,003,677	22,383,299
August.....	25,938,854	8,885,928	14,304,843	15,038,129	18,223,463
September.....	16,260,450	7,305,461	13,147,917	15,499,940	10,539,459
October.....	16,787,242	8,523,741	13,413,906	16,894,967	10,083,308
November.....	15,421,156	9,639,012	10,309,398	16,045,695	8,597,595
December.....	21,253,033	9,616,921	13,072,618	17,126,098	9,935,093
Total.....	\$238,260,460	\$162,813,790	\$174,652,317	\$188,074,579	\$218,125,761

The effect of the fluctuations of the currency in reducing the credit system and forcing cash transactions upon those engaged in business, is very apparent in the returns made of the number of failures and the amount of the liabilities of the parties in the few last years, as follows:

	Number.	Liabilities.
1857.....	4,257	\$265,818,000
1858.....	3,113	73,608,747
1859.....	2,059	51,314,000
1860.....	2,733	61,730,477
1861.....	5,935	178,632,170
1862.....	1,652	23,049,300
1863.....	495	7,899,000
1864.....	510	3,579,700

The year 1857 was one of panic, and in 1861 the war, by cutting off resources, caused a con-

siderable amount of distress, but the curtailment of credit has since given a very effectual check to that mercantile evil.

The imports at the port of New York for the year 1864 were as follows:

Dry goods.....	\$71,589,752
Other goods.....	144,270,386
Specie.....	2,265,622
	\$218,125,760

The amount in 1863..... \$187,614,587

Among the general imports of the year, cotton and wool, formerly articles of export, still hold a prominent place.

The following table shows the quantities and invoiced specie values of the principal foreign imports, other than dry goods and specie, at New York, during 1864:

FOREIGN IMPORTS AT THE PORT OF NEW YORK FOR THE YEAR 1864.

[The quantity is given in packages when not otherwise specified.]

Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	
Alabaster Ornam'ts. 459	\$6,914	Coffee .....bags 764,983	14,543,955	Drugs, &c.:		
Baskets..... 7,969	116,485	Drugs, &c.:		Camomile.....	1,572	
Bags.....	179,422	Acids.....	2,401	14,107	Cantharides. 10	5,749
Boxes..... 12	22,968	Alkali.....	563	8,598	Cardamoms 12	3,419
Bricks.....	4,452	Aloes.....	72	7,493	Carmines 22	3,988
Buttons..... 1,649	415,863	Alum.....	382	8,077	Chalk 22	1,895
Building stone.... 3	17,496	Aluminous cake. 90	4,279	Cream tartar ... 674	150,487	
Burr stones.....	17,773	Ammonia, carb.. 9	881	Chicory.....	5,555	88,746
Clay.....	51,533	Ammonia..... 847	46,645	Cochineal..... 1,430	243,430	
Cheese..... 1,723	59,207	Ammonia, sal... 235	19,697	Cubebs.....	333	19,234
China, glass & earth-ware:		Ammonia, sulph. 61	5,127	Cudbear.....	1,117	91,186
Bottles.....	24,856	Annatto.....	2,040	Cutch.....	711	3,306
China..... 6,509	348,737	Aniline colors..	187,228	Divi Divi.....	1,533	
Earthenware 37,341	1,205,473	Arrowroot.....	1,062	Dye stuffs.....	1,283	
Glass..... 191,462	382,109	Asphaltum. 189	2,976	Flor. sulphur....	8,011	
Glassware..... 9,647	181,540	Argols.....	1,645	Gentian root....	1,585	
Glass plate..... 3,224	425,524	Assafetida.....	4,134	Gambier.....	30,906	246,244
Graphite.....	834	Arsenic.....	214	Gum arabic.....	4,503	223,221
Cigars.....	788,237	Bark, Peruvian.. 6,283	267,525	Gum crude.....	9,422	198,732
Coal.....tons 245,361	693,268	Balsam Tolu.... 421	3,197	Gum copaiva....	1,369	61,567
Corks.....	230,159	Bismuth.....	22	Gum coroni....	4,611	85,413
Chronographs 2	837	Blea. powders... 29,271	433,090	Gum copal.....	303	4,732
Cotton.....bales 76,085	11,157,449	Brimstone..... 7,946	224,218	Gum gedda.....	50	1,174
Clocks.....	116	Barytes.....	110	Gum tra'canth... 38	522	
Cocoa.....bags 8,103	155,966	Castor oil..... 550	6,690	Glue.....	4	230
		Camphor.....	4,377	Indigo.....	4,056	706,806

FOREIGN IMPORTS AT THE PORT OF NEW YORK, &c.—(Continued.)

Quantity.	Value.	Quantity.	Value.	Quantity.	Value.		
Iodine	106	23,684	Fruits:	Machinery	2,222	213,836	
Iodine pot.	181	22,088	Lemons	199,579	Lamps	2,285	
Ipecac	162	49,696	Nuts	637,127	Marble & manuf. do.	94,269	
Insect powder. ....	.....	2,228	Oranges	437,043	Matches	67	1,895
Isinglass .....	.....	1,183	Pine-apples	61,508	Macaroni	11,314	17,346
Jalap.	90	12,331	Plums	60,078	Molasses	117,236	3,496,790
Lac dye	340	15,220	Prunes	58,196	Oil paintings	466	209,482
Leeches	124	6,761	Raisins	373,244	Oakum	210	2,455
Licorice root.	11,372	48,433	Sauces and pres.	155,417	Onions .....	.....	10,167
Licorice paste ..	11,246	363,593	Grapes	2,440	Paper hangings	313	30,455
Madder	4,516	810,066	Furniture	153	Pearl shells .....	.....	5,342
Magnesia	693	12,037	Grain	155,936	Perfumery	919	103,756
Manna	121	8,902	Grindstones	16,004	Personal effects	21	202,602
Morphine .....	.....	1,427	Gunny cloth	2,342	Plaster .....	.....	20,709
Muriate potash. ....	.....	1,273	Gutta percha.	7,089	Pitch	60	560
Nutgalls .....	.....	1,542	Guano	920	Pipes .....	.....	208,047
Nitrate soda	298,904	33,923	Hair	2,686	Potatoes .....	.....	90,080
Nitrate silver .....	.....	1,823	Hair cloth	279	Provisions .....	.....	215,289
Oils, unspecified.	993	89,798	Hemp	113,830	Rags	27,261	648,054
Oil, cod	81	4,275	Honey	3,752	Rice .....	.....	591,775
Oil, cocoanut.	137	8,716	Hops .....	.....	Rope .....	.....	42,137
Oil, ess.	2,277	170,830	India rubber	27,742	Quartz rock .....	.....	3,750
Oil, linseed	1,956	161,128	Ivory	143	Rosin	1,767	56,788
Oil, olive	50,069	202,351	Instruments:	.....	Sago	365	2,616
Oil, palm	593	33,923	Chemical	25	Salt .....	.....	448,199
Oil, sperm	700	5,740	Mathematical.	32	Shells .....	.....	1,501
Opium	557	311,087	Musical	1,783	Seeds, unspecified. ....	.....	145,457
Orchilla weed.	97	16,746	Nautical	6	Castor seed	13,384	40,817
Orange peel .....	.....	4,327	Optical	263	Linseed	217,959	914,447
Paints .....	.....	435,763	Surgical	30	Soap	58,856	150,676
Paris, white	421	1,925	Jewelry, &c.:	.....	Spices:	.....	.....
Potash, bitch	14	2,286	Jewelry	621	Cassia .....	.....	12,254
Persian berries ..	.....	3,112	Watches	798	Cinnamon .....	.....	2,678
Potash, chlo.	518	17,473	Leather, Hides, &c.:	.....	Cloves .....	.....	78,170
Potash, hyd.	76	7,577	Boots and shoes.	213	Ginger .....	.....	53,972
Phosphorus	415	20,079	Bristles	695	Mustard .....	.....	12,140
Plumbago .....	.....	97,928	Hides, dressed.	3,504	Nutmegs .....	.....	78,617
Pruss. potash	51	8,090	Hides, undressed. ....	.....	Pepper .....	.....	236,394
Quinine	440	65,032	Horns .....	.....	Pimento .....	.....	39,090
Quicksilver	1,295	134,198	Leather, pat.	65	Stationery, &c.:	.....	.....
Reg. antimony ..	1,162	70,947	Liquors, Wines, &c.:	.....	Books	3,040	327,716
Rhubarb	142	8,844	Ale	6,976	Engravings	292	89,309
Safflower	15	4,632	Brandy	16,202	Paper	3,755	236,790
" ext.	13	8,744	Beer	1,752	Other stationery.	1,526	181,640
Saltpetre .....	.....	122,091	Cordials	2,212	Statuary .....	.....	85,074
Sarsaparilla	1,553	35,929	Gin	7,018	Sugar, hhd's, bbl's.	.....	.....
Scammony	4	7,203	Porter	4,166	and tes.	203,517	12,988,667
Senna	25	2,587	Rum	1,260	Sugar, bxs. & bags.	279,627	2,950,059
Shellac	2,006	87,392	Whiskey	875	Tar	19,326	106,278
Soda, bicarb.	68,959	206,323	Wine	255,001	Tapioca	3,209	17,824
Soda, sal.	21,552	109,874	Champagne	102,744	Teazles	40	2,240
Soda, caustic.	7,176	151,949	Metals, &c.:	.....	Trees and plants. ....	.....	24,946
Soda ash	26,398	680,056	Brass goods	277	Thistles .....	.....	1,377
Soda, hyd. sulph. ....	.....	817	Bronze metal .....	.....	Tea	604,972	8,172,072
Sponges	950	47,468	Bronzes	34	Twine	775	24,842
Sugar of lead	572	31,640	Chains and A.	8,428	Toys	8,348	427,246
Sulph. morphia. ....	.....	1,290	Copper .....	.....	Tobacco	23,932	625,472
Sumac	34,430	151,087	Copper ore .....	.....	Tomatoes .....	.....	2,826
Velonia .....	.....	791	Cutlery	3,025	Turpentine	297	2,431
Tonqua beans	83	11,070	Gas fixtures	48	Turpentine, sp'ts.	4,118	294,824
Ultramarine .....	.....	1,776	Guns	3,927	Waste	15,879	586,808
* Vanilla beans.	78	29,485	Hardware	4,464	Whalebone .....	.....	61,844
Verdigris .....	.....	5,320	Iron, hoop. tons	4,197	Wax .....	.....	23,159
Vermilion	530	48,395	" pig	50,050	Woods:	.....	.....
Worm seed .....	.....	4,041	" rail'd. bars	479,148	Box wood .....	.....	1,886
Yellow ochre	4,271	14,634	" sheet	5,451	Brazil wood .....	.....	6,406
Yellow berries ..	.....	7,455	" tubes	47,440	Camwood .....	.....	240
Drugs, unspec. ....	.....	217,939	" other	64,022	Cedar .....	.....	211,067
Emery	1,070	15,202	Lead, pigs	474,437	Cork .....	.....	68,148
Fancy goods .....	.....	1,749,028	Lead ore .....	.....	Ebony .....	.....	5,817
Fans .....	.....	12,613	Metal goods	4,338	Fustic	1,862	32,332
Feathers .....	.....	284,601	Nails	2,871	Lima wood .....	.....	16,635
Fire crackers .....	.....	41,847	Needles	347	Lignumvitæ	76	12,836
Fish .....	.....	502,472	Nickel	284	Logwood	54,829	330,937
Flax	2,698	115,016	Old metal .....	.....	Mahogany .....	.....	84,356
Flour .....	.....	5,074	Plated ware	47	Palm leaf .....	.....	79,508
Furs, &c.:	.....	.....	Platina	33	Ratan .....	.....	91,542
Felting	564	21,303	Percussion caps.	302	Rosewood .....	.....	139,532
Hatters' goods.	1	746	Saddlery	172	Sapan wood .....	.....	2,960
Furs	4,966	2,053,780	Steel	107,946	Spruce .....	.....	8,608
Fruits:	.....	.....	Spelter	7,422,486	Willow .....	.....	26,809
Bananas .....	.....	41,963	Silver ware	22	Other woods .....	.....	103,456
Citron .....	.....	70,911	Tin plate, boxes	440,635	Wool, bales	115,724	9,428,409
Currants .....	.....	189,772	Tin slabs	2,367,441	Other miscellan. ....	.....	52,588
Dried fruits .....	.....	15,510	Wire	2,634			
Dates .....	.....	3,178	Zinc	7,296,435			
Figs .....	.....	24,462	Lithograph stone ..	.....		
					Grand total	\$133,472,764	

In the list are the following items, which were articles of export before the war :

Wool, bales.....	115,724	\$9,428,409
Cotton "	76,085	11,157,449
Tar, bbls.....	19,326	106,278
Turpentine, spirits.....	4,118	294,824

The items of import were formerly on the export list, and, added to the exports of grain and other products of the soil, assisted to pay the value of imports. This is one of the changes caused by the war. The exports from New York, monthly, during 1864, were as follows :

MONTHS.	1860.	1861.	1862.	1863.	1864.
January	\$6,876,024	\$11,202,787	\$14,888,437	\$19,695,358	\$17,609,749
February	7,652,879	11,907,233	14,112,843	22,400,148	17,211,776
March	10,510,417	11,881,394	11,980,714	23,695,082	16,383,236
April	10,390,415	11,709,679	12,703,797	14,004,940	19,754,062
May	11,900,317	11,732,595	15,832,097	16,002,780	21,682,200
June	17,836,546	12,067,031	20,332,375	16,495,293	25,887,531
July	14,463,199	10,028,000	23,684,915	21,092,787	33,585,866
August	15,734,980	9,890,448	17,433,701	14,454,809	20,677,982
September.....	13,658,679	10,178,846	19,061,471	15,492,518	21,739,826
October	12,662,653	13,172,452	26,797,936	21,219,549	20,431,789
November	12,272,177	14,577,291	20,603,942	17,292,436	20,473,699
December	11,745,165	15,124,445	18,939,615	18,619,334	27,410,438
Total.....	\$145,683,451	\$142,981,151	\$216,371,843	\$220,465,034	\$262,848,154

These values are in currency, and much greater than were realized abroad. The wheat and corn exports of 1861 compare with 1864 as follows :

	1861.	1864.
Wheat, bushels.....	28,889,914	12,193,433
Wheat flour, bbls.....	3,110,646	1,918,593
Corn, bushels.....	12,456,265	846,831

To these should be added the export of petroleum, of which 34,792,972 gallons were shipped in the year 1864 against 28,250,721 in 1863. The export of petroleum bids fair to be greatly increased during the next year. This following table shows the exports from the port of New York of the articles which make up the bulk of the export trade for the year :

EXPORTS FROM NEW YORK OF CERTAIN LEADING ARTICLES OF DOMESTIC PRODUCE FOR FOUR YEARS.

ARTICLES.	1861.	1862.	1863.	1864.
Ashes—pots.....bbls.	13,608	9,503	9,146	8,847
Ashes—pearls.....	3,507	1,580	1,264	1,593
Beeswax.....lbs.	238,553	122,349	170,230	465,697
Breadstuffs:				
Wheat flour.....bbls.	3,110,646	2,961,518	2,527,338	1,918,593
Rye flour.....	11,807	8,397	5,461	2,840
Corn meal.....	108,885	132,606	140,561	105,142
Wheat.....bush.	28,889,914	25,564,755	15,424,889	12,193,433
Rye.....	1,000,405	1,104,549	416,369	588
Oats.....	160,825	210,669	126,556	42,135
Barley.....	3,927	42,061	52,439	150
Peas.....	139,284	113,819	110,911	186,154
Corn.....	12,456,265	12,020,848	7,533,431	846,831
Candles.....bxs.	92,315	138,595	125,587	121,742
Coal.....tons.	36,536	80,884	53,713	53,417
Cotton.....bales.	152,562	24,400	13,945	26,765
Hay.....	15,776	48,674	19,986	40,325
Hops.....	28,377	33,409	25,409	22,077
Naval Stores:				
Crude turpentine.....bbls.	21,571	17	22	770
Spirits.....	18,825	783	884	433
Rosin.....	208,061	18,200	4,172	2,207
Tar.....	26,646	4,601	8,184	1,771
Pitch.....	3,080	906	1,684	2,955
Oils—whale.....galls.	1,196,468	1,554,359	269,634	421,931
Oils—sperm.....	1,030,328	756,173	510,648	1,366,159
Oils—lard.....	110,401	710,885	803,469	129,529
Oils—linseed.....	35,626	35,640	17,344	79,244
Provisions:				
Pork.....bbls.	116,654	171,302	192,903	130,672
Beef.....	29,013	32,977	41,632	36,548
Beef.....tes.	33,924	27,765	62,868	49,299
Cut meats.....lbs.	50,565,732	145,102,758	183,519,060	93,800,258
Butter.....	23,159,391	30,603,235	23,060,799	14,174,861
Cheese.....	40,041,225	39,200,439	40,781,168	49,755,842
Lard.....	47,290,409	126,651,091	120,881,862	53,436,128
Rice.....tes.	15,867	701	182	4
Rice.....bbls.	15,527	12,143	12,044	20,673
Tallow.....lbs.	25,820,335	43,866,920	43,487,731	81,987,976
Tobacco—crude.....pkgs.	116,598	113,575	107,439	161,404
Tobacco—manufactured.....lbs.	3,152,484	1,598,044	3,542,210	5,250,014
Whalebone.....	975,075	1,191,907	259,185	509,646

Notwithstanding the petroleum interest has apparently attracted a very large amount of capital during the past year, still the quantity produced has not much increased. For instance the total amount taken for consumption at New York, and exported from New York, Boston, &c., during 1863 and 1864, was as follows:

	1863.	1864.
Exported from New York.....bbls.	488,690	533,394
Taken for consumption in New York.	314,481	242,187
Total—New York.....	803,171	775,587
Boston—exported.....	51,235	42,307
Philadelphia “.....	184,893	194,003
Baltimore “.....	22,896	23,249
Portland “.....	8,552	1,769
Total.....	1,020,747	1,036,915

Thus there appears no material change. There

are several reasons for this. In the first place it should be remembered that the increase of capital the past year, actually employed in producing petroleum, is not so great as might be supposed. Many companies have been formed, and of large nominal capital, but very few of them have their stock all taken up, and much of the money that has been paid in has been given to those organizing the companies for the land they have purchased, while another large portion of it is paid out in commissions. Besides this, very little of the land upon which the new companies are based has, as yet, been developed. It requires time to accomplish much in that way. The coming year, however, must show the effect of these new investments. Thus far, production has not kept pace with the growing demand, and prices, therefore, have ruled high.

WHOLESALE PRICES OF FOREIGN AND DOMESTIC PRODUCE AT NEW YORK.

[The prices are given on January 3d of each of the last six years.]

	1860.	1861.	1862.	1863.	1864.	1865.
ASHES, pots.....100 lbs.	\$5 12½	\$5 00	\$6 25	\$8 50	\$8 50	\$11 75
Pearls.....	5 37½	5 00	6 25	8 25	9 75	13 00
BREADSTUFFS—						
Wheat flour, State.....bbl.	4 30	5 35	5 50	6 05	7 00	10 00
Wheat, best extra Genesee.....	7 50	7 50	7 50	8 75	11 00	12 00
Rye flour, “.....	4 00	4 00	3 87½	5 45	6 65	9 00
Corn meal, Jersey.....	3 90	3 15	3 00	4 00	5 65	8 80
Wheat, white Genesee.....bush.	1 50	1 45	1 50	1 60	1 80	2 60
White Michigan.....	1 50	1 45	1 50	1 53	1 83	2 70
White Ohio.....	1 45	1 45	1 48	1 53	1 83	2 60
White Southern.....	1 45	1 45	1 52	....	....	2 75
Red Western.....	1 30	1 38	1 42	1 48	1 57	2 45
Chicago Spring.....	....	1 18	1 30	1 33	1 48	2 22
Rye, Northern.....bush.	92	75	83	96	1 30	1 75
Oats, State.....	46½	37	42	71	93	1 06
Corn, old Western.....	90	72	64	82	1 30	1 90
Corn, new Southern.....	80	72½	68	86	....	....
COTTON, mid. upland.....lb.	11	12½	35½	68½	82	1 20
Mid. New Orleans.....	11½	12½	36	68	....	1 21
FISH, dry cod.....qtl.	4 50	3 50	3 50	4 50	6 75	9 00
FRUIT, bunch raisins.....box	2 52	1 75	3 20	3 50	4 00	5 85
Currants.....lb.	6	4½	9	13 a 13½	15	21
HAY, shipping.....100 lbs.	1 00	90	77½	85	1 45	1 55
HOPS.....lb.	16	25	20	23	33	40
IRON, Scotch pig.....ton	24 50	21 00	23 00	33 50	45 00	63 00
English bars.....	53 00	52 00	57 00	77 50	90 00	190 00
LATHS.....per M.	2 00	1 30	1 25	1 45	1 50	2 40
LEAD, Spanish.....ton	5 65	5 25	7 00	8 00	10 50	15 00
Galena.....	5 77½	5 50	7 12½	8 00	10 50	16 00
LEATHER, hemlock, sole.....lb.	30	10½	20½	27	30	42
Oak.....	30	27	28	33	42	52
LIME, com. Rockland.....bbl.	75	75	65	85	1 35	1 15
LIQUORS, brandy, cognac.....gal.	3 26	2 00	4 00	5 25	....	....
Domestic whiskey.....	36	19½	20½	39	94	2 24
MOLASSES, New Orleans.....gal.	53	37	53	55	70	1 43
NAVAL STORES, crude turpentine.....bbl.	3 43½	2 75	10 00	....	....	....
Spirits turpentine.....gal.	44½	35	1 47½	2 60	2 95	2 10
Common resin, N. C.....bbl.	1 65	1 25	6 00	10 50	30 00	28 00
OILS, crude whale.....gal.	52	51	48	83	1 10	1 48
Crude sperm.....	1 40	1 40	1 40	1 75	1 60	2 13
Linseed.....	57	50	86	1 27	1 47	1 50
PROVISIONS—						
Pork, old mess.....bbl.	16 37½	16 00	12 00	14 50	19 50	43 00
Pork, old prime.....	11 75	10 50	8 50	12 50	14 50	36 25
Beef, city mess.....	9 00	6 00	5 50	12 00	14 00	20 50
Beef, repacked Chicago.....	9 50	9 00	11 00	13 00	15 00	23 00
Beef hams, extra.....	14 50	14 00	14 50	15 50	18 30	27 00
Hams, pickled.....lb.	9½	8	6	8	11	20
Shoulders, pickled.....	6½	5½	4½	5½	8½	13
Lard.....	10½	10½	8½	10	13	23
Butter, Ohio.....	16	14	15	22	24	45
Butter, State.....	20	18	19	22	29	55
Butter, Orange County.....	24	22	22	25	32	63
Cheese.....	11	10	7	12	15½	20
Rice, good.....100 lbs.	4 20	4 00	7 00	8 75	10 00	13 00
SALT, Liverpool, ground.....sack	1 15	65	86	1 25	1 85	2 27
Liverpool, fine, Ashton's.....	1 95	1 60	1 70	2 15	2 80	4 75
SEEDS, clover.....lb.	8½	8½	7½	10½	12½	27
SUGAR, Cuba, good.....	7½	6½	8½	10	12	19
TALLOW.....	10½	9½	9½	10½	12	18
WHALEBONE, polar.....	90	88	76	1 65	1 60	2 25
WOOL, common fleece.....	40	30	50	60	75	95

The rise in prices, as compared with last year, extends to every article upon the list, except some productions of the Southern States, and is very strongly marked with regard to all articles of food. If compared with the year 1860, there will be found to be a rise of about 150 per cent.

The exports of general merchandise from New York were on a very limited scale as compared with former years. The exports of breadstuffs to Great Britain and the Continent in 1864 since September 1, were as follows:

	Flour.	Wheat.	Corn.
1861.....	1,232,535	16,710,383	4,985,430
1862.....	394,923	12,399,804	3,273,813
1863.....	402,650	4,987,984	239,459
1864.....	54,995	1,223,333	56,933

In this return are the exact figures to indicate the ratio of decline in our foreign trade. The value of these exports for the four months embraced in the figures, according to the Liverpool price in gold, is as follows:

1861.....	\$42,500,000	1863.....	\$8,909,042
1862.....	27,842,090	1864.....	1,850,819

Thus the trade is nearly extinguished. This is due, no doubt, as well to the good harvests of England and Western Europe as to the state of the currency here. The latter cause will, however, continue to act with ever increasing force, because the cost of producing wheat here is enhanced by the higher prices of all the farmer consumes. For instance, it adds to the cost of labor, the cost of transportation, the amount of commissions and interest, and above all, to the taxes, local, State, and federal. These are all no doubt paid in paper, but they enhance the cost upon the exported wheat in proportion to the price of gold. Breadstuffs are not articles of monopoly, like cotton, for which the American article commands the markets of the world, but are those in which the sharpest competition exists; and those of the United States having further to go, at greater cost of transportation, maintain their footing only with difficulty while not subjected to taxation.

During 1864, the number of ships transferred from the American to the British flag was 106; the tonnage 92,652. The number transferred since the beginning of the war is 715; the tonnage 480,882.

The following table shows the quarters of wheat imported into Great Britain for the last nine months of 1864, with the value in pounds sterling. Wheat is now entered in Great Britain by the hundredweight, instead of measure. The quantity bought of the United States, including California, was about 40 per cent. of the whole purchase, at prices rather less than those paid other countries. Thus the cost of Prussian wheat was 10s. 4d. per cwt., while that of the United States was 9s. 4d.:

WHEAT—FROM	Quantity, cwt.	Value.
Russia	2,825,463	£1,214,911
Prussia	3,616,145	1,886,523
Denmark	853,056	373,223
Mecklenburg	466,392	235,635
Hanse Towns.....	465,647	208,451
France	481,073	233,499
Turkey and Wallachia.....	377,646	162,632
Egypt	366,860	153,324
United States.....	7,100,042	3,342,849
British North America	824,806	365,547
Other countries.....	346,203	159,223
Total.....	17,723,333	£8,335,552

This reduction in the quantities exported, as a matter of course, reduces the supply of bills, and those who are required to remit for sugar and other merchandise avail themselves of a fall in gold to make those remittances, and the fall is thereby checked. On the other hand, much of the gold paid out by the Government is sold, and the banks also, which are making arrangements to convert their business from State to federal authority, are selling gold. Dealing in gold, both buying and selling, has become a very important occupation in this country. The amount collected by the Federal Government in 1864 through the purchase of importers was \$102,316,152, or very nearly \$2,000,000 per week. One-half of that amount was paid out for interest, and found its way again to the brokers, and the other half was sold by the Treasury in the open market. Thus the Government operation, in collecting, paying, and selling, amounts to \$200,000,000 per annum; at the same time the importers bought in addition \$50,000,000 to remit in payment of goods, and about \$12,000,000 arrived from California. It is evident from these facts that gold dealing is a leading business, and employs a great number of brokers. It was, however, of a troublesome and hazardous nature, since the gold in bags had to be passed from hand to hand, at more or less risk. For this reason it was determined to make a common depository at the Bank of New York of the gold held, and to transfer it from hand to hand by orders. The amount of gold so deposited was in the first week of January about \$1,200,000. There was besides a good deal of gold deposited with other banks by customers for safe keeping, and in some cases did not enter into the returns of the banks. The gold movement was comparatively as follows:

Specie in banks and Sub-Treasury December 1...	\$28,961,268
Received from California in December.....	2,205,619
Imported from foreign ports in December.....	114,976
Gathered in from hoards in December.....	4,876,964
Supply.....	\$36,158,827
Exported in December.....	6,104,377
Leaves in bank and Sub-Treasury, Jan. 1, 1865...	\$30,054,450

COMMERCIAL INTERCOURSE. Some modification was made in the conditions of commercial intercourse with places within the limits of the insurrectionary States during the year. On June 26th, by order of the President, all restrictions on trade in Missouri and

Kentucky were annulled and abrogated, and all products and goods were allowed to be freely brought within those States as in time of peace; but no goods were allowed to pass from these States into any State declared to be in insurrection.

Any person residing within an insurrectionary State was allowed freely to bring any goods or products for sale to any place where a supervising special agent of the Treasury was located. It was further ordered that,

Whenever the owner of said goods and products shall not reside within the lines of national military occupation, such goods and products shall be sold by the supervising special agent, or assistant special agent; and all such sales of goods and products shall take place on Monday of each week, at the place of receipt, and shall include all complete lots on hand at the time of the sale; and the supervising special agent, or the assistant special agent, as the case may be, shall pay to said owner or his agent, if the said owner shall have taken oath, and is not excepted from said amnesty, nor prove disloyal or hostile, twenty-five per cent. of the gross proceeds of said sales, and shall pay the remainder of said proceeds after deducting the necessary and proper expenses of sale, and one per cent. as his additional compensation, into the Treasury of the United States, and shall give the owner of each lot sold, or his agent, a receipt or certificate describing the property.

All sales, whether private or public, shall be for notes of the United States or Treasury notes, exclusively, and all proceeds of goods and products paid into the Treasury under the foregoing resolution shall be restored without interest to the owner of the goods and products sold, in case he shall establish, on return of peace and the full practical restoration of the authority of the Union, his title to said goods and products, and that since the sales thereof he has conducted himself in all respects as a good and loyal citizen of the United States, and has done nothing inconsistent with the terms of the oath prescribed by the President's Proclamation of Amnesty.

Nothing in either of the foregoing additional regulations shall authorize the conveyance of supplies beyond the lines of military occupation, or, except under the regulations of September 11, 1863, within said lines.

By a proclamation of the President the port of Brownsville, in Texas, was opened to trade on February 18th, and the ports of Norfolk, Virginia, Fernandina and Pensacola, Florida, on December 1st; and commercial intercourse with them, except for persons and things and information contraband of war, authorized.

On the 10th of May, Gen. Washburn, at Memphis, issued the following order:

HEADQUARTERS DISTRICT OF WEST TENNESSEE, }
MEMPHIS, TENN., May 10, 1864. }
General Orders No. 4.

The practical operation of commercial intercourse from this city with the States in rebellion has been to help largely to feed, clothe, arm, and equip our enemies. Memphis has been of more value to the Southern Confederacy since it fell into Federal hands, than Nassau. To take cotton belonging to the rebel government to Nassau, or any other foreign port, is a hazardous proceeding. To take it to Memphis and convert it into supplies and greenbacks and return to the lines of the enemy, or place the proceeds to the credit of the rebel government in Europe, without passing again the rebel lines, is safe and easy. I have undoubted evidence that large amounts of cotton have been, and are being brought here to be sold, belonging to the rebel government.

The past and present system of trade has given strength to the rebel army, while it has demoralized and weakened our own. It has invited the enemy to hover around Memphis as his best base of supply, when otherwise he would have abandoned the country. It renders of practical non-effect the blockade upon the ocean, which has cost and is costing so many millions. It opens our lines to the spies of the enemy, and renders it next to impossible to execute any military plan without its becoming known to him long enough in advance for him to prepare for it.

The facts here stated are known to every intelligent man in Memphis. What is the remedy for these great and overshadowing evils? Experience shows that there can be but one remedy, and that is total prohibition of all commercial intercourse with the States in rebellion.

It is therefore ordered: That on and after the 15th of May, 1864, the lines of the Army at Memphis be closed, and no person will be permitted to leave the city, except by river, without a special pass from these headquarters after that date. All persons desirous of coming into the city will be permitted to do so, but should be notified by the pickets that they will not be allowed to return. All persons who desire to leave the city to go beyond our lines, must do so before the 15th inst.

By order of Maj.-Gen. C. C. WASHBURN,
WM. H. MORGAN, Ass't Adj.-Gen.

A similar order was issued by Col. Farrar, at Natchez, and by Gen. Sherman, at Vicksburg. It was asserted that similar results followed the trade at Helena, Little Rock, Hudson, Baton Rouge, Plaquemine, Donaldsonville, and New Orleans. The amount of trade through the lines at all these points with the isolated localities where trade stores were situated, was estimated at not less than a half million dollars daily. It was further asserted that Memphis was of as much advantage to the enemy as Wilmington. At the mouth of White River, where there was only a wood-yard and a small garrison for its protection, a trade store had a business of nearly one hundred thousand dollars per month. At Milliken's Bend, where there was a small force of negroes for the protection of the plantations in the vicinity, and only one white family living within the lines, a trade store had a business of a thousand dollars per day. This occurred at other points on the river wherever any pretence could be found for setting up a store. Numerous small steamers were also allowed to move up and down on trading excursions. It was a matter of notoriety that these boats were on the best of terms with the guerrillas, and other rebel cavalry that they encountered, and oftentimes the rebel officers and soldiers visited the boats and opened direct trade for supplies in exchange for cotton. Gen. Washburn found that these boats were in many instances furnishing arms, ammunition, and medicines to the enemy, and on one occasion a trading boat ferried a rebel battery across the river, and received \$2,000 in gold as compensation for so doing.

Notwithstanding individuals might pervert this trade, there is no doubt that a large body of Union inhabitants would have suffered extremely except for the aid thus derived, and

for the market thus opened for articles otherwise of no value in their hands.

In December Secretary Fessenden issued new regulations for the purchase of the products of the insurrectionary States. New Orleans, Memphis, Nashville, Norfolk, Beaufort, in North Carolina, Port Royal, and Pensacola were designated as marts. Agents were appointed by the Secretary of the Treasury to make purchases at other points for the United States, who will give bonds and have no personal interest in those purchases. The prices paid were not to exceed three-fourths of the market value in the city of New York, deducting revenue taxes, permit fees, etc. The agents were required to purchase all property offered, but not to assume any other liability in the matter. Safe conduct was to be allowed to all persons having such articles to sell, and a certificate of the facts of sale to be given. All products so purchased could be sold weekly at public auction, under restrictions imposed by the Secretary; and they were to be allowed transportation to a loyal State if desired. The proceeds of sales and such other moneys as the Secretary shall furnish are to constitute a "purchasing fund," to be employed for the purposes indicated. The President approved the regulations, and issued an "executive order" on the subject, authorizing all persons, except those in military or naval service, having products of States declared in insurrection, to carry them to the places of purchase, and authorizing them to pass with the necessary means of transportation to these points and to return. Such persons were to be permitted by the military authority to purchase from any authorized dealer, or any other in a loyal State, merchandise and articles not contraband of war, or prohibited by the War Department, to the value of one-third of the articles sold by him, and to have safe conduct for them. All persons hindering or preventing such safe conduct were deemed guilty of a military offence, and punished therefor. Persons making purchases, except in pursuance of these regulations, were to be held guilty of military offence, and the goods forfeited. Persons engaged in the military or naval service were forbidden from engaging in such trade.

A letter from Major-General Canby, at New Orleans, written at the close of the year, states that if the trade with the insurrectionary States is carried on in the manner and to the extent claimed by speculators who now control it, the inevitable result, in his judgment, will be to add strength and efficiency to the rebel armies east and west of the Mississippi, equivalent to an addition of fifty thousand men, and will stimulate into active opposition to the successful prosecution of the operations at least ten thousand men within our lines. Cotton speculators in the Mississippi Valley have a prospective hope to have an actual interest in every bale of cotton within the enemy's lines. They know that expeditions within the enemy's

country are followed by the capture of cotton, or its destruction, to prevent its falling into our hands, and hence it is to their interest to give information to the rebels of every contemplated movement. He has not sent an expedition into the enemy's lines without finding agents of this character in communication, giving them information regarding our movements, and nearly every expedition has been foiled to some extent in some of its objects by information so communicated. He has now several speculators, captured in the enemy's country, awaiting trial for giving information to the enemy; but the punishment of these men is no compensation for the evil they have occasioned, and will not secure us from future disasters from the same cause.

The rebel armies east and west of the Mississippi River have been supported mainly during the past twelve months by the unlawful trade carried on upon that river. The city of New Orleans, since its occupation by our forces, has contributed more to the support of these armies, more to the purchase and equipment of privateers that are preying upon our commerce, and more to maintain the credit of the Confederate Government in Europe, than any other portion of the country, with the single exception of Wilmington!

The necessary steps were taken by Congress to annul the reciprocity treaty relative to the Canadas. This treaty between the United States and Great Britain was ratified at Washington, June 5th, 1854. It secured to the inhabitants of the United States, in common with the subjects of her Britannic Majesty, the liberty to fish, except for shell-fish, on the coast and shores, and in the bays, harbors, and creeks of Canada, New Brunswick, Nova Scotia, Prince Edward Island, and of the several islands thereunto adjacent, without being restricted to any distance from the shore. It also secured in like manner the right to citizens and inhabitants of the United States to navigate the St. Lawrence and the canals of Canada used as a means of communicating between the great lakes and the Atlantic Ocean. It also provided that the following articles, being the growth and produce of either country, shall be admitted into the other respectively free of duty:

- Grain, flour, and breadstuffs of all kinds.
- Animals of all kinds.
- Fresh, smoked, and salted meats.
- Cotton, wood, seeds, and vegetables.
- Undried fruits and dried fruits.
- Fish of all kinds.
- Products of fish and all other creatures living in water.
- Poultry, eggs.
- Hides, furs, skins, or tails undressed.
- Stone or marble in its crude or unwrought state.
- Slate.
- Butter, cheese, tallow, lard.
- Horns, minerals, ores of metals of all kinds, coal.
- Pitch, tar.
- Timber and lumber of all kinds, round, hewed, and sawed, unmanufactured in whole or in part.
- Firewood.

Plants, shrubs, and trees.
 Pelts, wool.
 Fish-oil.
 Rice, broom corn, and bark.
 Gypsum, ground and unground; hewn, or wrought
 or unwrought burr or grindstones.
 Dye-stuffs.
 Flax, hemp, and tow, unmanufactured.
 Unmanufactured tobacco.
 Rags.

While the subject of abrogation was under discussion several of the Boards of Trade, in their action, expressed the opinion that the treaty should be continued until a new one was made. The Board of Trade of Detroit made a report on the subject, from which some of the most important arguments in favor of the treaty and objections against it are thus summarily condensed:

From the year ending June 30th, 1821, to June 30th, 1863, the total exports to Canada and the other British American Provinces were \$422,443,981; the total imports for the same time were \$260,327,900—making a balance in favor of the United States of \$162,116,081.

We find the principal argument in favor of an abrogation of the treaty to be the fact, that, since the treaty went into effect, the Parliament of Canada has largely increased the duties on manufactured articles produced by us, causing a large decrease in the demand for such articles, and consequently acting injuriously upon our interest. We say this is no valid objection, as these duties do not touch one single article named in the treaty; and further, no one claims that any infringement of the treaty has taken place. On the contrary, it is admitted on all hands that both parties have been scrupulously exact in the observance of its terms, in spirit and in letter.

The second argument used is, that the people of Canada and the British Isles have no sympathy with us in our present struggle; that, on the other hand, all their best wishes and feelings are with our enemies. This view of the case is largely dwelt upon to create a prejudice against the treaty. We consider this no kind of argument, as it has nothing to do with the subject under discussion; and it is not in keeping with the dignity of a great and powerful nation like the United States, to allow itself to be betrayed into hasty and ill-advised acts of legislation, because a portion of the inhabitants of certain countries do not like us. This is not a question of likes or dislikes; it is a question of trade and commerce, affecting the well-being of 70,000,000 of people.

It is further argued that our lumber interests suffer by the competition of the Canadian lumber merchants. We consider this a most wholesome as well as needful competition. It is well known that the pineries of the great West are being rapidly taken up by large capitalists, and that in a few years monopolists will hold the most of these lands; this result will leave the consumer at the mercy of these great landholders, who would then control the price of lumber, and put it to such a rate as would greatly retard the building and improving of our cities, towns, and villages, and weigh heavily upon our farming interests.

Coal is covered by the same argument as lumber. Coal-masters are combining all over the land to raise and keep up the price of fuel, and we are only sorry that Nova Scotia does not export to the cities of our Atlantic seaboard twenty times more coal than she does; because if she did, we would have a much larger and cheaper supply at the West. In helping us to coal and lumber at a reasonable price, the treaty is a real blessing.

Touching the fisheries, although they have not been near so profitable to us as was anticipated, the settlement of a question that was rapidly drifting the

two countries into an attitude hostile to each other, was a boon so great to both parties that, had the treaty affected nothing else, it would have been worth all the advantages its enemies claim we have given to Canada.

We now come to breadstuffs. It is claimed by those opposed to the treaty that this portion of it affords great and improper advantages to the Canadians. We claim the advantages are on the side of the United States and not of Canada. Instead of being injured by the importation of Canadian grains we are largely benefited. We will try and prove this, and we think the proof is conclusive. In 1863 we imported at Detroit 300,000 bushels of Canadian white wheat, on which Americans received the following sums for labor, freight, insurance, elevating charges, and commission:

Elevation and shipping charge on 300,000 bushels, 2c	\$6,000 00
Fire insurance on value here, \$450, $\frac{1}{2}$ c.....	1,125 00
Freight to Buffalo on 300,000 bushels, 6c.....	18,000 00
Transfer at Buffalo, 1c.....	3,000 00
Canal freight to New York, 20c.....	60,000 00
Measuring at New York, 1c.....	3,000 00
Commission on value at New York, at \$1.90 per bushel, \$484,250, $\frac{2}{3}$ per cent.....	14,250 00
Lake insurance on \$584,250, at $\frac{1}{4}$ per cent. premium.....	2,921 25
Total charge paid Americans.....	\$103,295 25

With the revenue law as it stands at present, the Government would have received directly, as its portion of the benefit, the following sums:

On canal and lake freight, \$78,000, at $\frac{2}{3}$ per cent..	\$1,950 00
On gross sales, \$584,250, at $\frac{1}{2}$ of one per cent.....	730 30
On stamps for time drafts for \$400,000, at 50c. per 1,000.....	200 00
Assuming that all parties interested netted the moderate sum of \$10,000 on this property, it added just that amount to the net incomes of the various parties interested, so that with a five per cent. income tax, the Government would get another sum out of the transaction of.....	500 00

Amount paid to treasury..... \$3,880 00

Here we have a sum of \$111,676.55 paid to the Government and people on one lot of 300,000 bushels of white wheat. Every transaction of the same nature resulted more or less in the same way. The opponents of the treaty say that this wheat would have come in under a twenty per cent. *ad valorem* duty, and that we should have had all these profits and the duty besides. To this we reply: We would not have received one single bushel of the wheat with a twenty per cent. duty, for the simple reason that the amount of this tax would have paid the freight charges, insurance, and commission, from the point or wayport from which the grain started in Canada to Montreal, where it would have sold for a larger sum than it would have done in Detroit.

Our commission merchants complain that a vast quantity of flour is now purchased in Toronto by parties who used to make their purchases in Detroit, and claim that the treaty ought to be repealed on that account. To say the least, this complaint is rather selfish and ungenerous; for the plain English of the desire is to get a law passed by Congress that will compel the New England consumer to purchase his flour in Detroit, whether it is to his interest to do so or not. A better and more natural way would be for our merchants to offer our New England friends flour at fair rates instead of holding it from one to two dollars per barrel above all other markets, as they have generally done for the past few years, and by this cause have driven the flour trade that used to centre here, to Toronto, Chicago, Milwaukee and Toledo. A spirit at utter variance with the ordinary rules of trade has lost us this business, and nothing else.

The next complaint against the treaty is, that it fosters and sustains rival transportation interests through a foreign country. This is the most ground-

less complaint of all. There is not one single merchant in the Northwest but knows that the facilities to transport the products of this region to the seaboard, through American territory, is utterly inadequate to the task—that, in the busy season of the year, freights are so crowded on the American lines, that the cost of transportation is largely increased, and delays so numerous that the mercantile and farming interests suffer great damage from these two causes. We do not use more severe language than is called for, when we state that members of Congress and others who make this complaint, show an amount of ignorance on the subject that can hardly be explained or excused. The only real ground of complaint your committee can make clear, is, that the Grand Trunk Railway (one of the rival lines) has not increased its rolling stock to a point where it could carry off an average of at least 10,000 barrels of flour per day from Detroit, instead of the present small and insignificant amount it can transport. If it could do this, it would add five cents per bushel to the value of all the wheat grown in Michigan, for the reason that its increased facilities would reduce the cost of conveying a barrel of flour from this point to the seaboard at least 25 cents per barrel. In other words, the saving yearly, for all time to come, would be almost equal to the original cost of the land on which the wheat was produced.

CONFEDERATE STATES. The history of these States during 1864 presents them as absorbed in one great effort to maintain a successful war, the effects of which had reached every man and every family. The ardor of the early campaigns had passed away, and with it went the sanguine hopes of a speedy and certain triumph. Doubt, uncertainty of the result, and apprehension of the future, heretofore strangers, now found a place in every mind; yet, with the heroic resolution of once American citizens no words of fear or faintness are allowed to appear in their public or official proceedings. The tone of these documents is, however, more subdued, their extreme demands less often appear, and the disappearance of passion has softened all the intercourse with their opponents. These changes have increased with the progress of the year, until at its close it might safely be said, that the Confederate States were no longer fighting for independence and a separate nationality, but for favorable terms of settlement.

Many of the elements which enter into such a struggle were abundant. The crops of 1864 were larger than those of 1863. At no time during the year has there been any lack of quantity. The difficulty was in the distribution. Wherever the Federal soldier has penetrated, he has found granaries filled with corn until they overflow; gardens in which grow all the luxuries of the season; pastures and hills not deserted by flocks and herds; yards frequented by fowls, and dove-cotes not abandoned by the innocent inmates. The cavalry horses, in the season, waded through clover knee-deep, and the growing wheat brushed their sides as they passed. As one writer says: "Even the maidens stand in the doorways and smile on us as we pass in spite of their hatred of the Yankees in the abstract."

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Manufactures of necessary articles have become prosperous. Paper-mills, in Georgia and other States, turn out large quantities. Cloth mills at Lynchburg, Mobile, Raleigh, Charleston, in Georgia, Alabama, and Mississippi are in successful operation; their most important machinery having been imported from Europe. Establishments for the manufacture of cannon, small arms, powder, shot, shell, percussion-caps, harnesses, wagons, ambulances, and all the materials of war, more than supply the great demand. The physical welfare of the people distant from the scenes of conflict has steadily improved since the first year of the war.

The commerce of these States was carried on entirely by swift vessels running the blockade. In February Congress passed an act "forbidding the export of cotton," except under such regulations as should be made by the President of the Confederate States. He ordered that half the cotton thus taken should be on government account. Another order in regard to cotton carried out of Texas, provided that the owner of transportation to be used in exporting cotton into Mexico should present to the commander of the department a list of wagons and persons employed; and if the commander should "be satisfied of the loyalty and fidelity of the applicant, and that the application might be safely granted," he might grant a license. The owners of the cotton must get a permit, under the same restrictions, with the additional provision that the owner shall file his permit before selling off his cotton, and also a bond in double the value of the cotton in Confederate money, conditioned that at least one-half the value be invested in "goods and merchandise," and brought into the Confederacy within sixty days. The prohibition relative to the export of cotton was extended to tobacco, naval and military stores, molasses, sugar, and rice. It was likewise forbidden to send these articles to any point occupied by a Federal force. At the beginning of the year it was estimated that the Government had sent twenty thousand bales to Europe, lost fifty thousand by the Federal troops, and had on hand 329,551 bales at an average cost of \$16.85. The limited commerce thus carried on was of great advantage to the Government and people. The latter, however, must have reached extreme destitution of some articles, but for the aid derived from the trade within the Federal lines.

The foreign relations of the States continued without change through the year. It appears to be a stretch of presumption to expect France and England to recognize their independence. On the one hand, they had no commerce with the Confederate States, but a lucrative trade with the Northern States. Recognition was of no practical value unless followed by armed assistance, and these countries were not in a condition to go to war with a friendly power to relieve one unknown, and of no strength on the ocean. The recognition of the Confederate States as a belligerent, while it deceived the

people by exciting large expectations, was a great measure in favor of the European powers, as it practically annihilated any opposition from the United States to their schemes and plans. Mr. Davis, in his message of Nov. 7th, says:

It is not in my power to announce any change in the conduct of foreign powers. No such action has been taken by the Christian nations of Europe as might justly have been expected from their history, from the duties imposed by international law, and from the claims of humanity. It is charitable to attribute their conduct to no worse motive than indifference to the consequences which shake only the republican portion of the American continent; and not to ascribe to design a course calculated to insure the prolongation of hostilities.

A change took place in the Treasury Department by the resignation of Mr. Memminger, and the appointment of Mr. G. A. Trenholm. Mr. Davis, in his message of Nov. 7th, refers to the report of the Secretary, saying: "The facts therein disclosed are far from discouraging, and demonstrate that, with judicious legislation, we shall be enabled to meet all the exigencies of the war from our abundant resources, and avoid, at the same time, such an accumulation of debt as would render at all doubtful our capacity to redeem it."

The operations of the Treasury for the six months ending Oct. 1, 1864, present the following details; receipts, \$415,191,550.

From four per cent. registered bonds, act 17th February, 1864.....	\$13,363,500
From six per cent. bonds, \$500,000,000 loan act, February 17, 1864.....	14,481,050
From four per cent. call certificates, act 17th February, 1864.....	20,978,100
From tax on old issue of certificates, redeemed.....	14,440,566
From repayments by disbursing officers.....	20,115,830
From treasury notes, under act 17th February, 1864.....	277,576,950
From war tax.....	42,294,314
From sequestration.....	1,338,732
From customs.....	50,004
From export duty.....	4,320
From coin seized by authority of the Secretary of War.....	1,653,200
From premium on loans.....	4,822,249
From soldiers' tax.....	908,622

Expenditures.

The expenditures during the same period are as follows:

War Department.....	\$246,367,442
Navy Department.....	15,554,802
Customs.....	28,585
Civil, miscellaneous, and foreign intercourse....	10,427,674
Total.....	\$272,378,503
Public debt—for payment of interest.....	10,772,883
Public debt—for payment of principal.....	331,787,444
Total.....	\$614,938,830
The balance in the treasury on 1st April, 1864, was.....	303,282,722
The amount received since is.....	415,191,550
Total.....	\$723,474,272
Deduct amount of expenditures.....	614,938,830
The balance in the treasury is.....	\$108,535,442

The balance is made up as follows:

Treasury notes (new issue) and specie.....	\$22,153,203
Treasury notes (old issue) to be cancelled.....	86,382,239
Total.....	\$108,535,442

The Public Debt.

The public debt on the first of October, 1864, was as follows:

FUNDED DEBT.	
Total issue of bonds and stocks.....	\$363,416,150
Total issue of call certificates.....	197,578,870
Total issue of certificates of indebtedness.....	19,010,000
Total issue of produce certificates, act April 21, 1862.....	\$2,500,000
Amount of 7-30 interest notes, which have assumed the character of permanent bonds.....	99,954,900
Total.....	\$682,459,420
Reduced by amount redeemed, to wit:	
Act May 16, 1861, principal.....	\$2,976,000
Act Aug. 19, 1861, principal.....	1,267,700
Call certificates, act Dec. 24, 1861, six per cent.....	70,729,030
Call certificates, act March 23, 1863, five per cent.....	70,000,000
Call certificates, act March 23, 1863, four per cent.....	1,825,000
Total.....	\$141,119,330
Total.....	\$541,340,090
UNFUNDED DEBT.	
Amount 3-63 interest notes outstanding.....	\$516,050
Total issue of treasury notes—old issue.....	\$973,281,863
Reduced by amount called in for cancellation.....	640,947,945
Total issue treasury notes, new issue.....	\$324,209,818
Total.....	283,830,150
Total funded and unfunded debt.....	\$1,149,896,108

The Secretary says the foreign debt, consisting of a single item, is omitted; the whole amount, being £2,200,000, is adequately provided for by the cotton owned by the Government even at sixpence per pound, the quantity being about 250,000 bales.

In April, the note department of the Treasury was removed to Columbia, South Carolina. To increase the resources of the Government, the following act was adopted in February:

SEC. 1. *The Congress of the Confederate States of America do enact*, That in addition to the taxes levied by the "act to lay taxes for common defence, and to carry on the Government of the Confederate States," approved 24th of April, 1863, there shall be levied from the passage of this act, on the subjects of taxation hereafter mentioned, and collected from every person, copartnership, association or corporation liable therefor, taxes as follows, to wit:

I. Upon the value of property, real, personal, and mixed, of every kind and description, not herein-after exempted or taxed at a different rate, five per cent.; *Provided*, That from this tax on the value of property employed in agriculture shall be deducted the value of the tax in kind delivered therefrom, as assessed under the law imposing it, and delivered to the Government; *Provided*, That no credit shall be allowed beyond five per cent.

II. On the value of gold and silver wares and plate, jewels, jewelry, and watches, ten per cent.

III. The value of property taxed under this section shall be assessed on the basis of the market value of the same, or similar property in the neighborhood where assessed in the year 1860, except in cases where land, slaves, cotton, or tobacco have been purchased since the first day of January, 1862, in which case the said land, slaves, cotton and tobacco so purchased, shall be assessed at the price actually paid for them by the owner.

SEC. 2. On the value of all slaves or interests held in any bank, banking company, or association, canal, navigation, importing, exporting, insurance, manufacturing, telegraph, express, railroad, and dry-dock

companies of every kind, whether incorporated or not, five per cent.

The value of property taxed under this section shall be assessed upon the basis of the market value of such property in the neighborhood where assessed, in such currency as may be in general use at the time, in the purchase and sale of such property, at the time of assessment.

SEC. 3. I. Upon the amount of all gold and silver coin, gold dust, gold or silver bullion, whether held by the banks or other corporations, or individuals, five per cent; and upon all moneys held abroad, or upon the amount of all bills of exchange drawn therefor on foreign countries, a tax of five per cent.; such tax upon money abroad to be assessed and collected according to the value thereof of the place where the tax is paid.

II. Upon the amount of all solvent credits, and of all bank bills, and all other papers issued as currency, exclusive of non-interest-bearing Confederate Treasury notes, and not employed in a registered business, the income from which is taxed five per cent.

SEC. 4. Upon profits made in trade and business, as follows:

I. On all profits made by buying and selling spirituous liquors, flour, wheat, corn, rice, sugar, molasses or syrup, salt, bacon, pork, hogs, beef or beef cattle, sheep, oats, hay, fodder, raw hides, leather, horses, mules, boots, shoes, cotton yarns, wool, woollen, cotton, or mixed cloths, hats, wagons, harness, coal, iron, steel or nails, at any time between January 1, 1863, and January 1, 1865, ten per cent. in addition to the tax on such profits as income under the "act to lay taxes for the common defence, and carry on the Government of the Confederate States, approved April 24, 1863.

II. On all profits made by buying or selling money, gold, silver, foreign exchange, stocks, notes, debts, credits, or obligations of any kind, and any merchandise, profits, or effects of any kind, not enumerated in the preceding paragraph between the times named therein, ten per cent. in addition to tax on such profits as income, under the act aforesaid.

III. On the amount of profits exceeding twenty-five per cent. made in either of the years 1863 and 1864, by any bank or banking company, insurance, canal, navigation, importing and exporting, telegraph, express, railroad, manufacturing, dry dock, or other joint stock company of any description, whether incorporate or not, twenty-five per cent. on such excess.

SEC. 5. The following exemptions from taxation under this act shall be allowed, to wit:

I. Property of each head of family to the value of five hundred dollars; and for each minor child of the family to the further value of one hundred dollars; and for each son actually engaged in the army or navy, or who has died or been killed in the military or naval service, and who was a member of the family when he entered the service to the further value of five hundred dollars.

II. Property of the widow of any officer, soldier, sailor, or marine, who may have died or been killed in the military or naval service, or where there is no widow, then of the family, being minor children, to the value of one thousand dollars.

III. Property of every officer, soldier sailor, or marine, actually engaged in the military or naval service, or of such as have been disabled in such service, to the value of one thousand dollars; *Provided*, That the above exemptions shall not apply to any person whose property, exclusive of household furniture, shall be assessed at a value exceeding one thousand dollars.

IV. That where property has been injured or destroyed by the enemy, or the owner thereof has been temporarily deprived of the use or occupancy thereof, or of the means of cultivating the same by reason of the presence or proximity of the enemy, the assess-

ment on such property may be reduced in proportion to the damage sustained by the owner, or the tax assessed thereon may be reduced in the same ratio by the district collector on satisfactory evidence submitted to him by the owner or assessor.

SEC. 6. That the taxes on property laid for the year 1864 shall be assessed as on the day of the passage of this act, and be due and collected on the first day of June next, or as soon after as practicable, allowing an extension of ninety days west of the Mississippi River. The additional taxes on incomes or profits for the year 1863, levied by this act, shall be assessed and collected forthwith; and the taxes on incomes or profits for the year 1864 shall be assessed and collected according to the provisions of the tax and assessment acts of 1863.

SEC. 7. So much of the tax act of the 24th day of April, 1863, as levies a tax on incomes derived from property or effects on the amount of value of which a tax is levied by this act and also the first section of said act, are suspended for the year 1864, and no estimated rent, hire, or interest on property or credits herein taxed *ad valorem*, shall be assessed or taxed as incomes under the tax act of 1863.

SEC. 8. That the tax imposed by this act on bonds of the Confederate States heretofore issued shall in no case exceed the interest on the same; and such bonds when held by or for minors or lunatics, shall be exempt from the tax in all cases where the interest on the same shall not exceed one thousand dollars.

The prices of articles in the markets did not decline during the year.

The position of the currency, on March 31st, was as follows:

Statement of the issue of non-interest-bearing Treasury Notes since the organization of the Confederate Government:

Fifty cents.....	\$911,258 50
Ones	4,882,000 00
Twos	6,086,320 00
Fives	79,090,315 00
Tens	157,982,750 00
Twenties	217,425,120 00
Fifties	188,988,000 00

Total..... \$973,277,363 50

Statement showing the amount of non-interest-bearing Notes outstanding on March 31, 1864:

Act May 16, 1861—Ten-year notes.....	\$7,201,375 00
Act Aug. 19, 1861—General currency.....	154,356,634 00
Act April 19, 1862—Ones and twos.....	4,516,509 00
Act Oct. 18, 1862—General currency.....	118,997,321 00
Act Mar. 23, 1863—General currency.....	511,182,586 50

Total..... \$796,254,425 50

The difference between the issues and the amount outstanding is the amount that had been redeemed. It was also provided that Treasury notes should be funded in twenty year four per cent. bonds, or surrendered for new issues at the rate of three of the old for two of the new issues. The hundred dollar notes were to be taxed ten per cent. a month from May 2d, 1864, and all notes outstanding at the end of the year were to be taxed one hundred per cent. These measures, however, were insufficient to reduce the depreciation of the new issues.

Of all the difficulties encountered by the administrative bureau of the Government, the greatest was caused by the deficiency of transportation. With the coasting trade cut off and all the great rivers under command of the Federal fleet, the only reliance for internal trade and communication was ne-

cessarily on the railroads. These were never designed or provided with means for the task now upon them. They had, besides, suffered much from inability to command the supplies of iron, implements, and machinery, and from many sacrifices and losses in war. The deficiency in skilled labor was also a great embarrassment in requisite repairs. Some of the shorter and less important lines were thus sacrificed, and the iron and machinery taken for the maintenance of the leading roads, and for the construction of some essential and less exposed interior links of connection.

The military operations absorbed all the energies of the people, and required the sacrifice of every private interest to secure their success. If these failed, their cause was lost. But armies could be raised and sustained only while hope invigorated the spirits of the people. In this respect the year 1864 brought the severest test which had yet been felt. The waning proportions of the military territory and of the armies to resist their foes, depressed the hopes of the rulers and people, and foreboded what the result would be. Hence unusual efforts were made to rouse their energies; political differences and dissensions began to appear; the subject of peace was openly discussed; and new and unusual measures of assistance, such as the enlistment of negro troops, were advocated.

On October 17th, the Governors of Virginia, North Carolina, South Carolina, Georgia, Alabama (*see* ALABAMA), and Mississippi, met together at Augusta, in Georgia, and after a full consultation and expression of opinion, adopted the following resolutions as indicating their views:

Resolved, That there is nothing in the present aspect of public affairs to cause any abatement of our zeal in the prosecution of the war to the accomplishment of a peace, based on the independence of the Confederate States. And to give encouragement to our brave soldiers in the field and to strengthen the Confederate authorities in the pursuit of this desirable end, we will use our best exertions to increase the effective force of our armies.

Resolved, That the interests of each of our States are identical in the present struggle for self-government, and wisdom and true patriotism dictate that the military forces of each should aid the others against invasion and subjugation; and for this purpose we will recommend to our several Legislatures to repeal all such laws as prohibit the Executives from sending their forces beyond their respective limits, in order that they may render temporary service wherever most urgently required.

Resolved, That whilst it is our purpose to use every exertion to increase the strength and efficiency of our State and Confederate forces, we respectfully and earnestly request that the Confederate authorities will send to the field every able-bodied man, without exception, in any of its various departments, whose place can be filled by either disabled officers and soldiers, senior reserves, or negroes, and dispense with the use of all provost and post guard, except in important cities, or localities where the presence of large bodies of troops make them necessary, and with all passport agents upon railroads not in the immediate vicinity of the armies, as we consider these agents an unnecessary annoyance to good citizens and of no possible benefit to the country.

Resolved, That we recommend our respective Legislatures to pass stringent laws for the arrest and return to their commands of all deserters and stragglers from the Confederate armies or State troops; and that it be made the special duty, under appropriate penalties, of all civil and military officers to arrest and deliver to the proper authorities all such delinquents.

Resolved, That the course of the enemy in appropriating our slaves who happen to fall into their hands to purposes of war, seems to justify a change of policy on our part; and whilst owners of slaves under the circumstances should freely yield them to their country, we recommend to our authorities, under proper regulations, to appropriate such part of them to the public service as may be required.

And lastly, we deem it not inappropriate to declare our firm and unalterable purpose, as we believe it to be that of our fellow-citizens, to maintain our right of self-government, to establish our independence, and to uphold the rights and sovereignty of the States, or to perish in the attempt.

The desertions from the armies, which had reached a hundred thousand men, and the limited force in the field to resist the advance of Gens. Sherman and Grant, were facts which demanded the most stringent measures on the one hand, and expressed the discouragement of the people on the other. Mr. Davis, in a public speech at Macon, in September, closed with these words:

If one-half of the men now absent without leave will return to duty, we can defeat the enemy. With that hope I am going to the front. I may not realize this hope; but I know that there are men who have looked death in the face too often to despond now. Let no one despond. Let no one distrust, and remember that if genius is the beau ideal, hope is the reality.

At this time the granary of the State of Georgia was occupied by the army of Gen. Sherman. The loss of this vast agricultural interest, the people of that State and of all the Southern Atlantic States were totally unprepared to retrieve and ill-prepared to endure. Its effect was to withdraw from market necessary food, to increase the population by refugees, thus causing an increased demand on the agriculture of other portions, and to increase the prices, thereby still further depreciating the currency. These considerations were replied to by Mr. Davis, at Augusta, in October, as follows:

Those who see no hope now, who have lost confidence, are to me like those of whose distorted vision it is said they behold spots upon the sun. Such are the croakers who seem to forget the battles that have been won, and the men who have fought; who forget that in the magnitude of those battles, and the heroism of those men, this struggle exceeds all that history records. We commenced the fight without an army, without a navy, without arsenals, without mechanics, without money, and without credit. Four years we have stemmed the tide of invasion, and to-day are stronger than when the war began; better able now than ever to repulse the vandal who is seeking our overthrow. Once we imported the commonest articles of daily use, and brought in from beyond our borders even bread and meat. Now the State of Georgia alone produces food enough not only for her own people and the army within it, but feeds, too, the Army of Virginia. Once we had no arms, and could receive no soldiers but those who came to us armed. Now we have arms for all, and are beg-

ging men to bear them; this city of Augusta alone produces more powder than the army can burn; all things are fair, and this Confederacy is not yet, in the familiar parlance of the croaker, "played out," as those declare who spread their own despondency over the whole body politic.

We are fighting for constitutional liberty; upon us depends its last hope. The Yankees, in endeavoring to coerce the States, have lost that heirloom of their fathers, and the men of the South alone must sustain it.

Ours is not a revolution. We are a free and independent people in States that had the right to make a better government when they saw fit. They sought to infringe upon the rights we had, and we only instituted a new government on the basis of these rights. We are not engaged in a Quixotic fight for the rights of man; our struggle is for inherent rights, and who would surrender them? Let every paper guarantee possible be given, and who would submit? From the grave of many a fallen hero the slain would cry out against such a peace with the murderers. The women of the land driven from their homes; the children lacking food; old age hobbling from the scenes of its youth; the fugitives, forced to give way to the Yankee oppressor, all proclaim a sea of blood that freemen cannot afford to bridge. There is but one thing to which we can accede—separate State independence. Some there are who speak of reconstruction with slavery maintained; but are there any who would thus measure rights by property? God forbid. Would you see that boy, with a peach bloom on his cheek, grow up a serf—never to tread the path of honor, unless he light the torch at the funeral pyre of his country? Would you see the fair daughters of the land given over to the brutality of the Yankees?

If any imagine this would not be so, let him look to the declaration of Mr. Lincoln—the terms he offers; let him read the declarations of the Northern press; let him note the tone of the Northern people, and he will see there is nothing left for us but separate independence.

Some dissatisfaction arose, particularly in Georgia, respecting the financial and currency measures of the Government, which were the Tax and Funding Acts. They were designed to reduce the amount of currency in circulation. These measures, although regarded as improper, unwise, and unjust, were, however, acquiesced in. The Military Act, which put every man under military control between seventeen and fifty years of age, also excited much dissatisfaction. But the suspension of the writ of *habeas corpus* was regarded as the most exciting and the most important question. Gov. Brown, of Georgia, sent a message to the Legislature on this subject, which rallied in its support every disaffected and disappointed man in the Confederacy. This message was supported by Vice-President Stephens, whose argument on the question, in a public speech, is thus stated:

"The privileges of the writ of *habeas corpus* may be suspended by Congress, but in doing so no man shall be deprived of his liberty without due process of law, nor shall any man be subjected to seizure, except on probable cause, supported by oath or affirmation." It will be observed that, according to this argument, no suspension of the writ of *habeas corpus* is constitutional which provides for the imprisonment of any person "without due process of law;" and no suspension is constitutional which provides for an arrest, except for probable cause, "supported by oath or affirmation." This article is based upon the two following provisions of the Constitution: 1. "No

person shall be deprived of life, liberty, or property, without due process of law." 2. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized."

"Due process of law," according to the argument of Mr. Stephens, means a judicial proceeding. Therefore all arrests not based upon a warrant issued by some judicial officer, are unconstitutional, though authorized by an express act of Congress.

The Act of Congress which forbid a clearance to be given to a vessel unless half of the cargo was on Government account, caused a protest from the Governors of Georgia, Mississippi, Alabama, and North Carolina. The Legislature of these States had each authorized the Governor to purchase vessels to run the blockade. Although this act was a serious interference with the advantages accruing to the States, it was acquiesced in.

The question of Peace was present to every mind. But one view, however, controlled the Government and the majority of the people. When the North is prepared to acknowledge the independence of the Confederate States, the war will close and peace prevail. As there was not the slightest indication of such an act on the part of the North, all these parties urged forward the war. In North Carolina, during 1863, there were those who not only desired peace but demanded some immediate steps to be taken to open negotiations. In their minds the success of the Confederacy was considered impossible, as they sanguinely anticipated some favorable arrangements between the contestants. This agitation led to the following correspondence:

STATE OF NORTH CAROLINA, }
EXECUTIVE DEPARTMENT, RALEIGH, Dec. 30th, 1863. }
His Excellency President Davis:—MY DEAR SIR: After a careful consideration of all the sources of discontent in North Carolina, I have concluded that it will be impossible to remove it except by making some effort at negotiation with the enemy. The recent action of the Federal House of Representatives, though meaning very little, has greatly excited the public hope that the Northern mind is looking toward peace. I am promised by all men who advocate this course that, if fair terms are rejected, it will tend greatly to strengthen and intensify the war feeling, and will rally all classes to a more cordial support of the Government. And, although our position is well known as demanding only to be let alone, yet it seems to me that for the sake of humanity, without having any weak or improper motives attributed to us, we might, with propriety, constantly tender negotiations. In doing so, we would keep conspicuously before the world a disclaimer for the responsibility for the great slaughter of our race, and convince the humblest of our citizens—who sometimes forget the actual situation—that the Government is tender of their lives and happiness, and would not prolong their sufferings unnecessarily one moment. Though statesmen might regard this as useless, the people will not, and I think our cause will be strengthened thereby. I have not suggested the method of these negotiations or their terms. The effort to obtain peace is the principal matter.

Allow me to beg your earnest consideration of this suggestion.

Very respectfully, yours,
Z. B. VANCE.

EXECUTIVE OFFICE, RICHMOND, Jan. 8, 1864.

DEAR SIR: I have received your letter of the 30th ultimo, containing suggestions of the measures to be adopted for the purpose of removing "the sources of discontent" in North Carolina. The contents of the letter are substantially the same as those of the letter addressed by you to Senator Dortch, extracts of which were by him read to me. I remarked to Mr. Dortch that you were probably not aware of the obstacles to the course you indicated, and without expressing an opinion on the merits of the proposed policy, I desired him in answering your letter to write suggestions as to the method of opening negotiations, and as to the terms which you thought should be offered to the enemy. I felt persuaded you would appreciate the difficulties as soon as your attention was called to the necessity of considering the subject in detail. As you have made no suggestions touching the manner of overcoming the obstacles, I infer that you was not apprised by Mr. Dortch of my remarks to him.

Apart from insuperable objections to the line of policy you propose (and to which I will presently advert) I cannot see how the more material obstacles are to be surmounted. We have made three distinct efforts to communicate with the authorities at Washington, and have been invariably unsuccessful. Commissioners were sent before hostilities were begun, and the Washington Government refused to receive them or hear what they had to say. A second time I sent a military officer with a communication addressed by myself to President Lincoln. The letter was received by Gen. Scott, who did not permit the officer to see Mr. Lincoln, but promised that an answer would be sent. No answer has ever been received. The third time, a few months ago, a gentleman was sent, whose position, character, and reputation were such as to insure his reception, if the enemy were not determined to receive no proposals whatever from the Government. Vice-President Stephens made a patriotic tender of his services in the hope of being able to promote the cause of humanity, and although little belief was entertained of his success, I cheerfully yielded to his suggestion that the experiment should be tried. The enemy refused to let him pass through their lines or to hold any conference with them. He was stopped before he ever reached Fortress Monroe on his way to Washington.

To attempt again (in the face of those repeated rejections of all conference with us) to send commissioners or agents to propose peace, is to invite insult and contumely, and to subject ourselves to indignity without the slightest chance of being listened to. No true citizen, no man who has our cause at heart, can desire this, and the good people of North Carolina would be the last to approve of such an attempt, if aware of all the facts. So far from removing sources of discontent, such a course would receive, as it would merit, the condemnation of those true patriots who have given their blood and their treasure to maintain the freedom, equality, and independence which descended to them from the immortal heroes of King's Mountain and other battle-fields of the Revolution. If, then, these proposals cannot be made through envoys because the enemy would not receive them, how is it possible to communicate our desire for peace otherwise than by the public announcement contained in almost every message I ever sent to Congress? I cannot recall at this time one instance in which I have failed to announce that your only desire was peace, and the only terms which formed a *sine qua non* were precisely that you suggested, namely, "a demand only to be let alone."

But suppose it were practicable to obtain a conference through commissioners with the Government of President Lincoln, is it at this moment that we are to consider it desirable or even at all admissible? Have we not just been apprised by that despot that

we can only expect his gracious pardon by emancipating all our slaves, swearing allegiance and obedience to him and his proclamation, and becoming, in point of fact, the slaves of our own negroes? Can there be in North Carolina one citizen so fallen beneath the dignity of his ancestors as to accept or to enter into conference on the basis of these terms? That there are a few traitors in the State who would be willing to betray their fellow-citizens to such a degraded condition in hope of being rewarded for treachery by an escape from the common doom, may be true. But I do not believe that the vilest wretch would accept such terms for himself. I cannot conceive how the people of your State, than which none has sent nobler or more gallant soldiers to the field of battle (one of whom it is your honor to be), can have been deceived by anything to which you refer in "the recent action of the Federal House of Representatives." I have seen no action of that House that does not indicate, by a very decided majority, the purpose of the enemy to refuse all terms to the South except absolute unconditional subjugation or extermination. But if it were otherwise, how are we to treat with the House of Representatives? It is with Lincoln alone that we ever could confer, and his own partisans at the North avow unequivocally that his purpose in his message and proclamation was to shut out all hope that he could ever treat with us on any terms. If we will break up our government, dissolve the Confederacy, disband our armies, emancipate our slaves, take an oath of allegiance binding ourselves to obedience to him, and of disloyalty to our own States, he proposes to pardon us, and not to plunder us of any thing more than the property already stolen from us, and such slaves as still remain. In order to render his proposals so insulting as to secure their rejection, he joins to them a promise of support with his army to one-tenth of the people of any State who will attempt to set up a government over the other nine-tenths, thus seeking to sow discord and suspicion among the people of the several States, and to excite them to civil war in furtherance of his ends.

I knew well it would be impossible to get your people, if they possessed full knowledge of these facts, to consent that proposals should now be made by us to those who control the Government at Washington. Your own well-known devotion to the great cause of liberty and independence, to which we all have committed whatever we have of earthly possessions, would induce you to take the lead in repelling the bare thought of abject submission to the enemy. Yet peace on other terms is now impossible. To obtain the sole terms to which you or I could listen, this struggle must continue until the enemy is beaten out of his vain confidence in our subjugation. Then, and not till then, will it be possible to treat of peace. Till then all tender of terms to the enemy will be received as proof that we are ready for submission, and will encourage him in the atrocious warfare which is waging.

I fear much, from the tenor of the news I receive from North Carolina, that an attempt will be made by some bad men to inaugurate movements which must be considered as equivalent to aid and comfort to the enemy, and which all patriots should combine to put down at any cost. You may count on my aid in every effort to spare your State the scenes of civil warfare which will devastate its homes if the designs of these traitors be suffered to make headway. I know that you will place yourself in your legitimate position in the lead of those who will not suffer the name of the Old North State to be blackened by such a stain. Will you pardon me for suggesting that my only source of disquietude on the subject arises from the fear that you will delay too long the action which now appears inevitable, and that by an over-earnest desire to reclaim by conciliation men whom you believe to be sound at heart but whose loyalty is more than suspected elsewhere, you will permit them to

gather such strength as to require more violent measures than are now needed? With your influence and position, the promoters of the unfounded discontent now prevalent in your State would be put down without the use of physical force, if you would abandon a policy of conciliation and set them at defiance. In this course, frankly and firmly pursued, you would rally around you all that is best and noblest in your State, and your triumph would be bloodless. If the contrary policy be adopted, I much fear you will be driven to the use of force to repress treason. In either event, however, be assured that you will have my cordial concurrence and assistance in maintaining with you the honor, dignity, and fair name of your State, and in your efforts to crush treason, whether incipient, as I believe it now to be, or more matured, as I believe, if not firmly met, it will in our future inevitably become.

I have the honor to be, very respectfully, yours,
JEFFERSON DAVIS.

His Ex. Z. B. VANCE, Gov. N. C.

Some resolutions were adopted by the Legislature of Georgia, and subsequently approved by the Congress. But here the discussion of the subject rested generally until the public mind was again aroused by the action of the Presidential Convention at Chicago, which adopted a resolution relative to an ultimate convention of all the States, for the settlement of difficulties. Previous to this, however, two informal attempts had been made by individuals in the Union States to inaugurate measures for the opening of negotiations, which attracted attention chiefly in those States. (*See UNITED STATES.*) The proposition for a convention as made by the assemblage at Chicago, was received with favor by some, and with objections by others. Vice-President Stephens, under date of Sept. 22d, said:

The resolutions of the Georgia Legislature, at its last session, upon the subject of peace, in my judgment embodied and set forth very clearly those principles upon which alone there can be permanent peace between the different sections of this extensive, once happy and prosperous, but now distracted country.

Easy and perfect solution to all present troubles, and those far more grievous ones which loom in prospect, and portentously threaten in the coming future, is nothing more than the simple recognition of the fundamental principle and truth upon which all American constitutional liberty is founded, and upon the maintenance of which alone it can be preserved—that is, the sovereignty, the ultimate, absolute sovereignty of the States. This doctrine our Legislature announced to the people of the North and to the world. It is the only key-note to peace—permanent, lasting peace—consistent with the security of the public liberty.

The old Confederation was formed upon this principle. The old Union was afterwards formed upon this principle. No league can ever be formed or maintained between any States, North or South, securing public liberty, upon any other principle.

The whole framework of American institutions, which in so short a time had won the admiration of the world, and to which we were indebted for such an unparalleled career of prosperity and happiness, was formed upon this principle. All our present troubles sprung from a departure from this principle, from a violation of this essential law of our political organization.

The idea that the Old Union or any Union between sovereign States, consistently with this fundamental truth, can be maintained by force is preposterous.

This war springs from an attempt to do this preposterous thing. Superior power may compel a Union of some sort, but it will not be the Union of the old Constitution or of our new. It would be that sort of Union that results from despotism.

The subjugation of the people of the South by the people of the North would necessarily involve the destruction of the Constitution, and the overthrow of their liberties as well as ours. The men or party at the North to whom you refer, who favor peace, must be brought to a full realization of this truth in all its bearings before their efforts will result in much practical good. Any peace growing out of a union of States established by force will be as ruinous to them as to us.

The action of the Chicago Convention, so far as its platform of principles goes, presents, as I have said on another occasion, a ray of light, which, under Providence, may prove the dawn of the day to this long and cheerless night, the first rays of light I have seen from the North since the war began. This cheers the heart, and toward it I could almost exclaim, "Hail, holy light, offspring of Heaven, first born! Or of the eternal co-eternal beam may I express thee unblamed, since God is light."

Indeed, I could have quite so exclaimed, but for the sad reflection that whether it shall bring healing in its beams or be lost in the dark and ominous eclipse ere its good work be done, depends so much upon the action of others who may not regard it as I do. So at best it is but a ray, a small and tremulous ray, enough only to gladden the heart and quicken the hope.

The prominent and leading idea of that convention seems to have been a desire to reach a peaceful adjustment of our present difficulties and strife through the medium of a convention of the States. They propose to suspend hostilities, to see what can be done, if any thing, by negotiations of some sort. This is one step in the right direction. To such a convention of the States I should have no objection, as a peaceful conference and interchange of views between equal and sovereign powers, just as the convention of 1787 was called and assembled.

The properly constituted authorities at Washington and Richmond, the duly authorized representatives of the two confederacies of the States now at war with each other, might give their assent to such a proposition. Good might result from it. It would be an appeal on both sides from the sword to reason and justice. All wars which do not result in the extinction or extermination of one side or the other, must be ended sooner or later by some sort of negotiation.

From the discussion or interchange of views in such a convention, the history as well as the true nature of our institutions and the relation of the States toward each other and toward the Federal head, would doubtless be much better understood generally than they now are; but I should favor such a proposition only as a peaceful conference, as the convention of 1787 was. I should be opposed to leaving the questions at issue to the absolute decision of such a body.

Delegates might be clothed with powers to consult and agree, if they could, upon some plan of adjustment, to be submitted for subsequent ratification by the sovereign States whom it affected, before it should be obligatory or binding, and then binding only on such as should so ratify it. It becomes the people of the South, as well as the people of the North, to be quite as watchful and jealous of their rights as their common ancestors were.

Mr. Herschell V. Johnson, of Georgia, one of the candidates for the Vice-presidency in 1860, not only expressed himself in favor of such a convention, but explained the Southern views of the nature of the contest, thus:

I look with anxiety to the approaching Presiden-

tial election in the United States. For although the Chicago Platform falls below the great occasion, and the nominee still lower, yet the triumph of the Democratic party of the North will certainly secure a temporary suspension of hostilities and an effort to make peace by an appeal to reason. They confess that four years of bloody war, as a means of restoring the Union, has proven a failure. They declare that the true principles of American government have been disregarded and trampled under foot by the present Executive of the United States. Their success will bring a change of Administration, and, with that, a change of policy. It will do no more, and what is of infinitely greater importance, it will bring the two contending parties face to face in the arena of reason and consultation. Then and there can be discussed the history of all our difficulties, the principles involved in the bloody issue, and the respective interests of both Governments. Such is my conviction of the omnipotence of truth and right, that I feel an abiding confidence that an honorable peace would ultimately spring from such deliberations.

In their long-cherished devotion to the Union of the States—a sentiment which challenges my respect—the people of the North, it seems to me, have fallen into two grave and capital errors. On the one hand, they attach an undue importance to the mere fact of form of Union, ignoring the principles and subjects of the Union, and forgetting that it ceases to be valuable when it fails to secure that object and maintain those principles. On the other hand, they think that the States of the Confederacy have separated from the United States in contempt of that Union, in a want or disposition to insult its flag, and to destroy the Government of which it is the emblem. Both opinions are wrong. The old Union was an organization of States. But it was more; it was such an organization, founded upon great principles, in order to give the most efficient security for the maintenance of those very same principles. These principles are the sovereignty of the States—the right of the people to govern themselves; the right of each to regulate its own domestic affairs, to establish its own municipal institutions, to organize its own system of labor, and to pursue its own career of enterprise, subject to no restrictions except such as are expressed in the Federal Constitution. On these the Union was based, and constituted the solemn guarantee of all, that each State should be protected in their undisturbed enjoyment. When it failed to do this, or what is worse, when the Government passed into the administration of those whose avowed policy and measures must lead to the overthrow of these principles, it was virtually at an end, and, in their opinion, ceased to be valuable to the people of the Confederate States. Hence, secession was not resorted to merely to throw off the Union. Our people loved the Union, and honored its once glorious flag for the rich memories that clustered around it. They left it with a reluctance and regret to which history will scarcely do justice. They were, as they are now, wedded to the principles on which the Union was founded; they separated from it but to vindicate and maintain them. Whether they acted wisely or unwisely must be left to the impartial arbitrament of time and coming events. But no people were ever prompted to so momentous a step by loftier devotion to constitutional liberty. For this we are denounced as rebels against the Government of the United States, and threatened with the bloody doom of traitors; our country is invaded, our homes desolated, and our people slain by hostile armies. We are told that we must be conquered or exterminated. The North is fighting us to maintain the mere fact or form of Union by force. We are defending ourselves to preserve the great principles which lay at the foundation of the Union. If we be rebels against the one, if disposed to bandy epithets, we might reply that they who advocate and wage this war against us, are traitors to the other. If there is

a wrong on either or both sides, let impartial history decide who are the greatest sinners. This is the naked truth. When thus viewed, how cruel and unnatural is this war!

Mr. Boyce, a member of Congress from South Carolina, on Sept. 29, addressed a letter to Mr. Davis on the subject, in which he said:

But fortunately Mr. Lincoln and those he represents are not all of the North. There is a powerful party there which condemns his policy. That party is rational on the subject of slavery. It represents whatever of amity or conservatism is left at the North. This party proposes that the war shall cease, at least temporarily, and that all the States should meet, in amicable council, to make peace, if possible. This is the most imposing demonstration in favor of peace made at the North since the war broke out. I think the only hope of a satisfactory peace, one consistent with the preservation of free institutions, is in the supremacy of this party at some time or other. Our policy, therefore, is to give this party all the capital we can. You should, therefore, at once, in my opinion, give this party all the encouragement possible, by declaring your willingness to an armistice, and a convention of all the States in their sovereign capacity, to enter upon the subject of peace. The theory upon which this party goes is, that we are willing to cease hostilities, at least temporarily, and meet in council to attain peace, if possible. The theory upon which Mr. Lincoln goes is, that there is no use to attempt any negotiation with us; that the sword is the only possible arbiter. Our policy is to show that the theory of the Chicago platform is the true one.

It may be said, the proposed convocation of the States is unconstitutional. To this I reply, we can amend the Constitution. It may be further objected that to meet the Northern States in convention is to abandon our present form of Government. But this no more follows than that their meeting us implies an abandonment of their form of Government. A congress of the States in their sovereign capacity is the highest acknowledgment of the principles of State Rights. This imposing assemblage is, in my opinion, the best, while it is the most august tribunal to which the great question of peace could possibly be referred. Imagine this grand council of States in the act of convening after the people, everywhere in possession of the right to elect their ambassadors, had done so. What a sublime spectacle it would present! There would be nothing to compare with it in moral grandeur in ancient or modern times. The friends of humanity and progress and civilization, and all Christians in every land, would rejoice at the spectacle, and millions in every clime, the good everywhere, would mingle their prayers in all tongues for an auspicious issue to these great deliberations. The question rests with you; the responsibility is with you; the consequence will be with your country. You and Mr. Lincoln can never make peace. You may traverse indefinitely the same bloody circles you have been moving in for the last four years, but you will never approach any nearer than you are now. Your only hope of peace is in the ascendancy of the conservative party North. Fortify that party if you can by victories, but do not neglect diplomacy. It was the boast of Philip the great king, that he gained more citizens by his policy than by his arms. A weak power, engaged with a stronger, must make up in sagacity for what it lacks in physical force, otherwise the monuments of its glory will be the tomb of its nationality.

The first official action on this form of negotiation took place in the Legislature of Georgia, where the following resolutions were introduced on Nov. 9th.:

1. The General Assembly of the State of Georgia

do resolve, that the independence of the Southern Confederate States, based upon the constitutional compact between the sovereign States composing the Confederacy, and maintained through nearly four years of gigantic war, justly claims from the world its recognition as a rightful fact.

2. That all the States which compose the late American Union, as well those embraced within the present United States as those embraced within the Southern Confederacy, are what the original thirteen States were declared to be by our fathers of 1776, and acknowledged to be by George III. of England—independent and sovereign, not as one political community, but as States, each one of them constituting such a “people” as have the inalienable right to terminate any Government of their former choice, by withdrawing from it their consent, just as the original thirteen, through their common agent, acting for, and in the name of each one of them, by the withdrawal of their consent, put a rightful termination to the British Government, which had been established over them with their consent and eager desire.

3. That the sovereignty of the individual States is the only basis of permanent peace on the American continent; and will, if the voice of passion and war can once be hushed, and reason allowed to resume her sway, lead to an early and lasting solution of all the matters of controversy involved in the present lamentable war, by simply leaving all the States free to form their political associations with one another—not by force of arms, which excludes the idea of “consent,” but by a rational consideration of their respective interests, growing out of their natural situations.

4. That as the very point of controversy in the present war is the settlement of the political association of the States, a treaty of peace cannot be perfected consistently with the sovereignty of their individual States without State action on the part of at least those States whose preference may justly be regarded as doubtful, and have not yet been expressed through the appropriate organs, and, therefore, opposition to all State coöperation in perfecting a peace cannot be consistent with a desire for its establishment on a basis of the States.

5. That we hail with gratification the just and sound sentiment coming from a large and growing party in the North, that all associations of these American States must be voluntary and not forcible, and we give a hearty response to their proposition to suspend the conflict of arms and hold a convention of States to inaugurate a plan for permanent peace.

6. That the appropriate action of such convention would be not to form any “agreement or consent” between States, but only to frame and propose a plan of peace, and the assembling of such a convention for this purpose would be relieved from all possible constitutional objections by the consent of the two Governments; and with such consent the proposed convention would but act as commissioners for the negotiation of peace, subject to the ratification of both Governments, and in all points involving the sovereignty or integrity of the States, subject also to the ratification of the particular States whose sovereignty might be so involved.

7. That we respectfully but most earnestly urge upon our own Government the propriety and wisdom of not only expressing a desire for peace through Presidential messages and Congressional manifestos, but of making, on all suitable occasions, and especially just after signal successes of our arms, official, open, and unequivocal offers to treat for peace through the medium of a convention of States, leaving our adversary to accept our offers, or by rejecting them to prove to his own people that he is waging this unnatural war not for peace, nor the good of his country, but for purposes of the most unholy and dangerous ambition.

These resolutions were the occasion of the following letter from Mr. Davis, stating his views on the action of a Convention of the States:

RICHMOND, VA., NOV. 17, 1864.

To the Honorable Senators of Georgia, Messrs. A. R. Wight, President Senate, J. L. Guerry, J. M. Chambers, Thomas E. Lloyd, Frederick K. Nast, R. B. Nesbit.

GENTLEMEN: I answered by telegram this morning your letter of 11th inst., as requested, and now respectfully comply with your desire that I should express my views on the subject to which you invite my attention. In forwarding to me the resolutions introduced into the House of Representatives of Georgia by Mr. Stephens, of Hancock, you state that you are not inclined to favor the passage of these or any similar resolutions, believing them to have conduced to create divisions among ourselves, and to unite and strengthen our enemies; but that it is asserted in Milledgeville that I favor such action on the part of the States, and would be pleased to see Georgia cast her influence in that way. You are kind enough to say that if this be true, and if the passage of this or similar resolutions would in the slightest degree aid or assist me in bringing the war to a successful and speedy close, you will give them your earnest and hearty support. I return you my cordial thanks for this expression of confidence, but assure you that there is no truth in the assertions which you mention, and I presume that you will already have seen, by the closing part of my annual Message, which must have reached you since the date of your letter, that I have not contemplated the use of any other agencies in treating for peace than that established by the Constitution of the Confederate States. That agency seems to me to be well adapted to its purpose, and free from the injurious consequences that would follow any other means that have been suggested. The objection to separate State action, which you present in your letter, appears to be so conclusive as to admit of no reply. The immediate and inevitable tendency of such distinct action by each State is to create discordant instead of united counsels—to suggest to our enemies the possibility of a dissolution of the Confederacy, and to encourage them by the spectacle of our divisions to more determined and united action against us—they would readily adopt the false idea that some of the States of the Confederacy are disposed to abandon their sister States and make separate terms of peace for themselves, and if such a suspicion, however unfounded, were once engendered among our own people it would be destructive of that spirit of mutual confidence and support which forms our chief reliance for success in the maintenance of our cause. When the proposal of separate State action was first mooted it appeared to me so impracticable—so void of any promise of good that I gave no heed to the proposal—but upon its adoption by citizens whose position and ability gave weight to the expression of their opinions, I was led to a serious consideration of the subject. My first impressions have not been changed by reflection. If all the States of the two hostile federations are to meet in convention, it is plain such a meeting can only take place after an agreement as to time, place, and terms on which they are to meet. Now, without discussing the minor, although not trifling difficulties, of agreeing as to time and place, it is certain that the States would never consent to a Convention without a previous agreement as to terms on which they were to meet. The proposed Convention must meet on the basis either that no State should, against its own will, be bound by the decision of the Convention, or that it should be so bound—but it is plain that an agreement on the basis that no State should be bound without its consent by the results of the deliberations would be

an abandonment on the part of the North of its pretended right of coercion—would be an absolute recognition of the independence of the several States of the Confederacy—would be, in a word, so complete a concession of the rightfulness of our cause that the most visionary cannot hope for such an agreement in advance of the meeting of a Convention. The only other possible basis of meeting is that each State should agree beforehand to be bound by the decision of the Convention, and such agreement is but another form of submission to Northern dominion, as we well know in such a Convention we should be outnumbered nearly two to one on the very threshold of the scheme proposed. Therefore, we are met by an obstacle which cannot be removed. Is not the impracticable character of the project apparent? You will observe that I leave entirely out of view the suggestion that a Convention of all the States of both federations should be held by common consent, without any previous understanding as to the effect of its decision—should meet merely to debate and pass resolutions that are to bind no one. It is not supposed that this can really be the meaning attached to the proposal by those who are active in its support, although the resolutions to which you invite my attention declare the function of such a Convention would be simply to propose a plan of peace with the consent of the two belligerents, or in other words to act as negotiators in treating for peace. This part of the scheme is not intelligible to me—if the Convention is only to be held with the consent of the belligerents, that consent cannot be obtained without negotiation—the plan then would resolve itself into a scheme that the two Governments should negotiate an agreement for the appointment of negotiators to make proposals for a treaty. It seems much more prompt and simple to negotiate for peace at once than to negotiate for the appointment of negotiators who are to meet without power to do anything but make proposals. If the Government of the United States is willing to make peace it will treat for peace directly; if unwilling, it will refuse to consent to a Convention of the States. The author of these resolutions, and those who concur in his views, appear to me to commit the radical error of supposing that the obstacle to obtaining the peace which we all desire consists in the difficulty of finding proper agencies for negotiating, so that the whole scope of the resolutions ends in nothing but suggesting that if the enemy will treat, the best agency would be State delegates to a Convention; whereas the whole and only obstacle is that the enemy will not treat at all or entertain any other proposition than that we should submit to their yoke, acknowledge that we are criminals, and appeal to their mercy for pardon. After this statement of objections it may appear superfluous to add others of less gravity; but as you invite a full expression of my views, I will add that history is replete with instances of the interminable difficulties and delays which attend the attempt to negotiate on great and conflicting interests where the parties to the negotiation are numerous; if this has been the case where the parties possessed full power to conclude a treaty, what can we hope from an assemblage of negotiators from thirty or forty States, who, in the midst of an exasperating warfare, are to meet without power to conclude any thing? In the history of our country we find that in a time of profound peace, where the most cordial brotherhood of sentiment existed, and where a long and bloody war had been brought to a triumphant close, it required two years to assemble a convention and bring its deliberations to an end, and another year to procure the ratification of their labors. With such a war as the present in progress the views of the large assemblage of negotiators proposed would undergo constant changes, according to the vicissitudes, according to the struggle, and the attempts to secure concordant views would soon be abandoned, and leave the parties more em-

bittered than ever, less hopeful of the possibility of successful negotiation. Again, how is the difficulty resulting from the conflicting pretensions of the two belligerents in regard to several of the States to be overcome? Is it supposed that Virginia would enter into a Convention with a delegation from what our enemies choose to term the State of West Virginia, and thus recognize an insolent and violent dismemberment of her territory? Or would the United States consent that West Virginia should be deprived of her pretensions to equal rights, after having formally admitted her as a State and allowed her to vote at a Presidential election? Who would send a delegation from Louisiana, Tennessee, Kentucky, Missouri? The enemy claim to hold the Governments of those States, while we assert them to be members of the Confederacy. Would delegates be received from both sides? If so, there would soon be a disruption of the Convention. If delegates are received from neither side, then a number of the States most vitally interested in the result would remain unrepresented; and what value could be attached to mere recommendations of a body of negotiators under such circumstances? Various other considerations suggest themselves, but enough has been said to justify my conclusion that the proposal of separate State action is unwise, impracticable, and offers no prospect of good to counterbalance its manifold injurious consequences to the cause of our country.

Very respectfully, yours, etc.,
JEFFERSON DAVIS.

A proposition was made by Gen. Sherman to Gov. Brown and others of Georgia, in September, for an informal meeting to negotiate for peace, which received much attention in that State. (*See GEORGIA.*) The meeting, however, was declined.

The use of the slaves as soldiers with the reward of freedom to those who survived, was strongly advocated during the year. From the beginning of hostilities they were the laborers on the fortifications in all parts of the Confederacy. At the same early period both the free and slave offered their services, and the former in considerable numbers enrolled themselves. In June, 1861, the Legislature of Tennessee passed an act to authorize the Governor to receive into the military service free persons of color between the ages of fifteen and fifty. Pay and rations were assigned to them. In September one regiment, numbering fourteen hundred, appeared on the field at the review of troops in New Orleans. In February, 1862, the subject of enrolling the free negroes was discussed in the Legislature of Virginia, and an act passed to provide for their enlistment. The next step was the threat to draft slaves to work on the fortifications when refused to hire them. This was made by Gov. Brown, of Georgia, in November, 1862. During the next year they were extensively employed as pioneers, sappers, cooks, nurses, and teamsters, and their employment as a military arm in defence of the country was advocated in Congress. In February, 1864, Congress passed an act making all "male free negroes (with certain exceptions) between the ages of eighteen and fifty," liable to perform such duties in the army, or in connection with the military defences of the country, in the way of work upon

fortifications, or in Government works, etc., as the Secretary of War might from time to time prescribe, and providing them rations, clothing, and compensation. The Secretary of War was also authorized to employ for similar duty twenty thousand male negro slaves, and their owners were guaranteed against escape or death. He was authorized to impress the slaves when he could not hire them; and general orders No. 32, March 11, 1864, directed the enrollment of the free negroes, and their assignment to the performance of the duties mentioned in the act. Also the employment and impressment of slaves was ordered by the same general orders.

A convention of the Southern Governors next recommended the measure. Other prominent men approved of it, and at the close of the year the arming of the slaves upon certain conditions of service, was considered as sure to ensue.

The end of nearly four years of war presented the people of the Southern States under a Government in the exercise of every power of a national, central, military despotism. Conscription was carried to its last limit. Every man between seventeen and fifty was subject to military authority. None were exempt except on considerations of public interest. Direct taxes were laid in defiance of the theory of their constitution. Such vast amounts of paper money had been issued as to unsettle all values. The holders of this paper money were compelled to fund it or lose one third. All the railroads were seized by the Government, and some were destroyed, and others built. A universal system of impressment of property was established at Government prices in Government money. Of the exportations of the great staples the Government held the monopoly. Those citizens who were permitted to remain at home were required to execute a bond to furnish their products to the Government at its prices. The *habeas corpus* was suspended and a passport system was established. Notwithstanding all these sacrifices, the military operations had resulted in loss in every State, and the theatre of activity was reduced to three Atlantic States.

The action of the Federal Congress in 1861-'2, in imposing a tax on real estate in insurrectionary States, and providing for its prompt sale on non-payment, with a brief term for redemption, has produced thus far uncertain results. In some instances capitalists were convinced that they would fail to secure sufficient suitable labor to make their investment profitable, and declined to purchase. In others a conflict of titles has arisen, which has prevented the cultivation of the land. All these transactions have been confined to districts permanently held by the Federal troops.

CONFISCATION. The President having, in the proclamation accompanying his message of December 8th, 1863, declared a full pardon, with restoration of all rights of property ex-

cept as to slaves, to all who should take and subscribe a certain oath, great numbers, whose persons and property had come under the operation of the confiscation laws, took the oath prescribed. In February, the following letter was issued from the office of the Attorney-General to the district attorneys for their direction in such cases:

WASHINGTON, February 21.

SIR: Many persons against whom criminal indictments or against whom property-proceedings under the confiscation laws are pending in the courts of the United States, growing out of the participation of such persons in the existing rebellion, have in good faith taken the oath prescribed by the Proclamation of the President of the 8th of December, 1863, and have therefore entitled themselves to the full pardon and restoration of all rights of property, except as to slaves, and where the rights of third parties have intervened, which that proclamation offers and secures. The President's pardon of a person guilty of acts of rebellion will, of course, relieve that person from the penalties incurred by his crime, and, where an indictment is pending against him therefor, the production of the pardon, signed by the President, or of satisfactory evidence that he has complied with the conditions on which the pardon is offered, if he be not of the class exempted from the benefits of the proclamation, will be a sufficient reason for discontinuing such criminal proceedings and discharging him from custody therein. Nor is it less doubtful that a *bona fide* acceptance of the terms of the President's proclamation by persons guilty of acts of rebellion, and not of the excepted class, will secure to such a person a restoration of all the rights of property, except as to slaves, and where the rights of third parties shall have intervened; notwithstanding such property may, by reason of those acts of rebellion, have been subject to confiscation under the provisions of the confiscation acts of August 6, 1861, chapter 69, and July 17, 1862, chapter 195. For, without adverting to any other source of power in the President to restore their rights of property, the 13th section of the act of July 17, 1862, authorizes the President at any time thereafter, by proclamation, to extend to persons who may have participated in the existing rebellion, in any State or part thereof, pardon and amnesty, with such exceptions and at such times and on such conditions as he may deem expedient for the public welfare. It will hardly be questioned, I suppose, that the purpose of this section, inserted in a law mainly intended to reach the property of persons engaged in the rebellion, was to invest the President with full power to relieve such persons on such conditions as he should prescribe from the penalty of loss of their property by confiscation.

Although the proceedings for confiscation under the acts of August 6, 1861, and July 17, 1862, are *in rem* against the property seized, yet under both acts the ground of condemnation is the personal guilt of the owner in aiding the rebellion. By the pardon and amnesty, not only is the punishment of that personal guilt remitted, but the offence itself is effaced, that being the special effect of an act of amnesty of the Government. Of course, it arrests and puts to an end all penal proceedings founded thereon, whether they touch the person or the property of the offender. There is, therefore, no case of judicial proceedings to enforce the penalties of acts of rebellion which cannot be reached and cured by the constitutional or statutory powers of the President to grant pardon and amnesty, whether those proceedings be against the person of the offender by criminal indictment, or against his property under the confiscation acts referred to.

The President has accordingly directed me to instruct you, that in any case where proceedings have

been commenced and are pending and undetermined in the district or circuit courts of the United States for your district, against a person charged with acts of rebellion, and not of the excepted class, whether they be by indictment or seizure and libel of his property for confiscation, the rights of other parties not having intervened, you will discontinue and put an end to these proceedings, whenever the person so charged shall produce evidence satisfactory to you that he has, in good faith, taken the oath and complied with the conditions prescribed by the President's proclamation of the 8th of December, 1863. Nor is it necessary that the evidence he produces should be a deed of pardon signed by the President. It would be quite impossible for the President to furnish the multitude who are now availing themselves of the benefits of the proclamation, and who are likely to do so hereafter, with this formal evidence of pardon; it will be sufficient to justify your action if the party seeking to be relieved from further proceeding shall prove to your full satisfaction that he has in good faith taken the oath, and brought himself within the conditions of pardon and amnesty set forth in the proclamation.

If in any case you have good reason to believe that the oath has been taken for the mere purpose of obtaining the possession of personal property seized under the confiscation acts, with intent to remove it from the subsequent reach of the officers of the law, you will make report of the facts and reasons for your belief at this office before discontinuing the proceedings or restoring such property to the possession of the owner.

Fugitives under section 5 of the act of July, 1861, chapter 3, are not of the class reached by the President's proclamation; for under that act, the question whether the property seized is subject to forfeiture depends upon the predicament of the property itself, and not upon the personal guilt or innocence of its owner. In this respect, forfeitures under that act have more resemblance to cases of prizes of war captured at sea as enemy's property, than to proceedings under the act of August, 1861, and July, 1862. Such forfeitures are provided, not so much to punish the owner for disloyal acts, as to prohibit commercial intercourse and weaken the public enemy, which are always efficient instruments and legitimate effects of public war. But although the remission of forfeitures under the act of July, 1861, is thus not within the scope of the proclamation of pardon, still ample power is conferred on the Secretary of the Treasury by the 8th section of that act to mitigate or remit all forfeitures and penalties incurred under the act. And it is not to be doubted that in all proper cases under that act, where the owner of the property residing in the territory in rebellion complies with the condition of the proclamation, the Secretary of the Treasury will exercise the power of remission of such forfeiture in the same spirit of generous forbearance and liberality which inspired and characterized the proclamation.

Very respectfully, &c.,

TITIAN J. COFFEE, Acting Att'y-Gen.

In conflict with the opinion of Judge Betts, of the U. S. District Court for the Southern District of New York, in the case instituted against Leroy M. Wiley (*ANNUAL CYCLO.* for 1863, p. 220), there was given the decision of Judge Davis, of the Supreme Court, rendered in the U. S. Circuit Court at Indianapolis.

In the case of the *United States vs. Two second-hand Steam Engines*, the proceeding was a libel under the act of July, 1861, to confiscate the engines, which were the property of John Cannon, alleged to be a rebel. The property was in New Albany. Captain G. W. Stewart, of New Albany, intervened, claiming to have

purchased the engines from Cannon, the alleged rebel, and setting up that Cannon was not a rebel. Judge Smith, of the District Court, had decided, at the previous term, that it was not competent for Stewart to set up that Cannon was not a rebel; and Cannon having been notified merely by publication in a newspaper of the pendency of the libel, a default was taken against him, and a decree of condemnation of the property was rendered, without any proof whatever. Judge Davis, deciding the case on appeal, reversed the decision on both these points, holding that it was competent for Stewart to plead the loyalty of Cannon, and that proof must, in all cases of default, on notice by mere publication, be offered of disloyalty. He also held that the circumstance that the property seized belongs to a citizen of a rebellious State, does not preclude the defendant from appearing to the action, and contesting the allegation that he is a rebel.

This decision substantially corroborated a recent decision made in the Floyd Circuit Court, by Judge Bicknell, in the Knoefel case.

The action of all the courts in reference to the declaration of the forfeiture was in opposition to the decision of Judge Underwood. (*See ANNUAL CYCLO.*, 1863, p. 229.) On June 8th, fourteen cases, prosecuted under the confiscation act of July 17th, 1862, came before the U. S. Court at Washington. The court passed decrees of confiscation, and ordered early sales after due advertisement of all the right, title, and interest in the estate of the respective owners for and during their natural lives, excepting one case, in which the property was personal, and the forfeiture, therefore, absolute.

In one of the cases passed upon by the court, an undivided half was libelled as the property of Hon. Geo. S. Houston, of Alabama. A quantity of evidence, however, was brought to the notice of the court, that he had adhered to the Union throughout the troubles. On motion of the District Attorney the case was suspended indefinitely.

This conforms to the opinion of Judge Davis, cited above.

CONGREGATIONALISTS. Returns from all the Congregational churches in this country give the following result: Total number of churches, 2,856; number of members, 268,015; of whom 34,398 are reported absent. The additions were 16,225, of whom 9,328 were by profession. The removals by death were 4,937, and by excommunication 641; infant baptisms, 4,462; members of Sabbath-schools, 286,798.

For some time a movement has been going on among the Congregationalists of the United States to effect a National organization, after the example of the Congregational Union of England. During the year 1864, this movement assumed a more definite shape. In August, an informal meeting was held in New Haven, at the house of Rev. Dr. Bacon, of deputies of the General Association of Conne-

ticut, Massachusetts, Ohio, and a number of members of New York, Wisconsin, and Nebraska, in order to discuss the best method, time and place of assembling the various State Committees for a preliminary or preparatory meeting on the subject of a National American Congregational Convention. It was unanimously agreed that the trustees of the American Congregational Union should be requested to call that meeting together at such time and place, after consultation and inquiry, as to them should seem best. The trustees of the Congregational Union issued a letter convening the Conference at the Broadway Tabernacle, in the city of New York, and urging the attendance of delegates from all the States. They say in their letter :

The time and place of holding the Convention, the basis of representation in the body, the subjects proper to be mentioned in the call as a guide to its deliberations, are topics that demand careful thought and mature counsel. In this view, the preliminary Conference has been appointed at a time remote from any general ecclesiastical preoccupation, and at a place where ready communication can be had with the officers of such benevolent societies as are directly interested in the Convention and its objects. In the present condition of the country this movement is so important to the future of Congregationalism, that we earnestly hope every member of each State Committee will come to the Conference in November, even at great personal inconvenience.

In answer to this call, upwards of forty delegates, representing fifteen States, appeared punctually at the place of meeting. The name agreed upon for the proposed convocation is "A National Council of Congregational Churches." The basis of representation in the council was a point of a good deal of embarrassment. All felt that a mass meeting would impose too great a burden upon the hospitalities of the place selected, and would impair the national character and weight of the council by subjecting it to a local or sectional majority. At last it was decided to make ten churches, acting in Conference, the unit of a representation by two delegates, one of whom should be a pastor. Where district Conferences exist, it will be easy to secure a delegation. In other localities the State committees, or a provisional committee for this purpose, will address a circular letter to the churches, inviting them to convene by tens at some designated time and place, and to choose their delegates. Thus the council will emanate directly from the churches, whose independence of action has been zealously guarded in all these preliminary proceedings.

The deliberations of the National Council will embrace the following topics :

1. The work of Home Evangelization in the West and in the South. This will include the condition and wants of the freedmen.
2. Parochial evangelization.
3. Education for the ministry, with special reference to colleges and theological seminaries.
4. Ministerial support.

5. A statement of their polity.

6. A declaration of Christian faith as held in common by the Congregational churches.

7. The systematization of the agencies of Christian benevolence.

Rev. Dr. Sturtevant, of Illinois College, was appointed to preach the opening sermon, and Rev. Dr. Post, of St. Louis, his alternate. Arrangements were made also for a special service of devotion with reference to the country, at an early stage in the session of the council.

The first council will be held in Boston on the 14th of June, 1865.

According to the English Congregational year-book for 1865, the statistics of Congregationalism in Europe are as follows :

Congregational Churches.

In Great Britain, Ireland, and the islands of the British Seas.....	2,763
In the American colonies.....	117
In the Australian colonies.....	124
In foreign lands.....	217
	<hr/>
	3,226

Free Churches (Independent) in the French Empire..	108
In Belgium.....	20
	<hr/>
	128

In Switzerland and Italy the numbers are unknown.

Congregational Ministers.

In England.....	1,730
In Wales.....	409
In Scotland.....	97
In Ireland.....	26
In the colonies.....	215
In foreign lands.....	176
	<hr/>
	2,653

Students in theological colleges.....	425
“ under private instruction.....	30
	<hr/>
	455

In London there are 207 Congregational chapels, 166 pastors, and 98 ministers without charges. The number of students at Hackney, Cheshunt, and New Colleges, is 118.

Fifty-seven new Congregational chapels have been opened, 11 enlarged or improved, and 20 new schools built, during the past year.

The number of Nonconformist chapels registered, of all kinds, according to the census, is 14,662 ; of Congregational chapels, to end of December, 1861, 1,824 ; Nonconformist chapels registered for marriage down to the end of 1864, 4,564 ; Congregational ditto, 1,493.

The independent churches of France ("Union of Free Evangelical Churches") held their 9th synod at Paris on the 24th of November, and the following days. The President was Dr. Fish, and Vice-Presidents, Pastor Pozzi and Mr. V. de Pressensé. Three new churches—Nîmes, Saint Hippolite and Codognan—were admitted into the Union, raising the whole number to thirty-five. The Synod decided that in each church should be a body of collectors to promote regular contributions, and that the Synod should name a commission of Finance, composed of five members, to stimulate and systematize the contributions of the churches, to see that the central funds are sufficiently

sustained for necessary purposes, such as assistance to weak churches and theological students, and other objects determined by the Synod Commission for local and general interests.

CONGRESS, CONFEDERATE. All important debates in the Congress at Richmond were conducted in secret session. Some proceedings in each House commenced in public session are reported; as soon, however, as the debate assumed a special importance, it was continued only in a secret session. The session which commenced in November, 1863, adjourned in February, 1864. The state of the army, and the conduct of the war, were the chief subjects of debate at this session.

In the Senate, Mr. Brown, of Mississippi, urged the following views: The two greatest needs of the country were to strengthen the army and improve the currency. If the legislative branch of the Government and the executive power will give themselves entirely to the country, these results may in a short time be accomplished. The question which addresses itself most earnestly to our consideration is simply this: "Shall the Confederacy stand or fall?" If it is to stand, the pedestal must be built with all our hearts. All criminations and recriminations, and differences between the different branches of the Government, must cease. We must determine to stand together in one common defence, or fall together in the common grave. Our success is certain if the patriotism of the people holds out to the end. Our chief reliance in this contest is in the hearty and earnest patriotism of the people. He had this settled conviction—that when the States conceded the war-making power to the control of the Government, they gave every incidental power to make the main power effective. The framers of the Constitution were fully vindicated from the absurdity of getting us into a war, and then trammelling us so that we could not conduct it successfully. He first proposed to strengthen the army by declaring every white male person residing in the Confederate States, and capable of bearing arms, to be in the military service. He proposed to take all, without reference to age or occupation; to make but one inquiry, "Is he capable of bearing arms?" Whether he be Jew or Gentile, Christian or infidel, if he is capable of bearing arms, he should be put into the army. What is it that has brought disaster upon us? Where we have sowed we have not been prepared to reap. If the whole military power of this Confederacy had been at Manassas, the war would have been ended soon after its commencement. We wasted the first year of the war by keeping handfulls of men in the army. We wasted the second year of the war by only conscripting those between the ages of eighteen and thirty-five. We stand to-day with an army too weak to reap when the harvest is ready for the sickle. Shall we go on blundering to the end of the chapter, or concentrate our military

strength and hurl it like an avalanche against the enemy? Is it not better to make short, speedy work of the whole matter? Cease this system of killing off your armies by detail. What rivers of blood have been caused to flow by the fatal error that we were to have a short and cheap war. We now see the necessity of enlarging the army, and shall we not say to men of every profession, "If you are capable of taking up arms, you must do it." He would include the President, members of Congress, and governors of States in this call. Talk not of "invading the rights of the States." The best mode of preserving the rights of a State is to defend the State from a ruthless enemy. Better invade the rights of a State by calling out all arm-bearing citizens, than dispute over constitutional quibbles whilst the Yankee army wrests the whole State from your possession. He was not unaware that provisions must be produced. The army and the people at home must be fed and clothed, munitions of war must be made, &c. But when you have taken every man capable of bearing arms, how many would be left out to take charge of all these things? He calculated them by hundreds of thousands, and if they are not sufficient to carry on the necessary home pursuits, his fourth proposition provided for the detail of such other persons as will be "absolutely needed in civil pursuits." He also proposed to repeal all laws granting exemptions and allowing substitutes, and he would take occasion to express his thanks to the House of Representatives for making a clean sweep of the substitute law, which had sown the seeds of discord and dissension from the Potomac to the Rio Grande. He was for putting in the army these substitute gentlemen who were strutting about the country in borrowed plumage, knowing no more about setting a squadron in the field than a spinster. Next to the substitute law, the exemption law has given more dissatisfaction than any other measure of Congress. What crowds the saloons, hotels, and theatres, like boxes of red herring, and fills up all the avenues of travel with men capable of bearing arms? Why is it that the streets of Richmond are crowded with athletic young men? Why is it so all over the Confederacy? First, the fatal error of Congress in passing these laws; second, the mal-administration of those laws. The remedy is in sweeping them from the statute books. Have neither exemptions nor substitutes. Do this, and you clear the streets, close the theatres, inspire and recruit the army, and secure victory where you have defeats. Our flag will no longer trail in the dust, but will wave in triumph over the foe. Refuse to do these things, and the hearts of your soldiers will grow weak. He expressed his cordial concurrence in the views of the Secretary of War on the substitute question, and argued at some length to show that no contract existed between the Government and those who had employed substitutes.

He next discussed his proposition authorizing

the President to issue a proclamation requiring all foreigners to take up arms or leave the country in sixty days. He was tired of feeding drones. Whilst we were blessed with abundance, and these people were of no disadvantage, he was willing to tolerate their presence. But now they are eating out our substance, and, by their speculative proclivities, are depreciating our currency. They were of no earthly use to us. On the contrary, their presence here was of great disadvantage. He knew of no international law which forbid us from saying to them, "the time has come when we can entertain you no longer." Shall we fail in doing our duty to ourselves, for fear some foreign power may take offence? It may be safely assumed that nineteen-twentieths of these people are engaged in traffic. They are the men who run the blockade, depreciate our currency, and appreciate the Yankee currency. The man who goes secretly to New York, or any other Yankee city, and brings goods here, knowing that in doing so he violates our laws, that man is not to be trusted in making communications to the enemy. He would rather this day have a regiment of Yankees turned loose on this city, than longer tolerate the presence of such people. There will, he said, be no burthen on the Government if you enact wise laws, and have them faithfully administered. But if you hesitate every time a little doubt as to power is raised, he would not be responsible for the consequences. In the midst of plenty, the wives and children of our soldiers are starving, and their limbs are exposed to the blasts of winter. Will Congress arouse from its lethargy and apply a remedy? How long will the farmers of Virginia be allowed to extort the whole month's pay of a soldier in the field for a bushel of meal? This is done by men who are allowed to remain at home "that the army may be fed." How long are we to tolerate this state of things? He would say to these farmers, "Disgorge! you can't be allowed to stay at home while others are in the army, and, under the wretched plea of a 'depreciated currency,' wring from the soldiers' families their last cent!" Mr. Brown said he would commence by picking these men up and poking them into the army. This proceeding would no doubt surprise these grandees, who think they have grown too great to serve the country. If there is to be any substantial improvement of the currency let us stop this tinkering with it. No government ever yet restored its credit by taking up notes that did not bear interest, and issuing bonds that do bear interest. That is the proposition of the Secretary of the Treasury. Never could he be brought to vote for any such proposition. He proposed the counter proposition of levying taxes upon the property of the country. He agreed with the President, that the debt is the debt of the people. It is growing into frightful proportions, and the time has come to commence its extinguishment. Better undertake to pay now \$400,000,000 in non-interest bear-

ing notes than \$60,000,000 in gold after the war. He proposed to tax Treasury notes about twenty-five per cent., and the man who assessed should collect the tax. To avoid the concealment of the notes, he would appoint a convenient time and place for the notes to be presented. Let the agent retain one-fourth as a tax and stamp the other three-fourths. All notes not so stamped should, at the end of three months, cease to be currency. By this plan, assessment and collection would be simultaneous, counterfeits would be detected, and what would be left of the currency would be sound. Mr. Brown further discussed the financial question, and advocated the proposition to make Treasury notes a legal tender. His next proposition was to prohibit all traffic in gold and silver. Nothing, he said, has contributed so much to the depreciation of our currency, and the traffic should therefore be prohibited. He found the power to do this in the necessity of sustaining the public credit. It is nonsense to tell him that the framers of a piece of political machinery designed that it should run down like a clock, and none to have the power of winding it up again. Without a strong army and a sound currency what is the Constitution worth? We are not living under a constitution which requires us to sacrifice our liberties. If he had taken an oath to support such a constitution he would disregard it, because he believed there was no such constitution. He had sworn to support a constitution which gave to the Government just such powers as would enable it to conduct this war to a successful conclusion. Lastly, he proposed to declare these laws war measures, and make those violating them amenable to the military courts. He was unwilling to submit legislation upon which hangs the destiny of this Confederacy to the judgment of every little petty State Judge, who, by his decisions, may turn loose the flood of Yankee despotism to overspread the whole land. He believed that all of the laws he had advocated were absolutely necessary to sustain the country in its imperilled condition.

In the House on Jan. 30th a debate ensued on the bill to amend the act of Jan. 5th, by abolishing exemptions (*see* ARMY, CONFEDERATE), of which the following debate is reported:

Mr. Smith, of North Carolina, said:

We had at this time 400,000 men on our muster-rolls. How many were actually in the field he was unable to state; probably it was one-half were not there, and it was well known that we were unable to feed the fractional part who were in the field. If, however, there were half—if 200,000 should require the possible seizure of one-half of the provisions of the country—where, he would ask, were the means to feed the ten times that number who remained at home? With this condition of affairs staring us in the face, it was now proposed to break up the farms, and reduce the agricultural interests of the country

to about naught. Look at the condition of the country around Richmond; but this was scarcely more than a type of every other part of the Confederacy.

Congress did not propose to reduce the efficiency of the different bureaus; it did not reduce, for instance, the efficiency of the ordnance and nitre bureaus, because the men must be furnished with munitions of war. And yet munitions of war were not all that we could rely on. We must feed and clothe the army, and not only the army but the people at home. Private appeals were daily coming to the members of Congress from soldiers in the army speaking of the sufferings at home; how many of their families are wanting the necessities of life, when they are unable to send them any part of their scant pay; how many asking for relief to the farming interests; how some, stimulated by the prospects of starvation at home, and the deficiency of food in the army, are driven to despair and desertion. With these things constantly before it, would Congress still break down and cripple the limited resources that were left us to carry on this war?

Mr. Chambers, of Virginia, said that manufactories were as necessary as agriculture, and there was as great a deficiency in clothing to-day as there was in food. Did the gentleman mean to say that our soldiers deserted to the Yankees because they were not fed? We could, he believed, feed double two hundred thousand men in the field; and if we could not, then the sooner we made terms with Abraham Lincoln the better for us. We must have more than two hundred thousand men in the field next spring; we have now all the supplies we will have then, for the farmers' productions won't be available until next winter. Everybody admits and expects that next spring will be the worst and the heaviest and most decisive campaign that will occur, and yet there is a demand for more exemptions. He was not opposed to the exemption of planters; whether they furnished substitutes or not, it made no difference. But he was opposed to class legislation.

Mr. Dupre, of Louisiana, believed that if Congress had given more attention to transportation, the subject of food would not now be exciting so many fears. He had travelled a long way in getting here, and from Western Louisiana to this place he had seen very large quantities of provisions, which only wanted transportation to be distributed to the people and the army. The cry of scarcity was a stratagem employed by traitors, and it misled many honest and conscientious men, who really believed what they said. It was a stratagem to excite the spirits and the efforts of the Northern people, and disaffection and hopelessness in our own.

Mr. Goode, of Virginia, was able to state upon the best authority, that in reply to inquiries propounded them by Col. Preston, Chief of the Conscrip Bureau, all of the en-

rolling officers of the State, who were assembled here a few days ago, said that the State could not stand another draft. It had been said that the agriculturists necessary at home might be enrolled and detailed. If men were wanted outside the army, it was our duty to exempt them by law, and not leave it to the Secretary of War and the President to dole out details. He was not one of those who delighted in the Quixotic pastime of making a man of straw and tilting at him; he had no fears, and the people need have no fears of the Executive, and it was with no feeling of want of confidence in the Executive when he said that he preferred this Congress to pass its own laws rather than call upon that branch of the Government to do it for them. The great danger to-day to our cause did not come from our own Executive, it came from the tyrant at Washington, and it should be the effort of this Government to use all its energies in providing against the calamities which that tyrant would endeavor to inflict upon us.

Mr. Holcombe, of Virginia, said that by the bill of which this was an amendment, the entire agricultural population would be put in the army, and that in a country whose agricultural population greatly outbalances that of the cities and towns. Napoleon, in the ruthless conscription which he inflicted on France, never went above the age of thirty years. We proposed to put in all, of every age, and when it was known that it was a precarious matter to supply from week to week the army in the field. When the supplies were known to be so scarce, the slaves were to be withdrawn from the fields, and it was proposed in time to draw still more largely upon the vital resources of the country. From his district would be drawn one hundred men for the army, and stop two thousand laborers now engaged in producing grain for the army. We had now five hundred thousand men in the field to provide for; the new law would add one hundred thousand more, and was it possible to escape starvation when there were none at home to provide for them? Where was the weak point of the enemy? Certainly not in want of provisions. It was not probable, then, that a decisive victory could be fought this spring, and no such desperate hope should be allowed to animate us to such desperate measures as that of putting everybody in the army. The weak point of the enemy was in its financial condition. It was our policy to protract the war. Time and distance were our great allies. We must remember that, in reference to this State at least, our last crops were far below the average. Our space had been contracted, and all now must be devoted to the production of provisions for the next year. Take away the men, and starvation at home and ruin in the army would be, in his opinion, the inevitable result.

Mr. McRae, of Mississippi, believed that the most certain way of feeding the army was to

increase its numbers in the field. The insufficiency existed because there were so many of the enemy within our borders, and we had not sufficient numbers to drive them out. Some had attributed the scarcity to corruption in the Commissary Department, and though unprepared for an opinion as to the truth of that charge, he still believed that that department was inefficient; others attributed it to want of transportation, and want of transportation had certainly much to do with it. We had now but one line of railroad; the Knoxville and Chattanooga being in the possession of the enemy, left us with a vast auxiliary cut off. He believed that there was no deficiency in the country, and that if we could drive the enemy back, we could feed the army, no matter what its numbers.

After further desultory debate the bill was passed by yeas 41, nays 31.

The bill provided that each person exempted shall devote himself and the labor he controls to the production of provisions and family supplies; that there shall be contributed for the use of the army from every farm, besides the tithes required by tax, an additional tenth of all the pork or bacon produced; and that if required, the persons exempted shall sell all their surplus provisions for the use of soldiers' families, or the army, at prices fixed by commissioners.

On February 1, the House discussed the bill reported from the Committee on Military Affairs, to increase the efficiency of the army by the employment of free negroes and slaves under certain circumstances.

An unsuccessful attempt to go into secret session was made, the pending question being upon an amendment offered by Mr. Baldwin, of Virginia, to add to the first section the words: "And no free negro engaged in the production of food and forage shall be taken under this act."

Mr. Barksdale, of Mississippi, said that it was no harm to say that we needed troops, and it was the duty of Congress to place men in the army, and fill up those serried ranks now so gallantly maintaining our cause in the field. The chairman of the Military Committee had informed the House that the proposed measure would bring forty thousand troops into the field—more than had been engaged in any great battle—without materially diminishing our resources, and yet we were met at the threshold by a question relative to exchange. Suppose these free negroes were taken prisoners; the free negro is not a useful ingredient of our society. He was astonished, a few days ago, at the assertion of the gentleman from Virginia (Mr. Baldwin) that this class was a useful one in his State. He would leave it to the gentleman's colleagues to answer that, but would say that, according to his observation, the free negro was a blot upon our escutcheon, and pernicious to our slave population. Neither were they engaged in agricultural pursuits.

The amendment of the gentleman from Virginia proposed to make a most unjust discrimination against the poorer white classes. He says to the free negro, You shall not bear the burdens of this war—while he goes to the dwelling of the humble white citizen, and says to him, You must take your place in the army. It was contrary to the usages of Government to regard a negro as a citizen, and yet the gentleman proposed to discriminate between them and the poorer white classes.

Mr. Baldwin: Does the gentleman wish to place the negroes and whites on an equality?

Mr. Barksdale said that he was in favor of the bill just as it came from the committee. He would employ negroes in menial service in the army, and thus increase its efficiency by placing able-bodied white men, now performing those services, in the ranks.

Mr. Atkins, of Tennessee, called the question; which was ordered, and Mr. Baldwin's amendment was rejected.

Mr. Wright, of Texas, said he would like to vote for the bill, but a constitutional difficulty suggested itself to his mind. He would inquire of the chairman of the Military Committee if the proposition to pay negroes eleven dollars per month was not unconstitutional?

Mr. Miles thought the objection not a very subtle one. When the constitution provided that no private property should be taken without just compensation to the owner, it did not deprive Congress of the privilege of fixing the compensation. It did not make it obligatory that it should be fixed by a jury. If Congress determined to employ negroes in menial operations in the army, it was perfectly competent to determine the compensation to be paid to the owner. While we were paying soldiers but eleven dollars per month, he thought the compensation ample for the services of negroes.

Mr. Smith, of Alabama, moved to strike out the first section of the bill. It was proposed to put into the fortifications and in the army, in the capacity of teamsters, free negroes—a class who were inimical to our cause. Many of them could read, write, and draw, and being introduced into our fortifications, and becoming acquainted with their details, had only to communicate them to the enemy. So with regard to teamsters. They might, by carrying devices, clog the movements of a whole army.

Mr. Elliott, of Kentucky: Does the gentleman suppose free negroes are more inimical to our cause than slaves?

Mr. Smith had never heard that free negroes had done any thing good to our cause. He was willing to pass the second section, which provides for the employment of slaves, but opposed the free negro feature *in toto*.

Mr. Chambliss, of Virginia, said that he represented a district that was overwhelmed with free negroes, and since the departure of the slaves, they were the only laborers that could be procured. There were many dependent females, who had no other means of procuring

subsistence or fuel. There was, however, a clause in the bill which authorized the President to exempt such free negroes as the interests of the country might require; and he was willing to trust to the justice of the Executive in this respect, and should vote for the bill. He was quite as willing to trust free negroes in the army as slaves, however much we might be attached to the latter class. He hoped the section would not be stricken out. It was his intention to vote for every measure to increase the army, and he invoked the House to stand boldly up to its responsibility. If our cause failed, this Congress would be handed down to posterity with contempt, because it refused to make use of the measures within its reach.

Mr. Smith's amendment was lost.

Various other amendments were proposed, some of which were adopted and others rejected, and the bill finally passed.

This measure was distinct from the proposition brought before the Congress, at its session in November, to arm the slaves, and put them in the ranks as soldiers.

At this session the following resolutions and address, introduced into the Senate by Mr. Hill, of Georgia, were adopted by both Houses:

Joint resolutions declaring the disposition, principles, and purposes of the Confederate States in relation to the existing war with the United States.

Whereas, It is due to the great cause of humanity and civilization, and especially to the heroic sacrifices of their gallant army in the field, that no means consistent with a proper self-respect, and the approved usages of nations, should be omitted by the Confederate States to enlighten the public opinion of the world with regard to the true character of the struggle in which they are engaged, and the disposition, principles, and purposes by which they are actuated; therefore,

Resolved by the Congress of the Confederate States of America, That the following manifesto be issued in their name, and by their authority, and that the President be requested to cause copies thereof to be transmitted to our commissioners abroad, to the end that the same may be laid before foreign Governments.

Manifesto of the Congress of the Confederate States of America relative to the existing war with the United States.

The Congress of the Confederate States of America, acknowledging their responsibility to the opinion of the civilized world, to the great law of Christian philanthropy, and to the Supreme Ruler of the Universe, for the part they have been compelled to bear in the sad spectacle of war and carnage which this continent has, for the last three years, exhibited to the eyes of afflicted humanity, deem the present a fitting occasion to declare the principles, the sentiments, and the purposes by which they have been, and are still, actuated.

They have ever deeply deplored the necessity which constrained them to take up arms in defence of their rights, and of the free institutions derived from their ancestors; and there is nothing they more ardently desire than peace, whensoever their enemy, by ceasing from the unhallowed war waged upon them, shall permit them to enjoy in peace the sheltering protection of those hereditary rights, and those cherished institutions. The series of successes with which it has pleased Almighty God in so signal a manner to bless our arms on almost every point of our invaded border since the opening of the present

campaign, enables us to profess this desire of peace in the interest of civilization and humanity, without danger of having our motives misinterpreted, of the declaration being ascribed to any unmanly sentiment, or any mistrust of our ability fully to maintain our cause. The repeated and disastrous checks, foreshadowing ultimate discomfiture, which their gigantic army, erected against the capital of the Confederacy, has already met with, are but a continuation of the same providential successes for us. We do not recur to the successes in any spirit of vain boasting, but in humble acknowledgment of that Almighty protection which has vouchsafed and granted them.

The world must now see that eight millions of people, inhabiting so extensive a territory, with such varied resources, and such numerous facilities for defence as the benignant bounty of nature has bestowed upon us, and animated with one spirit to encounter every sacrifice of ease, of health, of property, of life itself, rather than be degraded from the condition of free and independent States, into which they were born, can never be conquered. Will not our adversaries themselves begin to feel that humanity has bled long enough; that tears, and blood, and treasure enough have been expended in a bootless undertaking, covering their own land, no less than ours, with a pall of mourning, and exposing them far more than ourselves, to the catastrophe of financial exhaustion and bankruptcy, not to speak of the loss of their liberties by the despotism engendered in an aggressive warfare upon the liberties of another and kindred people? Will they be willing by a longer perseverance in a wanton and hopeless contest, to make this continent, which they so long boasted to be the chosen abode of liberty and self-government, of peace and a higher civilization, the theatre of the most causeless and prodigal effusion of blood which the world has ever seen, of a virtual relapse into the barbarism of the ruder ages, and of the destruction of constitutional freedom by the lawlessness of usurped power?

These are questions which our adversaries will decide for themselves. We desire to stand acquitted before the tribunal of the world, as well as in the eyes of omniscient Justice, of any responsibility for the origin or prolongation of a war as contrary to the spirit of the age as to the traditions and acknowledged principles of the political system of America.

On this continent, whatever opinions may have prevailed elsewhere, it has ever been held and acknowledged by all parties that government, to be lawful, must be founded on the consent of the governed. We were forced to dissolve our Federal connection with our former associates by their aggressions on the fundamental principles of our compact of union with them; and in doing so we exercised a right consecrated in the great charter of American liberty—the right of a free people, when a Government proves destructive of the ends for which it was established, to recur to the original principles, and to institute new guards for their security. The separate independence of the States, as the sovereign and co-equal members of the Federal Union, had never been surrendered, and the pretensions of applying to independent communities, so constituted and organized, the ordinary rules for coercing and reducing rebellious subjects to obedience was a solecism in terms, as well as an outrage on the principles of public law.

The war made upon the Confederate States was, therefore, wholly one of aggression. On our side it has been strictly defensive. Born freemen, and the descendants of a gallant ancestry, we had no opinion but to stand up in defence of our invaded firesides, of our desecrated altars, of our violated liberties and birthright, and of the prescriptive institutions which guard and protect them. We have not interfered, nor do we wish in any manner whatever, to

interfere with the internal peace and prosperity of the States arrayed in hostility against them, or with the freest development of their destinies in any form of action, or line of policy, they may think proper to adopt for themselves. All we ask is a like immunity for ourselves, and to be left to ourselves in the undisturbed enjoyment of those inalienable rights of "life, liberty, and the pursuit of happiness," which our common ancestors declared to be the equal heritage of all the parties to the social compact.

Let them forbear aggressions upon us and the war is at an end. If there be questions which require adjustment by negotiations, we have ever been willing, and are still willing to enter into communication with our adversaries in a spirit of peace, of equity, and of manly frankness. Strong in the persuasion of the justice of our cause, in the manly devotion of our citizen soldiers, and of the whole body of our people, and above all in the gracious protection of heaven, we are not afraid to avow a sincere desire for peace on terms consistent with our honor, and the permanent security of our rights; and an earnest aspiration to see the world once more restored to the beneficent pursuits of industry and of mutual intercourse and exchanges, so essential to its well-being, and which have been so gravely interrupted by the existence of this unnatural war in America.

But, if our adversaries, or those whom they have placed in power, deaf to the voice of reason and justice, steeled to the dictates of prudence and humanity, by a presumptuous and delusive confidence in their own numbers, or those of their black and foreign mercenaries, shall determine upon an indefinite prolongation of the contest, upon them be the responsibility of a decision so ruinous to themselves, and so injurious to the interest and repose of mankind.

For ourselves, we have no fear of the result. The wildest picture ever drawn by a disordered imagination comes short of the extravagance which would dream of the conquest of eight millions of people, resolved with one mind "to die freemen rather than live slaves," and forewarned by the savage and exterminating spirit in which this war has been waged upon them, and by the mad avowals of the supporters of the worse than Egyptian bondage that awaits them in the event of their subjugation. With these declarations of our dispositions, our principles, and our purposes, we commit our cause to the enlightened judgment of the world, to the sober reflections of our adversaries themselves, and to the solemn and righteous arbitrament of heaven.

The first session of the Second Congress* under the permanent Constitution convened at Richmond on May 2d. Forty new members had been elected, and fifty-seven old members.

* SENATE.

Alabama—R. W. Walker, Robert Jemison.
Arkansas—R. W. Johnson, Aug. H. Garland.
Florida—James M. Baker, A. E. Maxwell.
Georgia—H. V. Johnson, Benjamin H. Hill.
Kentucky—William E. Simms, H. C. Burnett.
Louisiana—Edward Sparrow, Thomas J. Semmes.
Mississippi—J. W. C. Watson, A. G. Brown.
Missouri—L. M. Louis, W. P. Johnson.
North Carolina—William A. Graham, William T. Dortch.
South Carolina—James L. Orr, R. W. Barnwell.
Tennessee—G. A. Henry, L. C. Haynes.
Texas—W. S. Oldham, L. T. Wigfall.
Virginia—R. M. T. Hunter, A. T. Caperton.

HOUSE.

Alabama—Thomas J. Foster, William R. Smith, W. R. W. Cobb,* M. H. Cruikshank, Francis S. Lyon, W. P. Chilton, David Clopton, James L. Pugh, J. S. Dickinson.

* Mr. Cobb did not take his seat, but withdrew to Kansas.

The most important subject discussed at this session arose on resolutions relative to peace. The brief debates which are published serve to explain the views of members:

In the House of Representatives, on the 4th of May, Mr. James M. Leach, of North Carolina, asked leave to make a personal explanation. He noticed in the *Examiner* an article making an attack upon the people of North Carolina in general, and those of his district and himself in particular. After reading the article, he entered into a lengthy criticism upon it. He said the rumors and charges against his people originated in the State; that they came from a clamor gotten up by certain disappointed parties who had vented their spleen by grossly misrepresenting those who had received the support and countenance of the people. It originated with men who once denounced the present Governor as a peace man and a traitor. Mr. — said he was a peace man—a peace man upon the principle of recognizing the independence of the Southern Confederacy. Said he was in favor of the appointment of Commissioners to be ready to treat

Arkansas—Felix I. Batson, Rufus K. Garland, Vacancy, Thomas B. Hanly.

Florida—St. George Rogers, R. B. Hilton.

Georgia—Julien Hartridge, William E. Smith, Mark H. Blanford, Clifford Anderson, J. T. Shewmake, J. H. Echols, James M. Smith, H. P. Bell, George N. Lester, Warren Aiken.

Kentucky—William B. Machen, George W. Triplett, Henry E. Read, George W. Ewing, James S. Chrisman, Theo. L. Burnett, H. W. Bruce, Humphrey Marshall, Ely M. Bruce, James W. Moore, Benjamin F. Bradley, John M. Elliott.

Louisiana—Charles J. Villere, Charles M. Conrad, Duncan F. Kenner, Lucius J. Dupre, Vacancy, John Perkins, Jr.

Mississippi—John A. Orr, W. D. Holder, Israel Welsh, Henry C. Chambers, Otho R. Singleton, Ethel Barksdale, J. T. Lampkin.

Missouri—Thomas L. Snead, N. L. Norton, John B. Clark, A. H. Conrow, George G. Vest, Peter S. Wilkes, R. A. Hatcher.

North Carolina—W. H. N. Smith, Robert R. Bridgers, J. T. Leach, Thomas C. Fuller, Josiah Turner, Jr., John A. Gilmer, James M. Leach, James G. Ramsay, B. Gaither, George W. Logan.

South Carolina—J. M. Witherspoon, W. Porcher Miles, Lewis M. Ayer, W. D. Simpson, James Farrow, W. W. Boyce.

Tennessee—Joseph B. Heiskell, William G. Swan, A. S. Colyar, John P. Murray, Henry S. Foote, F. A. Keeble, James McCallum, Thomas Menees, J. D. C. Adkins, John V. Wright, M. W. Cluskey.

Texas—Stephen H. Darden, Claiborne C. Herbert, A. M. Branch, Frank B. Sexton, J. R. Baylor, S. H. Morgan.

Virginia—Robert L. Montague, Robert H. Whitfield, William C. Wickham, Thomas S. Gholson, Thomas S. Bockock, John Goode, Jr., William C. Rives, D. C. De Jarnette, David Funsten, F. W. M. Holliday, John B. Baldwin, Walter R. Staples, Fayette McMullen, Samuel Miller, Robert Johnston, Charles W. Russell.

TERRITORIAL DELEGATES.

Arizona—M. H. Macwillie.

Cherokee Nation—E. C. Boudinot.

Choctaw Nation—R. M. Jones.

Creek and Seminole Nations—S. B. Callahan.

OFFICERS OF THE SENATE.—R. M. T. Hunter, President pro tem.; J. H. Nash, of South Carolina, Secretary; E. Stevens, of South Carolina, Assistant Secretary; C. T. Bruen, of Virginia, Journal Clerk; J. W. Anderson, Recording Clerk; Lafayette H. Fitzhugh, of Kentucky, Sergeant-at-Arms; James Page, of South Carolina, Doorkeeper.

OFFICERS OF THE HOUSE.—Thomas S. Bockock, of Virginia, Speaker; Albert R. Lamar, of Georgia, Clerk; James McDonald, De Louis Dalton, Henry G. Lowring, Assistant Clerks; R. H. Wayne, of Alabama, Doorkeeper.

with the United States whenever they were willing to treat with us, as had been done in the Revolutionary war, in the war of 1812, and during the Mexican war.

He said the people of his district were as loyal and devoted to the Southern cause as those of any other in the Confederacy. He said they had sent to the army more men in proportion to their population than any district in the South; that they had proved their devotion to the cause upon almost every battlefield—had nobly fallen with “their feet to the enemy and their face to the sky.” He said he was prepared to prove that there had been fewer desertions from the troops of North Carolina than from those of any other State in the South.

He said the views he entertained upon peace were the same that had been expressed by the Vice-President of the Confederacy, and many other distinguished men in the South. He said that it was true that there was much opposition to the late act passed for the suspension of the writ of *habeas corpus*, and since the publication of Mr. Stephens’s speech it had much increased. He had intended himself to introduce a bill to repeal the late act. He heard that the act had been passed for the purpose of suppressing public sentiment in North Carolina. If so, its object has been and would be defeated. While the people of North Carolina were willing to make any and every sacrifice for the honorable prosecution of the war, they would not quietly submit to the destruction of their rights and liberties.

Mr. J. T. Leach also rose to a personal explanation. The article in the *Examiner*, he had no doubt, alluded to him. He said he endorsed every word that had been said by his colleague. He was a peace man—for an honorable peace—peace that will do justice to those that commenced the war, and those that have sacrificed their all upon the altar of their country. He said he was a Southern man, and would stand by the cause of the “sunny South,” and was willing to make any proper sacrifice for its success. But he said is it any discredit to a man to be in favor of peace? How are you to put an end to the war without negotiation, and how are you to negotiate without being in favor of peace? Commissioners had been appointed in all wars we ever had to bring about the cessation of hostilities, and put a stop to the shedding of blood. He said we must lay aside all this spirit of vilification and prejudice which seemed to fill the minds of many persons upon this subject. The people of North Carolina had been abused and vilified more than those of all the States of the South, and why was it? Was it because she had furnished so many thousand noble and true men, who had sacrificed their all for the cause?

He said that it was true there was disloyalty there—a disloyalty that he was proud of—a disloyalty that is opposed to bad laws and

worse administration. He said that the recent act* suspending the writ of *habeas corpus* had created disloyalty there.

Mr. Staples desired to ask the gentleman a

* *A Bill to suspend the privilege of the writ of Habeas Corpus in certain cases.*

WHEREAS, The Constitution of the Confederate States of America provides, in Article I., section 9, paragraph 5, that “the privileges of the writ of *habeas corpus* shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require it;” and whereas, the power of suspending the privilege of said writ, as recognized in said Article I., is vested solely in the Congress, which is the exclusive judge of the necessity of such suspension; and whereas, in the opinion of the Congress, the public safety requires the suspension of said writ in the existing case of the invasion of these States by the armies of the United States; and whereas, the President has asked for the suspension of the writ of *habeas corpus*, and informed Congress of the condition of the public danger which render the suspension of the writ a measure proper for the public defence against invasion and insurrection; now, therefore,

SEC. 1. That during the present invasion of the Confederate States the privilege of the writ of *habeas corpus* be, and the same is hereby suspended; but such suspension shall apply only to the cases of persons arrested or detained by order of the President, Secretary of War, or the General Officer commanding the Trans-Mississippi Military Department, by authority and under the control of the President. It is hereby declared that the purpose of Congress in the passage of this act, is to provide more effectually for the public safety by suspending the writ of *habeas corpus* in the following cases, and no other:

I. Of treason or treasonable efforts or combinations to subvert the Government of the Confederate States.

II. Of conspiracies to overthrow the Government or conspiracies to resist the lawful authority of the Confederate States.

III. Of combining to assist the enemy, or of communicating intelligence to the enemy, or giving him aid and comfort.

IV. Of conspiracies, preparations, and attempts to incite servile insurrection.

V. Of desertions and encouraging desertions, of harboring deserters, and of attempts to avoid military service: *Provided*, that in cases of palpable wrong and oppression by any subordinate officer, upon any party who does not legally owe military service, his superior officer shall grant prompt relief to the oppressed party, and the subordinate shall be dismissed from office.

VI. Of spies and other emissaries of the enemy.

VII. Of holding correspondence or intercourse with the enemy, without necessity, and without the permission of the Confederate States.

VIII. Of unlawful trading with the enemy and other offences against the laws of the Confederate States, enacted to promote their success in the war.

IX. Of conspiracies, or attempts to liberate prisoners of war held by the Confederate States.

X. Of conspiracies, or attempts or preparations to aid the enemy.

XI. Of persons aiding or inciting others to abandon the Confederate cause, or to resist the Confederate States, or to adhere to the enemy.

XII. Of unlawfully burning, destroying or injuring, or attempting to burn, destroy or injure any bridge or railroad, or telegraph line of communication, or other property with the intent of aiding the enemy.

XIII. Of treasonable designs to impair the military power of the Government by destroying or attempting to destroy the vessels or arms or munitions of war, or arsenals, foundries, workshops, or other property of the Confederate States.

SEC. 2. The President shall cause proper officers to investigate the cases of all persons so arrested or detained, in order that they may be discharged if improperly detained, unless they can be speedily tried in the due course of law.

SEC. 3. That during the suspension aforesaid no military or other officer shall be compelled, in answer to any writ of *habeas corpus*, to appear in person, or to return the body of any person detained by him by the authority of the President, Secretary of War, or the general officer commanding the trans-Mississippi Department; but upon the certificate under oath of the officer having charge of any one so detained that such person is detained by him as a prisoner under the authority aforesaid, further proceedings under the writ of *habeas corpus* shall immediately cease and remain suspended so long as this act shall continue in force.

SEC. 4. This act shall continue in force for ninety days after the next meeting of Congress, and no longer.

question. Are you for peace on any other terms than that of the independence of the South?

Mr. Leach.—I am for peace on the basis of the independence of the South if it can be obtained; but if not, then I am for peace on the best terms we can get, short of subjugation. Is the gentleman satisfied?

Mr. Staples—"I am not." And he was about to proceed to address the House, when Mr. Atkins, of Tennessee, objected, a unanimous consent being necessary, and further debate prevented.

In the House, May 23, Mr. J. T. Leach, of North Carolina, submitted the following preamble and resolutions:

Whereas, The unconstitutional enactment of laws by the Congress of the United States, upon subjects of vital importance to the harmony and independence of the States, the happiness and prosperity of the people, the preservation and perpetuation of the Union, against the demands of justice, the appeals and admonitions of her best and wisest statesmen, made it our painful duty to fall back upon the rights for which the colonies maintained the war of the Revolution, and which our forefathers asserted and maintained to be clear and inalienable.

Resolved, By the Congress of the Confederate States, That the delegates from each State, acting in its sovereign and independent character, for the purpose of adding moral to our physical force, and placing ourselves properly before the civilized world, do most earnestly appeal to the President, by and with the advice and consent of the Senate, to appoint Commissioners whose duty it shall be to propose an armistice of ninety days, to the proper authorities of the Federal Government, preliminary to negotiation upon State sovereignty and independence; and the said Commissioners shall report in writing to the President the answer received from the Federal Government upon the subject.

Resolved, That should the peace-making power of the Federal Government accede to the proposition for an armistice of ninety days, the President be requested to convene the Congress of the Confederate States for the purpose of appointing Commissioners, by and with the consent and advice of the Senate; and that he be also requested to notify the Executives of the several States of the fact, and ask their co-operation by appointing Commissioners, either by the Legislature or Convention, to coöperate with the Commissioners appointed by the President, and to negotiate with the Commissioners appointed by the Federal Government, upon such terms of peace as will be consistent with the honor, dignity, and independence of the States, and compatible with the safety of our social and political rights.

Resolved, That in maintaining the rights guaranteed to us by the blood and treasure of our revolutionary fathers, and dear at all times to freemen, *we desire be let alone*. We take no man's property; we fight not for conquest, but for our rights, the independence of the States, our equality, our civil and religious liberties.

Resolved, That such terms of peace as are agreed to by the Commissioners, ought to be indorsed by the President and Senate, and submitted to the people for their ratification or rejection.

Mr. Foote, of Tennessee, moved the reference of the preamble and resolutions to the Committee on Foreign Affairs.

Mr. McMullen inquired whether the subject of the resolution was not a proper one for the secret session.

Mr. Leach said he desired it to be discussed in open session.

Mr. Conrad rose to a point of order. A rule was adopted at the last session, which is still in force, requiring that all such resolutions be received and discussed in secret sessions.

The Speaker said that such a rule had been adopted, but it had special reference to the last session.

Mr. Leach insisted that the importance of the question involved in the resolutions should commend them to the gravest considerations of the body. They were not his views only, but the views of his constituents, and a good portion of the people of North Carolina.

Mr. Garland, of Arkansas, hoped the gentleman would not proceed until the Chair had settled the point of order that had been raised.

Mr. Foote renewed his motion to refer the resolutions to the Committee on Foreign Affairs.

Mr. McMullen moved to lay the resolutions upon the table.

Mr. Marshall, of Kentucky, rose to a point of order. The gentleman from North Carolina (Mr. Leach) had the floor, and he had not yielded it. The gentleman from Virginia (Mr. McMullen) was usurping the floor.

Mr. Foote didn't want to cut off any remarks the gentleman from North Carolina might have to make in support of his resolutions.

Mr. Leach said the presentment of the resolutions was a duty he owed to himself and his constituents. If the House didn't like the resolutions, it could dispose of them in any manner that it saw proper. All he asked was a full and impartial hearing; that accorded him and his resolutions, he would be satisfied.

Mr. McMullen withdrew his motion, and Mr. Heiskell, of Tennessee, renewed his—the call for the ayes and noes upon laying the resolutions upon the table.

The ayes and noes were taken, and the resolutions tabled.

After a short interval, Mr. Conrad, of Louisiana, rose to a personal explanation. He had read over the peace resolutions submitted by the gentleman from North Carolina (Mr. Leach), and he found that they look to separate State action in the prosecution of peace. Taking that view of them, he could not give them his countenance nor support. He asked leave to change his vote on the motion to lay them upon the table. He had voted "aye," he would vote "no."

Mr. J. T. Leach said he held in his hand the address of the last Congress to the people of the Confederate States. The principles there announced were embodied almost wholly in these resolutions.

Mr. Swan, of Tennessee, asked and obtained leave to change his vote on the motion to lay the resolutions on the table.

Mr. Read, of Kentucky, moved to reconsider the vote by which the resolutions were disposed of, so that all the members might use their discretion in voting.

Mr. Marshall, of Kentucky, was for treating the resolutions of the gentleman from North Carolina with becoming respect. They did not represent his views more than the views of his Congressional District. He thinks they are proper and right, and so think his constituents.

The debate soon began to be somewhat stormy and personal, and, after much wrangling, the resolutions were tabled by 62 yeas to 22 nays.

The subject was brought up again at the next session which commenced in November.

On Dec. 16th, Mr. Turner, of N. C., under a suspension of the rules, introduced resolutions that the President, by and with the advice and consent of the Senate, be and he is hereby requested to appoint thirteen commissioners, one from each of the States of the Confederate States, to tender propositions for a conference in order to negotiate terms of peace, and failing in this, said commissioners shall use all their influence to secure an exchange of prisoners and to mitigate the horrors of the existing war.

Mr. Turner supported his resolutions at some length. He did not believe that the United States Government would listen to any terms which we could offer, but believed the offer or such an effort on our part, would be most salutary in silencing the objections and murmurings of the lukewarm and faint-hearted. He did not favor separate State action. As to his State, the disaffected did not talk against the war, but against the Administration.

In North Carolina the two political parties—Whigs and Democrats—had been kept alive by the discussion of the question of secession, the Democrats favoring and the Whigs opposing the measure. These party dissensions had never been quieted there, but were fanned and kept alive by the fact or supposition that those who had been most active in favor of secession, and most violent in the protestation of their determination to shed their blood, if necessary, in maintaining our independence, were now sheltered from serving the country in the field behind petty officers, under the appointment of the Confederate Government. The belief that scarcely any except Democrats had been appointed to fill the offices in the gift of the Government, had so dissatisfied the people that, although before the war the majority of the North Carolina delegation was Democratic, now only a single member of the delegation remains to represent that party, and he holds his position by the tenure of sixteen votes.

The people of North Carolina and a part of Georgia had gotten it into their heads that something could be effected by peace negotiations; and if the action proposed by his resolutions had no other effect—and he confessed he did not anticipate any other—it would at least quiet the minds of many thousands of persons on the subject.

Mr. Barksdale, of Miss., offered the following resolutions as a substitute for those presented by the gentleman from North Carolina :

Whereas, The people of the Confederate States having been compelled, by the acts of the non-slaveholding States, to dissolve their connection with those States, and to form a new compact in order to preserve their liberties; and

Whereas, The efforts made by the Government of the Confederate States, immediately upon its organization, to establish friendly relations between it and the Government of the United States having proved unavailing by reason of the refusal of the Government of the United States to hold intercourse with the Commissioner appointed by this Government for that purpose; and

Whereas, The Government of the United States having since repeatedly refused to listen to propositions for an honorable peace, and having declared to foreign powers in advance that it would reject any offer of mediation which they might be prompted to make in the interest of humanity for terminating the war; and thus, having manifested their determination to continue it, with a view to the reduction of the people of these States to a degrading bondage, or to their extermination; therefore be it

Resolved, That while we reiterate our readiness to enter upon negotiations for peace whenever the hearts of our enemies are so inclined, we will pursue, without faltering, the course we have deliberately chosen, and for the preservation of our liberties will employ whatever means Providence has placed at our disposal.

Resolved, That the mode prescribed in the Constitution of the Confederate States for making treaties of peace afford ample means for the attainment of that end, whenever the Government of the United States abandon their wicked purpose to subjugate them, and evince a willingness to enter upon negotiations for terminating the war.

Pending the consideration of which, the morning hour having expired, the subject was postponed.

On the next day the question recurring upon the resolutions offered by Mr. Barksdale as a substitute for those offered by Mr. Turner, Mr. McMullen, who was entitled to the floor, offered the following resolution as a substitute for those offered by Mr. Barksdale :

Whereas, According to the Declaration of Independence of the United States and the Constitution of the Confederate States, the people of each of said States, in their highest sovereign capacity, have a right to alter, amend, or abolish the Government under which they live, and establish such other as they may deem expedient; and

Whereas, The people of the several Confederate States have thought proper to sever their political connection with the people and Government of the United States for reasons which it is not needful here to state; and

Whereas, The people of the Confederate States have organized and established a distinct Government for themselves; and

Whereas, Because the people of the Confederate States have thus exercised their undoubted rights in this respect, the people and Government of the United States have thought proper to make war upon them; and

Whereas, There seems to be a difference of opinion on the part of the respective governments and people as to which of the contending parties is responsible for the commencement of the present war; therefore,

Resolved, That while it is not expedient, and would

be incompatible with the dignity of the Confederate States, to send commissioners to Washington City for the purpose of securing a cessation of hostilities, yet it would be, in the judgment of this body, eminently proper that the House of Representatives of the Confederate States should despatch, without delay, to some convenient point, a body of Commissioners, thirteen in number, composed of one Representative from each of said States, to meet and confer with such individuals as may be appointed by the Government of the United States, in regard to all outstanding questions of difference between the two Governments, and to agree, if possible, upon the terms of a lasting and honorable peace, subject to the ratification of the respective Governments and of the sovereign States respectively represented therein.

Mr. McMullen proceeded to address the House at considerable length, urging the policy and the propriety of the Government proposing some terms of peace to the United States Government. He believed this to be an unholy, uncivilized, barbarous war, and thought that the Government should exhaust all means consistent with its honor for the attainment of a speedy peace.

Mr. Atkins, of Tennessee, said he would like to know of the gentleman from Virginia (Mr. McMullen) if he or any other member of the House had one iota of information or intimation that propositions for peace would be entertained or even received by the United States Government.

Mr. McMullen said that he had information of a very important character. He had information from Bishop Lay that Gen. Grant had signified to him that any Commissioners appointed by the Confederate Government would be received by the United States authorities at any point they might designate. And that an equal number of Commissioners or persons would be appointed on the part of the North to meet them, to have a free and full interchange of views upon the subject of peace. Mr. McMullen proceeded to urge that our Government should take some initial steps looking to bringing the war to a termination. Governor Brown and Vice-President Stephens had said that we were unwilling to open negotiations with the enemy for securing a peace. Let the Government open negotiations for peace. Let Congress despatch its Commissioners into the enemy's lines; let us show to the world that we are willing to accept an honorable peace, and the mouths of Governor Brown and his friends will be stopped.

Without Mr. McMullen concluding his remarks, the morning hour expired, and the consideration of the subject was postponed.

In the Senate, on Nov. 18th, Mr. Henry, of Tennessee, introduced the following joint resolutions, declaring the determination of the Congress and the people to prosecute the war until their independence is acknowledged, which were read, ordered to be printed, and subsequently referred to the Committee on Foreign Relations:

Resolved (by the Congress of the Confederate

States of America), That the people of the Confederate States are endowed by their Creator with the inalienable rights of life, liberty, and the pursuit of happiness; that to secure these high rights governments were instituted among men, deriving their just powers from the consent of the governed; and whenever any Government becomes destructive of these ends, it is the right of the people to alter or abolish it and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness; that in these principles, embodied in the Declaration of American Independence, the United Colonies, in 1776, dissolved the connection that bound them to the Government of Great Britain, and on them the Confederate States have severed the bonds of that political union which connected them with the people and the Government of the United States of America, rather than submit to the repeated injuries inflicted upon them by that people, and to the usurpations of that Government, all of which had the direct object to deprive them of their rights, rob them of property secured to them by constitutional guarantees, and to establish an absolute tyranny over these States.

Resolved, That the Confederate States appealed to arms in defence of these rights, and to establish these principles, only after they had in vain conjured the people and the Government of the United States, by all the ties of a common kindred, to discountenance and discontinue these injuries and usurpations, and after they had petitioned for redress in the most appropriate terms, and received in answer only a repetition of insults and injuries, which foreshadowed usurpations still more dangerous to liberty.

Resolved, That after nearly four years of cruel, desolating and unnatural war, in which the people of the Confederate States have unquestionably established their capacity for self-government, and their ability to resist the attempts of the enemy to subjugate them, this Congress does not hesitate to aver its sincere desire for peace, and to that end proclaims to the world the readiness of the Government of the Confederate States to open negotiations to establish a permanent and honorable peace between the Confederate States and the United States, upon the basis of the separate independence of the former.

Resolved, That the time has come when the Confederate Congress, in the name of the people of the Confederate States, deem it proper again to proclaim to the world their unalterable determination to be free, and that they do not abate one jot of their high resolve to die freemen rather than live slaves; and further, if the people of the United States, by reëlecting Abraham Lincoln, mean to tender to them four years more of war, or reunion with them on any terms, deeply deprecating the dire necessity so wantonly thrust upon them, and relying upon the justice of their cause and the gallantry of their soldiers, they accept the gage of battle, and leave the result to the righteous arbitrament of Heaven.

Resolved, That in view of the determination of the enemy to prosecute this horrid war still further, against which the Confederate States have at all times protested, and which the enemy have waged with extraordinary vigor, and which has been marked by acts of extraordinary atrocity, in violation of the usages of civilized warfare, the Congress of the Confederate States will, from this hour, dedicate themselves anew to the great cause of self-defence against the combined tyranny of the enemy. That it shall no longer be the momentous occupation of the Congress and the people of the Confederate States, but the business of their lives, to gather together the entire strength of the country in men and material of war, and put it forth, as with the will of one man, and with an unconquer-

able determination to defend their altars and their firesides till the last votary of freedom falls around them.

On December 13th the Committee reported favorably on the resolutions, with a verbal amendment, when the resolutions were passed.

In the House on Nov. 10th the subject of the employment of slaves in the armies was discussed. The views in opposition to the measure are expressed in the following remarks of Mr. Chambers, of Mississippi. The measure was debated chiefly in secret session:

On motion of Mr. Chambers, of Mississippi, the special order was called up, which was the consideration of his resolution and those by Messrs. Schaun and Foote, all relating to the employment of negroes in the army. Mr. Chambers' resolution is as follows:

Resolved, That the valor, constancy, and endurance of our citizen soldiers, assisted by the steady coöperation of all classes of our population not in the field, will continue a sufficient guaranty of the rights of the States, and of the independence of the Confederate States.

The following is Mr. Schaun's resolution:

Resolved, That in the judgment of this House no exigency now exists, nor is likely to occur in the military affairs in the Confederate States, to justify the placing of negro slaves in the army as soldiers in the field.

The resolutions offered by Mr. Foote embrace a series of propositions. The propositions assert that a general levy of the slaves for soldiers is unwise; that their withdrawal from labor would be inexpedient so long as we can otherwise obtain as large an army as we can maintain; that if the alternative be presented of subjugation or their employment in the ranks, the latter should be preferred; that for the uses to which they are now applied, their ownership by the Government, with prospective emancipation by the consent of the States, as the reward of faithful service, would be expedient; that the number so employed should be increased to forty thousand; concluding with a resolution affirming that it was necessary to have the antecedent consent and sanction of the States to any attempt at conferring emancipation by the Confederate authorities.

The Speaker explained that the House had decided to take up and consider all these resolutions at the same time, as they referred to the same subject. Yet the House could only vote upon one at a time. The first one in order was that of Mr. Chambers. When that was considered and disposed of, that of Mr. Schaun would come up, and so on, each taking their turn.

So the resolution of Mr. Chambers coming up for consideration, that gentleman proceeded to express his views in its support. He said that the resolution offered by him only declared an abiding confidence in our citizen soldiery to maintain our cause, and that they needed no other assistance than they were receiving from all other classes of our population. In other

words, his resolution declared that they did not need the assistance of negro troops. When the President proposed to put forty thousand negroes in the field—when the member from Tennessee favored it—when the member from South Carolina said he had not made up his mind about it—the question could no longer be evaded. It must be met.

The question had been raised at the end of a campaign the most successful that had ever been vouchsafed to the Confederate arms. If our army was prostrated and our people threatened with subjugation—but he did not until then—he could understand how such a proposition could be made. But why is the country agitated by it now, when the military horizon is bright and encouraging to us?

[Mr. Chambers here read from that portion of the President's Message reviewing the operations of the armies east and west of the Mississippi, to show that the President himself had presented a most hopeful view of the military prospects of the South.]

Continuing, Mr. Chambers said the whole matter hinged upon the simple question, "Are we approximating exhaustion?" He would lay it down as an undeniable fact, that our army was as large to-day, compared with that of the enemy, as at any time during the war. Taking both sides of the Mississippi, he believed the two armies held the same ratio as they did at the beginning of the campaign. It was said by some that our army was diminished by death, by disease, and by desertions, but it had not suffered as much from these causes as the Yankee army. He confessed that desertions in our army were great, but not half so great as in the Yankee army. There were thousands of men at home, from the non-execution of the laws, who should be in the army. The President had said in his Macon speech, that two-thirds of the army were absent. This was the subject that should demand the attention of Congress, rather than to be made the plea for employing negroes as soldiers in our armies. The authorities must be made to know, that when laws are passed by Congress they must be enforced and obeyed. Unless Congress correct the system of furlough and enforce the laws we will not be able to drive back the enemy. There are 250,000 men at home subject to military duty under the present law, and he could prove it by the papers upon his desk, if it did not consume too much time. Yet gentlemen say we are sinking, and appeal to African troops to save us! They appeal to them to come and help us to secure our independence. The President appeals to the sympathy of the negro. He held out to him the promise of a home. But the Yankee said he would give him a home and the right of property. The President can offer him no motive which the enemy cannot easily counteract by offering him a higher one. To our offer of freedom they would offer freedom and a home in the South after our subju-

gation, as well as exemption from military service meanwhile.

How did gentlemen propose to fight negro troops? He hoped they did not propose to commingle them with our brave white soldiers. How would they fight them? Not by regiments; not by brigades; not by corps; but by companies. Place the negroes in the front; put a company here and a company there, and all mutual rivalry is lost by the interposition of this timid material, our line wavers and is swept away.

Mr. Chambers said he was ashamed to debate the question. All nature cries out against it. The negro was ordained to slavery by the Almighty. Emancipation would be the destruction of our social and political system. God forbid that this Trojan horse should be introduced among us.

It is not denied that the negro will fight, but will he fight well enough to resist the Yankee armies? The negro cannot be made a good soldier. The law of his race is against it. Of great simplicity, of disposition tractable, prone to obedience, and highly imitative, he may be easily drilled; but timid, averse to effort, without ambition, he has no soldierly quality. Being adapted by nature to slavery, as he makes the best of slaves, he must needs make the worst of soldiers. He could recollect no instance in the war of '76 where negro troops were used in regular organization and regular battle, except the battalion of slaves which Lord Dunmore brought into the fight near Norfolk against the Virginia militia, and in that affair, we are told by the historian Botts, they "acted shabbily, and saved themselves by flight."

When, in 1793, the English landed on the island of Saint Domingo they found it defended by over twenty thousand troops, chiefly mulattoes and negroes, but with less than one thousand men captured several important strongholds, and with less than two thousand finally seized upon Port au Prince, the capital of the island. The French authorities, in their extremity, offered freedom to the slaves—over four hundred thousand in number—on condition of military service for the occasion, in defence of their homes, as we would say, yet only six thousand availed themselves of the offer, although these slaves were still bloody from the insurrection of 1790. They preferred slavery to military service.

So, in the beginning of this war, the negro escaped at every opportunity to our enemies, to avoid work; but since the system of negro conscription has been adopted by the United States Government he now remains with us, true to the instincts of his race. It is not slavery he desires to avoid; it is work in any form, but especially work in the form of dangerous service. This Government possessed the war power originally possessed by all the people of the several States. With wise design they have delegated the whole, with little or no reservation. It is not too much to say

that not the Czar of Russia—not even Peter the Great, whose despotism was restrained by no traditions and alarmed by no fears—could have brought into the field so promptly and thoroughly the entire war power of that despotism as this Government has elicited the war power of the several States in defence of the rights of the States.

For this purpose the first gun at Fort Sumter moved them to arms; they will again fly to arms in the same sacred cause, whenever and by whomsoever menaced. When the last man shall have sunk in his tracks, when the last steed shall have fallen beneath his rider, and the last morsel of food shall have vanished from the land, then, and not till then, will the war power of this Government be exhausted.

Mr. Goode, of Virginia, said he was opposed to the employment of negroes as soldiers under any circumstances. He was opposed to it because it was a confession of weakness to the enemy. He was opposed to it because he thought it would end in abolition. He was opposed to it because it was degrading to our men. He believed that the right place for Cuffee was in the corn field.

At quarter-past two o'clock, on motion of Mr. Russell, of Virginia, the House went into secret session to consider a bill reported from the Judiciary Committee.

A bill to arm the slaves subsequently passed the House, but was lost in the Senate by one vote. The Legislature of Virginia instructed her Senators to vote for it. Whereupon it was reconsidered in the Senate in the following form:

A Bill to Increase the Military Forces of the Confederate States.

The Congress of the Confederate States of America do enact, That in order to provide additional forces to repel invasion, maintain the rightful possession of the Confederate States, secure their independence, and preserve their institutions, the President be and he is hereby authorized to ask for and accept from the owners of slaves the services of such number of able-bodied negro men as he may deem expedient, for and during the war, to perform military service in whatever capacity he may direct.

SECTION 2. That the General-in-Chief be authorized to organize the said slaves into companies, battalions, regiments, and brigades, under such rules and regulations as the Secretary of War may prescribe, and to be commanded by such officers as the President may appoint.

SEC. 3. That while employed in the service the said troops shall receive the same rations, clothing, and compensation as are allowed to other troops in the same branch of the service.

SEC. 4. That if, under the previous section of this act, the President shall not be able to raise a sufficient number of troops to prosecute the war successfully and maintain the sovereignty of the States and the independence of the Confederate States, then he is hereby authorized to call on each State, whenever he thinks it expedient, for her quota of three hundred thousand troops, in addition to those subject to military service under existing laws, or so many thereof as the President may deem necessary, to be raised from such classes of the population, irrespective of color, in each State, as the proper authorities thereof may determine.

SEC. 5. That nothing in this act shall be construed to authorize a change in the relation of the said slaves.

The Senate amended it as follows:

Provided, That not more than twenty-five per cent. of the male slaves between the ages of eighteen and forty-five in any State shall be called for under the provisions of this act.

It was then passed and sent to the House, where the amendment was approved by the following vote:

YEAS—Messrs. Anderson, Barksdale, Batson, Baylor, Blandford, Bradley, H. W. Bruce, Carroll, Clark, Clopton, Conrad, Darden, De Jarnette, Dickinson, Dupre, Elliott, Ewing, Funsten, Gaither, Goode, Gray, Hanley, Johnston, Keeble, Lyon, Machen, Marshall, McMullen, Menees, Miller, Moore, Murray, Perkins, Read, Russell, Simpson, Snead, Staples, Triplett, and Villere—40.

NAYS—Messrs. Atkins, Baldwin, Chambers, Colyar, Cruikshank, Fuller, Gholson, Gilmer, Hart-ridge, Hatcher, Herbert, Holliday, J. M. Leach, J. T. Leach, Logan, McCallum, Ramsay, Rogers, Sexton, J. M. Smith, Smith of North Carolina, Turner, Wickham, Wilkes, Witherspoon, Mr. Speaker—26.

When the bill was on its passage in the Senate, after the instructions of the Virginia Legislature, Mr. Hunter of Virginia said: When we left the old Government we had thought we had gotten rid forever of the slavery agitation; that we were entering into a new Confederacy of homogeneous States where the agitation of the slavery question, which had become intolerable under the old Union, was to have no place. But to his surprise he finds that this Government assumes the power to arm the slaves, which involves also the power of emancipation. To the agitation of this question, the assumption of this power, he dated the origin of the gloom which now overspreads our people. They knew that if our liberties were to be achieved it was to be done by the hearts and the hands of free men. It also injured us abroad. It was regarded as a confession of despair and an abandonment of the ground upon which we had seceded from the old Union. We had insisted that Congress had no right to interfere with slavery, and upon the coming into power of the party who, it was known, would assume and exercise that power, we seceded. We had also then contended that whenever the two races were thrown together, one must be master and the other slave, and we vindicated ourselves against the accusations of Abolitionists by asserting that slavery was the best and happiest condition of the negro. Now what does this proposition admit? The right of the central Government to put the slaves into the militia, and to emancipate at least so many as shall be placed in the military service. It is a clear claim of the central Government to emancipate the slaves.

If we are right in passing this measure we were wrong in denying to the old Government the right to interfere with the institution of slavery and to emancipate slaves. Besides, if we offer slaves their freedom as a boon we confess that we were insincere, were hypocritical, in asserting that slavery was the best state for the negroes themselves. He had been sincere

in declaring that the central Government had no power over the institution of slavery, and that freedom would be no boon to the negro.

He now believed, as he had formerly said in discussion on the same subject, that arming and emancipating the slaves was an abandonment of this contest—an abandonment of the grounds upon which it had been undertaken. If this is so who is to answer for the hundreds of thousands of men who had been slain in the war? Who was to answer for them before the bar of Heaven? Not these who had entered into the contest upon principle and adhered to the principle, but those who had abandoned the principle. Not for all the gold in California would he have put his name to such a measure as this unless obliged to do it by instructions. As long as he was free to vote from his own convictions nothing could have extorted it from him.

Mr. Hunter then argued the necessity of freeing the negroes if they were made soldiers. There was something in the human heart and head that tells us it must be so; when they come out scarred from this conflict they must be free. If we could make them soldiers, the condition of the soldier being socially equal to any other in society, we could make them officers, perhaps, to command white men. Some future ambitious President might use the slaves to seize the liberties of the country, and put the white men under his feet. The Government had no power under the Constitution to arm and emancipate the slaves, and the Constitution granted no such great powers by implication.

Mr. Hunter then showed from statistics that no considerable body of negro troops could be raised in the States over which the Government had control without stripping the country of the labor absolutely necessary to produce food. He thought there was a much better chance of getting the large number of deserters back to the army than of getting the slaves into it. The negro abhorred the profession of a soldier. The commandant of conscripts, with authority to impress twenty thousand slaves, had, between last September and the present time, been able to get but four thousand; and of these, thirty-five hundred had been obtained in Virginia and North Carolina, and five hundred from Alabama. If he, armed with all the powers of impressment, could not get them as laborers, how will we be able to get them as soldiers? Unless they volunteer they will go to the Yankees; if we depend upon their volunteering we can't get them, and those we do get will desert to the enemy, who can offer them a better price than we can. The enemy can offer them liberty, clothing, and even farms at our expense. Negroes now were deterred from going to the enemy only by the fear of being put into the army. If we put them in they would all go over.

In conclusion, he considered that the measure, when reviewed as to its expediency, was worse than as a question of principle.

CONGRESS, UNITED STATES.—The first session of the 38th Congress* commenced on the 7th of December, 1863. In the Senate the Vice-President took the chair.

Objections were made to the administration of the oath to the Senators from West Virginia by Mr. Garrett Davis, of Kentucky, on the ground that West Virginia was not a State of the United States. A motion to administer the oath was carried—yeas, 36; nays, 5.

Before the result was announced, Mr. Hale, of New Hampshire, objected to the vote of Mr. Wilson, of Missouri, on the ground that he had been appointed a Senator by the Governor of Missouri, subsequent to which appointment the Legislature of the State had assembled and adjourned without electing a Senator.

Mr. Henderson, of Missouri, said: "The General Assembly of my State, elected in November, 1862, met in December, 1862, and adjourned in March, 1863, to a future day, the second Tuesday in November, 1863. The Gen-

eral Assembly, before the adjournment in March, 1863, called a joint session for the purpose of electing Senators, which joint session was to meet on the Thursday succeeding the second Tuesday in November of 1863. On the 13th day of November last the General Assembly elected Mr. Brown in the place of my colleague."

The question was considered on the next day, and Mr. Wilson was declared not to be entitled to a seat.

In the House Mr. Colfax, of Indiana, was elected Speaker by 101 votes, and Edward McPherson was elected clerk by 102 votes. The vote for Speaker was as follows:

Whole number of votes cast, 181; necessary to a choice, 91; of which—

Mr. Colfax received.....	101
Mr. Cox.....	42
Mr. Dawson.....	12
Mr. Mallory.....	10
Mr. Stebbins.....	8
Mr. King.....	6
Mr. Blair, of Missouri.....	2
Mr. Stiles.....	1

* The following is a list of the members of Congress:

SENATE.

California—John Conness, James A. McDougall.
Connecticut—James Dixon, Lafayette S. Foster.
Delaware—James A. Bayard, Willard Saulsbury.
Illinois—William A. Richardson, Lyman Trumbull.
Indiana—Thomas A. Hendricks, Henry S. Lane.
Iowa—James Harlan, James W. Grimes.
Kansas—Samuel C. Pomeroy, James H. Lane.
Kentucky—Garrett Davis, Lazarus W. Powell.
Maine—Lot M. Morrill, William Pitt Fessenden.
Massachusetts—Charles Sumner, Henry Wilson.
Maryland—Reverdy Johnson, Thomas H. Hicks.
Michigan—Zachariah Chandler, Jacob M. Howard.
Minnesota—Alexander Ramsay, Morton S. Wilkinson.
Missouri—John B. Henderson, B. Gratz Brown.
New Hampshire—Daniel Clark, John P. Hale.
New Jersey—William Wright, John C. Ten Eyck.
New York—Edwin D. Morgan, Ira Harris.
Ohio—Benjamin F. Wade, John Sherman.
Oregon—Benjamin F. Harding, James W. Nesmith.
Pennsylvania—Charles R. Buckalew, Edgar Cowan.
Rhode Island—William Sprague, Henry B. Anthony.
Vermont—Solomon Foot, Jacob Collamer.
Virginia—Lemuel J. Bowden, John S. Carlile.
West Virginia—Peter G. Vass Winkle, Waitman T. Willey.
Wisconsin—James R. Doolittle, Timothy O. Howe.

HOUSE.

California—Thomas B. Shannon, William Higby, Cornelius Cole.
Connecticut—Henry C. Deming, James E. English, Augustus Brandagee, John H. Hubbard.
Delaware—Nathaniel B. Smithers.
Illinois—Isaac N. Arnold, John F. Farnsworth, Elihu B. Washburne, Charles M. Harris, Owen Lovejoy, Jesse O. Norton, John R. Eden, John T. Stuart, Lewis W. Ross, Anthony L. Knapp, James C. Robinson, William R. Morrison, William J. Allen, James C. Allen.
Indiana—John Law, James A. Cravens, Henry W. Harrington, William S. Holman, George W. Julian, Ebenezer Dumont, Daniel W. Voorhees, Godlove S. Orth, Schuyler Colfax, Joseph K. Edgerton, James F. McDowell.
Iowa—James F. Wilson, Hiram Price, William B. Allison, J. B. Grinnell, John A. Kasson, A. W. Hubbard.
Kansas—A. Carter Wilder.
Kentucky—Lucien Anderson, George H. Yeaman, Henry Grider, Aaron Harding, Robert Mallory, Green Clay Smith, Brutus J. Clay, William H. Randall, William H. Wadsworth.
Maine—Lorenzo D. M. Sweet, Sidney Perham, James G. Blaine, John H. Rice, Frederick A. Pike.
Maryland—John A. J. Cresswell, Edwin H. Webster, Henry Winter Davis, Francis Thomas, Benjamin G. Harris.
Massachusetts—Thomas D. Eliot, Oakes Ames, Alexander H. Rice, Samuel Hooper, John B. Alley, Daniel W. Gooch,

George S. Boutwell, John D. Baldwin, William B. Washburn, Henry L. Dawes.

Michigan—Fernando C. Beaman, Charles Upson, John W. Longyear, Francis W. Kellogg, Augustus C. Baldwin, John F. Driggs.

Minnesota—William Windom, Ignatius Donnelly.

Missouri—Francis P. Blair, jr., Henry T. Blow, John G. Scott, Joseph W. McClurg, Samuel H. Boyd, Austin A. King, Benjamin F. Loan, William A. Hall, James S. Rollins.

New Hampshire—Daniel Marcy, Edward H. Rollins, James W. Patterson.

New Jersey—John F. Starr, George Middleton, William G. Steele, Andrew J. Rogers, Nehemiah Perry.

New York—Henry G. Stebbins, Martin Kalbfleisch, Moses F. Odell, Benjamin Wood, Fernando Wood, Elijah Ward, John W. Chanler, James Brooks, Anson Herrick, William Radford, Charles H. Winfield, Homer A. Nelson, John B. Steele, John V. L. Pruyn, John A. Griswold, Orlando Kellogg, Calvin T. Hulburt, James M. Marvin, Samuel F. Miller, Ambrose W. Clark, Francis Kernan, De Witt C. Littlejohn, Thomas T. Davis, Theodore M. Pomeroy, Daniel Morris, Giles W. Hotchkiss, Robert B. Van Valkenburg, Freeman Clark, Augustus Frank, John B. Ganson, Reuben E. Fenton.

Ohio—George H. Pendleton, Alexander Long, Robert C. Schenck, J. F. McKinney, Frank C. LeBlond, Chilton A. White, Samuel S. Cox, William Johnson, Warren P. Noble, James M. Ashley, Wells A. Hutchins, William E. Finck, John O'Neill, George Bliss, James E. Morris, Joseph W. White, Ephraim R. Eckley, Rufus P. Spaulding, James A. Garfield.

Oregon—John R. McBride.

Pennsylvania—Samuel J. Randall, Charles O'Neill, Leonard Myers, William D. Kelley, M. Russell Thayer, John D. Stiles, John M. Broomall, Sydenham E. Ancona, Thaddeus Stevens, Myer Strause, Philip Johnson, Charles Dennison, Henry M. Tracy, William H. Miller, Joseph Bailly, Alexander H. Coffroth, Archibald McAllister, James T. Hale, Glenni W. Scofield, Amos Myers, John L. Dawson, James K. Moorhead, Thomas Williams, Jesse Lazear.

Rhode Island—Thomas A. Jenckes, Nathan F. Dixon.

Vermont—Frederick E. Woodbridge, Justin S. Morrill, Portus Baxter.

Virginia—Joseph E. Segar, Lucius H. Chandler, Benjamin M. Kitchen.

West Virginia—Jacob B. Blair, William G. Brown, Killian V. Whaley.

Wisconsin—James S. Brown, Ithamar C. Sloan, Amasa Cobb, Charles A. Eldridge, Ezra Wheeler, Walter D. McIndoe.

Delegates from Territories.

Arizona—

Colorado—Hiram P. Bennett.

Dakota—William Jayne.

Idaho—John M. Cannaday.

Nebraska—Samuel G. Daily.

Nevada—Gordon N. Mott.

New Mexico—Francisco Perea.

Utah—John F. Kinney.

Washington—George E. Cole.

The following is the vote in detail :

For Mr. Colfax—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, William G. Brown, Blaine, Jacob B. Blair, Blow, Boutwell, Boyd, Brandegee, Broomall, Ambrose W. Clark, Freeman Clarke, Clay, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Grinnell, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, Littlejohn, Loan, Longyear, Lovejoy, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel F. Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, William H. Randall, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smith, Smithers, Spaulding, Starr, Stevens, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge.

For Mr. Cox—Messrs. James C. Allen, William J. Allen, Augustus C. Baldwin, Bliss, James S. Brown, Cravens, Dawson, Eden, Edgerton, Eldridge, English, Finck, Harrington, Charles M. Harris, Herrick, Holman, Hutchins, William Johnson, Kalbfleisch, Knapp, Law, Le Blond, Long, Marcy, McDowell, McKinney, Middleton, James R. Morris, Morrison, Noble, John O'Neill, Pendleton, Perry, Robinson, Rogers, Ross, William G. Steele, Sweat, Voorhees, Wheeler, Chilton A. White, and Joseph W. White.

For Mr. Dawson—Messrs. Ancona, Bailly, Coffroth, Cox, Dennison, Philip Johnson, Lazear, McAllister, William H. Miller, Samuel J. Randall, Stiles, and Strouse.

For Mr. Mallory—Messrs. Brooks, Grider, Harding, Benjamin G. Harris, King, James S. Rollins, Stuart, Wadsworth, Ward, and Yeaman.

For Mr. Stebbins—Messrs. Ganson, Griswold, Kernan, Nelson, Odell, Pruyn, John B. Steele and Winfield.

For Mr. King—Messrs. Chanler, Hall, Mallory, Radford, Scott, and Fernando Wood.

For Mr. Blair, of Missouri—Messrs. Cottman and Field.

For Mr. Stiles—Mr. Benjamin Wood.

In the House, on the 15th, Mr. Stevens, of Pennsylvania, reported a series of resolutions referring portions of the President's message to the various committees, one of which was as follows :

Resolved, That so much of the President's message as is contained in the proclamation, and as refers to the constitution and treatment of the rebellious States, be referred to a special committee of nine, &c.

Mr. Davis, of Maryland, offered the following as a substitute :

That so much of the President's message as relates to the duty of the United States to guaranty a republican form of government to the States in which the governments recognized by the United States have been abrogated or overthrown, be referred to a select committee of nine, to be named by the Speaker ; which shall report the bills necessary and proper for carrying into execution the foregoing guarantee.

He said :—"The language of the resolution reported by the Committee of Ways and Means is very general, and perhaps does not point precisely to the object the gentleman who drew it had in his own mind. It would cover the whole subject of the war. So much, I think it

says in substance, of the President's message as relates to the condition and treatment of the rebel States, shall be referred to a select committee. What does not relate to the condition and treatment of the rebel States? It includes the conduct of the war: the treatment of the people not in arms in the rebellious districts, and the policy the military governors shall pursue; it includes, in a word, the whole treatment of the States which are the theatre of the rebellion.

"I take it that that was not what the Committee of Ways and Means contemplated. I presume they intended to point to what, in the very inaccurate phraseology of the day, is known as the question of reconstruction.

"Now, as I think there has been no destruction of the Union, no breaking up of the Government, I carefully avoid the use of any such word. The fact, as well as the constitutional view of the condition of affairs in the States enveloped by the rebellion, is that a force has overthrown, or the people, in a moment of madness, have abrogated the governments which existed in those States, under the Constitution, and were recognized by the United States prior to the breaking out of the rebellion.

"The Government of the United States is engaged in two operations. One is the suppression of armed resistance to the supreme authority of the United States, and which is endeavoring to suppress that opposition by arms. Another—a very delicate and perhaps as high a duty—is to see, when armed resistance shall be removed, that governments shall be restored in those States republican in their form."

Mr. Brooks, of New York, said :—"As I understand the gentleman from Maryland—so far as I do understand him—I am much more disposed to follow the lead of the gentleman from Pennsylvania (Mr. Stevens), who introduced the original resolution, rather than the lead of the gentleman from Maryland. I think his formula is a better one. In this particular condition of the House, I am opposed to the construction of a special committee. But if the proposition of the gentleman from Maryland shall be persisted in, I should be disposed to add that this committee be instructed to inquire also whether republican governments have not been abrogated and overturned north of the Potomac as well as south of the Potomac since this revolution began."

Mr. Lovejoy, of Illinois, followed, saying :—"Now, Mr. Speaker, I do not know that this is the point to take our departure one way or the other; still, so far as I have heard the debate, I shall follow the lead of the gentleman from Maryland (Mr. Davis), unless I take it myself. At any rate, I shall follow the principles indicated by his resolution, and the remarks with which he has accompanied it. I do not believe, strictly speaking, that there are any rebel States; I know that there are States

which rebels have taken possession of and overthrown the legitimate governments for the time being; and I hold, with the gentleman from Maryland, as I understood him, that those governments still remain; and that as soon as we can get possession of them we will breathe into them the spirit of republican life—a free soul once again. I am for the Constitution as it is and the Union as it was. Yes, I am for the Constitution as it is, and not as it has been falsely interpreted, and for the Union as it was before it was taken possession of by slaveholding tyrants.”

The amendment was adopted—yeas, 91; nays, 80.

In the Senate, on Dec. 16th, Mr. Wilson, of Massachusetts, from the Committee on Military Affairs, reported the joint resolution of the House relative to Gen. Grant. It directed that the thanks of Congress be presented to Major-Gen. Ulysses S. Grant, and through him to the officers and soldiers who have fought under his command during this rebellion, for their gallantry and good conduct in the battles in which they have been engaged; and requested the President of the United States to cause a gold medal to be struck, with suitable emblems, devices, and inscriptions, to be presented to Major-Gen. Grant. When the medal shall have been struck, the President is to cause a copy of the joint resolution to be engrossed on parchment, and to transmit it, together with the medal, to Major-Gen. Grant, to be presented to him in the name of the people of the United States of America.

It passed immediately.

In the House, on May 23d, Mr. Grinnell, of Iowa, offered the following resolution, which was laid over:

Resolved, That the President be requested to communicate to this House whether by any order of the Government, or by any officer thereof, the *World* and *Journal of Commerce*, newspapers in the city of New York, were suspended from being published; and if so, that said order be communicated to this House, and the proceedings in the execution of that order.

On the same day, Mr. Pruyn, of New York, asked leave to introduce the following resolution:

Resolved, That the conduct of the executive authority of the Government in recently closing the offices and suppressing the publication of the *World* and *Journal of Commerce*, newspapers in the city of New York, under circumstances which have been placed before the public, was an act unwarranted in itself, dangerous to the cause of the Union, in violation of the Constitution, and subversive of the principles of civil liberty, and as such is hereby censured by this House.

It was objected to. Subsequently Mr. Pruyn moved to suspend the rules in order to introduce the resolution, which was refused by the following vote:

YEAS—Messrs. James C. Allen, Augustus C. Baldwin, Bliss, Brooks, James S. Brown, Chanler, Coffroth, Cox, Dawson, Dennison, Eden, Edgerton, Eldridge, Finck, Grider, Harding, Charles M. Harris,

Herrick, Holman, Hutchins, Philip Johnson, William Johnson, Kalbfleisch, Kernan, King, Knapp, Law, Lazear, Mallory, Marcy, McAllister, McDowell, William H. Miller, Morrison, Nelson, Noble, John O'Neill, Pendleton, Pruyn, Radford, Samuel J. Randall, Robinson, James S. Rollins, Ross, Scott, John B. Steele, William G. Steele, Strouse, Voorhees, Wadsworth, Ward, Wheeler, Joseph W. White, and Fernando Wood—54.

NAYS—Messrs. Alley, Ames, Arnold, John D. Baldwin, Baxter, Beaman, Jacob B. Blair, Blow, Boutwell, Boyd, Broomall, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Eckley, Eliot, Farnsworth, Garfield, Gooch, Grinnell, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, Ingersoll, Jenckes, Julian, Kelley, Francis W. Kellogg, Loan, Longyear, Marvin, McBride, McClurg, Samuel F. Miller, Moorhead, Morrill, Amos Myers, Leonard Myers, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, William H. Randall, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smith, Smithers, Spalding, Stevens, Thayer, Thomas, Upson, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—79.

On the same day, Mr. Arnold, of Illinois, offered the following:

Resolved, That the Committee on the Judiciary be instructed to inquire and report what, if any, additional legislation may be necessary to punish the forgery and publication of official documents, and what legislation is necessary to punish those who through the press or otherwise give information, aid, or comfort to the rebels.

It was adopted.

In the Senate, on May 26th, Mr. Powell offered the following resolution:

Resolved, That the conduct of the executive authority of the Government, in recently closing the offices and suppressing the publication of the *World* and *Journal of Commerce*, newspapers in the city of New York, under circumstances which have been placed before the public, was an act unwarranted in itself, dangerous to the cause of the Union, in violation of the Constitution, and subversive of the principles of civil liberty, and as such is hereby censured by the Senate.

It was laid over.

In the House, on Dec. 17th, Mr. Harrington, of Indiana, offered the following resolutions, and demanded the previous question on their adoption:

Whereas the Constitution of the United States (article 1, section 9) provides, “The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it;” and whereas such provision is contained in the portion of the Constitution defining legislative powers, and not in the provisions defining executive power; and whereas the Constitution (article four of the Amendment) further provides: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, &c.; and whereas the 37th Congress did, by act, claim to confer upon the President of the United States the power, at his will and pleasure, to suspend the privileges of the writ of *Habeas Corpus* throughout the United States without limitations or conditions; and whereas the President of the United States, by proclamation, has assumed to suspend such privileges of the citizens in the loyal States; and whereas the people of such States have been subjected to arbitrary arrests without process of law, and to unrea-

sonable search and seizures, and have been denied the right to a speedy trial and investigation, and have languished in prisons at the arbitrary pleasure of the chief Executive and his military subordinates: Now, therefore—

1. *Resolved*, That no power is delegated by the Constitution of the United States, either to the legislative or executive power, to suspend the privileges of the writ of *habeas corpus* in any state loyal to the Constitution and Government not invaded, and in which the civil and judicial powers are in full operation.

2. *Resolved*, That Congress has no power under the Constitution to delegate to the President of the United States the authority to suspend the privilege of the writ of *habeas corpus*, and imprison at his pleasure, without process of law or trial, the citizens of the loyal States.

3. *Resolved*, That the assumption of the right by the Executive of the United States to deprive the citizens of such loyal States of the benefits of the writ of *habeas corpus*, and to imprison them at his pleasure, without process of law, is unworthy the progress of the age, is consistent only with a despotic power unlimited by constitutional obligations, and is wholly subversive of the elementary principles of freedom upon which the Government of the United States and of the several States is based.

4. *Resolved*, That the Judiciary Committee be instructed to prepare and report a bill to this House, protecting the rights of the citizens in the loyal States, in strict accordance with the foregoing provisions of the Constitution of the United States.

They were rejected by the following vote:

YEAS—Messrs. James C. Allen, William J. Allen, Ancona, Augustus C. Baldwin, Bliss, Brooks, James S. Brown, Chanler, Coffroth, Cox, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, English, Finck, Ganson, Grider, Hall, Harding, Harrington, Benjamin G. Harris, Herrick, Holman, William Johnson, Kernan, King, Knapp, Law, Le Blond, Long, Mallory, Marcy, McAllister, McDowell, McKinney, Middleton, William H. Miller, James R. Morris, Morrison, Nelson, Noble, Odell, John O'Neill, Pendleton, Perry, Radford, Samuel J. Randall, Robinson, Rogers, Ross, Scott, John B. Steele, William G. Steele, Stiles, Strouse, Sweat, Voorhees, Wadsworth, Ward, Wheeler, Chilton A. White, Joseph W. White, Winfield, and Fernando Wood—67.

NAYS—Messrs. Alley, Allison, Ames, Arnold, Ashley, John D. Baldwin, Beaman, Blaine, Blow, Boutwell, Brandegee, Broomall, William G. Brown, Ambrose W. Clark, Freeman Clarke, Clay, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Dixon, Donnelly, Briggs, Dumont, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Grinnell, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Longyear, Lovejoy, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Perham, Pike, Pomeroy, Price, William H. Randall, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Schofield, Shannon, Sloan, Smith, Smithers, Spaulding, Stevens, Thayer, Tracy, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—90.

On Feb. 29th, Mr. Pendleton, of Ohio, offered the following resolution, and moved the previous question:

Resolved (as the sense of this House), That the military arrest, without civil warrant, and trial by military commission, without jury, of Clement L. Vallandigham, a citizen of Ohio, not in the land or naval forces of the United States, or the militia in ac-

tive service, by order of Major-Gen. Burnside, and his subsequent banishment by order of the President, executed by military force, were acts of mere arbitrary power, in palpable violation of the Constitution and laws of the United States.

It was rejected by the following vote:

YEAS—Messrs. James C. Allen, Ancona, Augustus C. Baldwin, Brooks, Chanler, Coffroth, Cox, Dawson, Dennison, Eden, Eldridge, Finck, Ganson, Harding, Harrington, Herrick, Holman, Hutchins, Kernan, Knapp, Law, Long, Marcy, McDowell, McKinney, William H. Miller, Morrison, Nelson, Noble, John O'Neill, Pendleton, Radford, Samuel J. Randall, Rogers, Ross, Scott, Stebbins, John B. Steele, William G. Steele, Stiles, Strouse, Stuart, Sweat, Voorhees, Wadsworth, Chilton A. White, and Winfield—47.

NAYS—Messrs. Alley, Allison, Anderson, Arnold, Bailey, John D. Baldwin, Baxter, Francis P. Blair, Blow, Boutwell, Boyd, Brandegee, Ambrose W. Clark, Freeman Clarke, Clay, Cobb, Cole, Creswell, Henry Winter Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Dumont, Eliot, Farnsworth, Frank, Grinnell, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Jenckes, Julian, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Marvin, McBride, McClurg, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Patterson, Perham, Pomeroy, Price, William H. Randall, John H. Rice, Schenck, Schofield, Shannon, Sloan, Smithers, Starr, Stevens, Thayer, Thomas, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—76.

On March 21st, Mr. Eldridge, of Wisconsin, offered the following resolution:

Resolved, That the President of the United States be respectfully requested, and that the Secretary of State and the Secretary of War be directed to report and furnish to this House the names of all persons, if any there are, arrested and held in prison or confinement in any prison, fort, or other place whatsoever, for political offences, or any other alleged offence against the Government or authority of the United States, by the order, command, consent, or knowledge of them, or either of them, respectively, and who have not been charged, tried, or convicted before any civil or criminal (not military) court of the land; together with the charge against such person, or cause for such arrest and imprisonment, if there be any; and the name of the prison, fort, or place where they are severally kept or confined. Also, whether any person or persons, for any alleged like offence, have been banished or sent from the United States, or from the States not in rebellion to the rebellious States, and the names, times, alleged offence, and cause thereof; and whether with or without trial; and if tried, before what court.

It came up on April 4th, when Mr. Rollins, of New Hampshire, moved to lay it upon the table, which was ordered by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, John D. Baldwin, Baxter, Beman, Blaine, Blow, Boyd, Broomall, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Thomas T. Davis, Dixon, Driggs, Eckley, Eliot, Frank, Grinnell, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, Jenckes, Julian, Francis W. Kellogg, Longyear, McBride, McClurg, Samuel F. Miller, Moorhead, Morrill, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Price, Alexander H. Rice, Edward H. Rollins, Shannon, Spaulding, Stevens, Thayer, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne,

William B. Washburn, Wilder, Windom, and Woodbridge—62.

NAYS—Messrs. James C. Allen, Ancona, Augustus C. Baldwin, Bliss, Chanler, Cox, Cravens, Dawson, Dennison, Eden, Eldridge, English, Finck, Grider, Griswold, Harrington, Herrick, Holman, Philip Johnson, Kalbfleisch, Law, Lazear, Long, Mallory, Marcy, McKinney, Middleton, James R. Morris, Morrison, John O'Neill, Pruyn, Samuel J. Randall, Robinson, Rogers, John B. Steele, Wheeler, Chilton A. White, Winfield, and Yeaman—39.

In the Senate, on June 20th, Mr. Morrill, of Maine, offered the following bill, which was referred to the Judiciary:

Be it enacted, That upon all arrests under section 6, of chapter 200, of an act approved the 17th of July, 1862, bail shall be admitted, and such bail, on the demand of the party so arrested, may be taken before any judge of the United States, any chancellor, judge of a supreme or superior court, or chief or first judge of court of common pleas, of any State, who shall exercise their discretion therein, regarding the nature and circumstances of the offence, and of the evidence and of the usages of law.

In the Senate, on the 18th of December, the following resolution, previously offered by Mr. Sumner, was taken up from the table:

Resolved, That the following be added to the rules of the Senate: "The oath or affirmation prescribed by act of Congress of July 2, 1862, to be taken and subscribed before entering upon the duties of office, shall be taken and subscribed by every Senator in open Senate, before entering upon his duties. It shall also be taken and subscribed in the same way by the Secretary of the Senate; but the other officers of the Senate may take and subscribe it in the office of the Secretary."

Mr. Saulsbury, of Delaware, with a view to have a judicial decision of the Senate whether the oath prescribed by the act of Congress was in conformity with the Constitution, offered the following substitute:

Resolved, That the Committee on the Judiciary be instructed to inquire whether Senators and Representatives in Congress are included within the provisions of the act, entitled "An act to prescribe an oath of office, and for other purposes," approved July 2, 1862; and whether the said act is in accordance or in conflict with the Constitution of the United States.

Mr. Saulsbury said: "It was decided by the Senate, on a solemn vote, in the early history of this Government, that a Senator is not a civil officer under the Government of the United States; and the act of Congress simply provides that this oath shall be taken by officers in the civil or military service of the United States.

"Again, sir, the oath requires that a Senator (if it be held to apply to Senators) shall purge himself that he has not been in the past guilty of certain acts. Just as competent is it for the Senate to require that when a man presents himself here with all the constitutional qualifications for a seat on this floor, he shall purge himself that he has never been guilty of the commission of an assault and battery, or any other offence against either State or Federal law."

Mr. Trumbull, of Illinois, in objection, said: "I do not know, sir, that another decision upon

that subject will be any more satisfactory than the one which has already been made. The law referred to could not have been enacted without the sanction of this body; and when that law was under consideration, it was objected to as being unconstitutional. It was argued in the Senate; that point was presented; and the Senate, notwithstanding the arguments that were presented against the constitutionality of the proposed law, thought proper to pass the bill. The House of Representatives concurring, and the President approving the bill, it became the law of the land. The Senate has decided that this law is constitutional, by its passage; and it is a novel proceeding, when it becomes the duty of Senators to execute a law of the land, that in the first place they are to refer the question whether the law is the law of the land or not, to one of the committees for consideration. It is as much our duty to obey a law, as it is the duty of any other citizen in any portion of the country to do so."

Mr. Saulsbury, in reply, urged that it had never been decided by either House, or by any other tribunal, that this act of Congress did include members of either House, and said: "My colleague (Mr. Bayard) at the last session appeared in this body, took the constitutional oath, entered upon his duties as a Senator, was here in open session, was here in secret session, was here acting as a Senator after the statement deliberately made by the Senator from Illinois, the chairman of the Judiciary Committee, that those who chose to take the additional oath might take it, and those who chose not to take it need not take it. That was at a time when a debate sprang up which threatened to last several days, on the obligatory character of this oath. Then, sir, at the present session, after my colleague has acted in this body, both in public and in secret session, this order is introduced. All that my colleague asks, all that I ask, is that before he is required to take the oath, some committee of this body, or the body itself, decide that the act applies to members of the Senate and members of the House of Representatives. Is there any thing unreasonable in this?"

Mr. Johnson, of Maryland, urged that two questions were presented, thus: "The first is, what is the true meaning of the act of Congress—does it, or does it not embrace members of Congress? The other is, if it does embrace members of Congress, whether Congress had the constitutional power to pass that act? Now, with reference to the first of these questions, there can be no possible objection, that I can see, to our having from the Judiciary Committee a well-considered opinion. I do not know that the proposed rule has been before any committee of the body heretofore; and I think it will tend, perhaps, to establish the construction of that act the one way or the other, so as to determine all further controversy upon the subject, if the Judiciary Committee will

take the matter into consideration, and express their own opinion, after considering as to the true operation of the act as it stands.

"Upon the other question, to which the honorable member from Illinois has referred as one over which, as he supposes, the committee has no right, and the body can give the committee no right, I submit that perhaps the chairman of the committee is mistaken. He thinks there is no authority to refer to a committee the question whether an act upon the statute-book is constitutional or not. I beg him to reconsider that opinion, and if he does I incline to think he will come to a different conclusion. The act, as long as it stands upon the statute-book, is in one sense obligatory; it is apparently the law of the land; but if, in point of law, it be repugnant to the Constitution of the United States, then it is not the law of the land; and if it should, upon investigation, be found that Congress had not authority to pass this act, Congress owes it to itself that it should repeal it."

Mr. Collamer, of Vermont, said: "The rule proposed is to give a practical construction to the act by saying that it extends to Senators, and that they shall take the oath. I at present have no opinion to express in relation to that question. That is the question, and that being the question, I understand that the Senator from Delaware desires that it may go to the Judiciary Committee. What can be the objection to that, seriously?"

Mr. Sumner, of Massachusetts, replied: Is there any Senator who is not ready at this moment to vote on the question of the constitutionality of that act of Congress? The Senate in passing the act has already given its opinion upon its constitutionality. Is there any Senator who is not ready to vote at this moment on the question whether or not that act of Congress is applicable to Senators and members of the House of Representatives? I doubt if there is any single Senator who needs any light on this question. I doubt if there is any one who has a particle of doubt upon it. There are Senators, I dare say, who have already made up their minds that the act is not constitutional, or that it is not applicable to members of this body; and there are other Senators who have made up their minds just the contrary; but I ask if there is any Senator who will confess any real doubt on the question. Some few may be one way, and others may be the other way. But whether one way or the other way, their minds are made up.

Mr. McDougall, of California said: "I know of no more grave matter that can come before the Senate than the question which is now presented to us. I can see no reason why the Senate should refuse to refer it. It is my opinion that a Senator of the United States is a constitutional officer, and that in occupying his place, he is not subject to any thing except what the Constitution dictates. That is my opinion, and it is very near my conviction; but I am

prepared to be informed by the Judiciary Committee.

The question of reference was further debated and lost—yeas, 15; nays, 26. The postponement of the subject for a few days was then carried.

On the 21st the question came up again, and on a motion to postpone, Mr. Bayard, of Delaware, stated the facts relative to the original bill and the proceedings under it, and desired a further postponement, to prepare his views on the question of law. A further postponement was made, after urgent objections by Mr. Sumner, to the 19th of January, when Mr. Bayard addressed the Senate. He said; "As I am the only member of the Senate present at this session who has not taken the oath, it is but a rational inference that the rule now proposed is intended to operate personally upon me, although I was sworn in at the special session and acted as a Senator both on committees and in the Senate since my reelection in March last for the term of six years, ending on the 3d of March, 1869. In the objections, however, which I have to present to this proposed rule, I shall consider it without reference to any personal effect it may have upon my own action.

"The adoption or rejection of this rule involves two general questions: First, is the action on which it professes to be founded repugnant to the Federal Constitution, or is it within the powers delegated to Congress? Second, is a member of the Senate included by its provisions when construed according to the language and meaning of the Federal Constitution?"

"This act of July 2, 1862, is repugnant to at least three, I think four, provisions of the Federal Constitution. It is invalid because it prescribes a further qualification for a member of Congress before entering upon the performance of his duties. This was the question, and the only question, argued before the passage of the law, or noticed in the debate.

"The third clause of the third section of article one of the Constitution prescribes the qualifications of a Senator—age, residence, and citizenship: the age thirty years; residence at the time of election in the State which elects him; and citizenship for nine years preceding the election. The third clause of the sixth article requires that Senators and Representatives shall be bound by oath or affirmation to support the Constitution. Does this provision admit any oath varying in substance from the oath so required? It has been admitted, and indeed cannot well be denied, than no oath other than that of which the form is prescribed in the Constitution can be imposed upon the President of the United States; and upon the same principle the substance of the oath prescribed for Senators and Representatives, and members of the State Legislatures, and all offices of the States as well as of the United States, must be adhered to, though Congress

may unquestionably prescribe the form in which it is to be administered. Variations of form are quite immaterial. The form adopted originally was prescribed by the first act of the first Congress of the United States, and will be found at page 23 of the first volume of the Statutes at Large. I refer to it both for its simplicity and to show the views which that body took of the authority they were exercising, that it was merely the prescription of the form of an oath required by the Constitution. The first section is:

That the oath or affirmation required by the sixth article of the Constitution of the United States shall be administered in the form following, to wit: "I, A B, do solemnly swear or affirm (as the case may be) that I will support the Constitution of the United States.

"The power assumed in that act was merely to prescribe the form of the oath required by the Constitution, by legislation, and that power is not questioned. I cannot doubt that as regards members of Congress either House might have prescribed the form by its own resolution; but for the sake of uniformity, as the oath is required by the Constitution, of course it was wiser that a general provision should be made by legislation. Indeed, this law recognizes the fact that either House would have possessed that authority, because it provides that the oath shall be administered within three days to every member, and also to the members and the Speaker of the House of Representatives, who had not taken a similar oath by virtue of a resolution of the House.

"The second objection to the constitutionality of this act is that it is in conflict with the fifth article of the amendments to the Constitution of the United States. The fifth article of the amendments to the Constitution provides that—

No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall he be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law.

"Mr. President, this article is a restriction upon power, intended to secure individual rights against the aggressions of Government, as, indeed, are all the first ten amendments adopted immediately after the formation of the Constitution. In one form or another, similar limitations of power have been incorporated into the constitution of every State in this Union. The principle comes to us from *Magna Charta*, though in England it is but a restraint on the Crown, Parliament, in their theory of government, being the ultimate power and omnipotent; but in this country we hold that the sovereignty is in the people, and both in the General and State governments limitations upon power apply to all branches of govern-

ment. The limitation in this article is one of the great guarantees of civil liberty in free governments, and should be liberally expounded. If those guarantees are to be frittered away by a narrow construction, then indeed will written constitutions, which in the past have been the pride and glory of American statesmen and the American people, become unmeaning nullities and the frailest of barriers against the encroachments of despotism and tyranny.

"By this act of 1862 every one who is required to take the oath it prescribes is 'held to answer' for a capital crime; and if he refuses, whether guilty or not guilty, the law assumes for its own purposes his guilt, and punishes him by disqualification and a refusal of his rights. He is deprived of those rights without due process of law. The legal presumption of innocence is reversed as to every citizen, and this law, without accusation, without trial, without proof, and without conviction, inflicts punishment as a consequence of silence. It seeks to ascertain facts in a peculiar manner unknown to the common law, and prohibited by the Constitution, not by the judgment of a court of competent jurisdiction, but by a forced confession of the offender, and holds his silence as evidence of guilt. No matter how legitimate or desirable the object to be attained—the exclusion of persons guilty of treason from Congress—such means of effecting it are repugnant to the Constitution, and cannot, therefore, be lawfully used.

"But, sir, there is still a third objection to this act. The act is repugnant to the second section of the second article of the Constitution. By the second section of the second article of the Constitution the pardoning power is vested exclusively in the President of the United States:

He shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

"It is an executive authority, exclusively in the President, and the effect of the pardon is that it absolves the party from all the consequences of his crime, and when pardoned he stands with the same rights as if the crime had never been committed. I am supposing a case where a party has really been guilty of these offences, and of course could not take this oath, and yet has been pardoned by the President. While I would oppose the Executive in any encroachments upon the power of the Legislature or the assumption of any powers not granted to him, I would equally sustain him in the exercise of all the authority which has been delegated to him by the Constitution. Suppose a southern citizen who has voluntarily borne arms against the United States during this revolt, becoming convinced of his error while the war continues, should return to his allegiance, and be pardoned by the President, and be elected to the Senate by a Legislature whose authority to elect you recognized. He

certainly could not take this oath without being guilty of perjury, and therefore, in effect, this law impairs and abrogates the pardoning power of the President to that extent. Is that constitutional? Can you obstruct by legislation of this kind, direct or indirect, the legal effect of a power which is vested in the executive branch and not in the legislative branch of the Government? This law punishes the member elect, in defiance of the executive pardon, by disqualification for the office or trust to which he has been legally and constitutionally elected.

"There is a still further and fourth objection to the validity of this law. By the Constitution of the United States no *ex post facto* law can be passed; and yet by the imposition of this oath you prescribe the penalty of disqualification for office as the punishment for a crime committed before the passage of the law, though it was subject to no such punishment at the time of its commission.

"I have closed with the objections I have to make to the constitutionality of the act of 1862, and proceed now to the discussion of the second question which I stated. The answer to that question depends upon another, whether a Senator or Representative is a civil officer or holds a civil office within the meaning of the Federal Constitution. This question became a subject of inquiry early in the history of the country, on the impeachment of William Blount by the House of Representatives in the year 1798; and it was decided then by the Senate on a plea to the jurisdiction on the 11th of January, 1790."

This case was cited at some length by the Senator, and reference made to the Constitution as sustaining the decision of the Senate, that a Senator was not a civil officer. He then concluded as follows:

"Mr. President, I have now concluded my argument against the validity of the act of July 2, 1862, and the rule proposed under it. The oath prescribed in that act has been frequently designated as 'the oath of loyalty;' and doubtless there are those who may consider my declining to take that oath as evidence of disloyalty. The words 'loyal' and 'loyalty' have become familiar terms during the progress of this disastrous civil war. I will not pause to inquire whether loyalty in its usual acceptation is not more appropriate to the relations and personal devotion of a subject to his prince than of a citizen to his Government in a republic. Accepting the term as applicable, I define loyalty in a Government such as ours—a representative Republic—to mean a steadfast adherence to the Constitution or organic law under which and by virtue of the adoption of which by the people of the several States the Government was established; a cheerful and ready obedience to all laws passed in pursuance of that Constitution; and a devoted and ardent support of those guarantees of civil liberty which it was a primary

object with its framers to maintain and perpetuate, and thus 'secure to themselves and their posterity the blessings of liberty.' I have sworn to support that Constitution; and as I believe that the rule proposed and the law which it is intended to enforce are repugnant to its provisions, I call upon the tribunal which has exclusive jurisdiction of all questions affecting the elections, returns, and qualifications of its members, to decide judicially whether the act is constitutional, and give to it its proper legal construction. If it be disloyal to support the Constitution of my country, then I cheerfully accept the imputation of disloyalty; but if made on any other ground, I shall meet it with calm contempt."

Mr. Collamer, of Vermont, followed, saying: "In 1862, at the time of the passage of this act, there were a variety of laws relating to the subject of treason, and its effect upon this Government. The attempts to remedy it were all begun in their incipient stages independent of each other. Some of them were passed at one period and some at another. Some of the statutes which were commenced first, were ultimately passed after many others that were commenced afterward; but in ascertaining their purpose and purport, I take it, we must look to them all as *in pari materia*.

"Now, what was our trouble which was intended, in some measure, to be corrected by these laws, this one among the others? I do not intend to occupy a great deal of time in undertaking a description of our condition at that time. Up to the year 1861, and for several months in that year, men occupied seats in this Senate and in the other House, but especially in this Chamber, who disclaimed all allegiance to our Government, who claimed the right to dismember that Government, as a constitutional right, who set on foot plans to execute these purposes, and who openly declared such to be their purposes. They were a body of men distinguished for ability, domineering over the party of which they were in a great measure a majority, and which party was the dominant party of the Senate. They did this defiantly, menacingly, superciliously. This was the arena on which they put forth all their gladiatorial efforts of treason.

"The time finally came when those men departed from this Chamber, and from this city, as Catiline did from Rome, to go into the country and carry into effect by blood the conspiracy which they here concocted. They did go, and we soon learned, before the year 1862, that they did put in operation these their combinations, and that their hands were red with the blood of our people.

"The question at once arose in this body, how can this country be secured against the repetition of this? Those men, and men like them, must be put out of this body, and they must be kept out of this body. No other course could secure the country. Whenever the opportunity occurred, whenever the ma-

jority was obtained by those whom they had left here, and by the places which were filled by the people, those men were expelled from the body.

"The next question is, how are they to be kept out? It is clear, sir—it is not necessary that I should take up your time in proving that—if the interests of this Government are to be put into the keeping of men who avow their enmity to its existence, and who boldly plot its destruction, it is utterly impossible that that Government can long exist. If men of that character and men of that conduct can have seats and retain seats here, then there is an end of this Government. If the Constitution is so framed that it is subject to this infirmity incurably, it is an abortion, it is a total failure; and if any construction can be given to this Constitution which, in practical application, can produce this effect, it is as much a destruction of this Government as secession is.

"Such was our condition, and such were the demands upon us. It became necessary to inquire what was the mode of correction. It was quite evident that the taking of an oath to support the Constitution did not amount to any correction. All those men had that oath on them, and it furnished no sufficient security. The Constitution provided that a man should have certain qualifications in order to be admitted as a Senator; that he should be thirty years of age, a citizen of the United States for nine years, and a resident of the State electing him. If no other qualifications or disqualifications could by any possibility be framed and constitutionally executed, then those men were entitled to have their seats here if they could but get here, and, if entitled to take them, entitled to keep them. The question then returned directly on the mind is, is it true that such is the Constitution of this Government that you can have no other qualifications or disqualifications than those mentioned in the Constitution? If you have no others, then clearly it was subject to the infirmity of which I have spoken."

Mr. Hendricks, of Indiana, in reply said: "Whoever comes here, being duly elected, and having the qualifications prescribed by the Constitution, has a right to his seat, and his State may well demand it for him. The right of his State to be represented by him is conferred by the Constitution, and cannot be denied or impaired by any rule of this body or by any act of Congress. I will not stop to inquire whether the language of the act, considered in the light of established rules of construction and of adjudged cases, includes Senators and Representatives; but will maintain that if construed to include them, it is so far in conflict with the Constitution, and null and void. Nor will I stop to question that terms may be added to the oath of obedience to the Constitution required of all officers, but such additional terms cannot add to or take from the qualifications prescribed by the Constitution.

The Constitution provides that 'no person shall be a Senator who shall not have attained the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.' A person not thirty years of age, or who has not been nine years a citizen, or who is not an inhabitant of the State for which he is chosen, is not qualified to be a Senator, but all other persons are qualified, and there is no power in the Government to disqualify or render them ineligible. By declaring these three circumstances of disqualification, touching the age, citizenship, and residence of the party, the Constitution excludes every other disqualification. The rule of construction is well stated by Story in his work on the Constitution. He says:

It would seem but fair reasoning, upon the plainest principles of interpretation, that when the Constitution established certain qualifications as necessary for office, it meant to exclude all others as prerequisites. From the very nature of such a provision, the affirmation of these qualifications would seem to imply a negative of all others. * * * A power to add new qualifications is certainly equivalent to a power to vary them.

"The Senator from Illinois (Mr. Trumbull) cited the oath required of United States judges by the judiciary act of 1789, and claimed it as a conclusive precedent and authority upon the question. With great deference to that gentleman, both because of his conceded ability as a jurist, and because of his position in this body at the head of the Judiciary Committee, I cannot admit that he has found either a precedent or an authority for the measure he now advocates. It is true that the Constitution requires the judges to take an oath of obedience to it; and it is also true that the act of 1789 adds terms to that oath; but has it escaped the attention of the Senator that the oath of office required of the judges is in no respect retrospective, but is altogether prospective, and looks only to a faithful discharge of the duties of their high office? By the terms of that oath no qualifications are superadded to the qualifications prescribed by the Constitution, and no persons are by it excluded from the bench who are eligible under the Constitution. When a judge of the United States courts swears that he will obey the Constitution, and 'will administer justice without respect to persons, and do equal right to the poor and the rich, and impartially discharge and perform all the duties incumbent upon him,' he gives a solemn assurance of official fidelity in the future, but he looks not over his past life; nor is he required to forswear either follies, faults, or crimes. He is not denied the office because he cannot swear that he is without fault in respect to the law, the Constitution, or, it may be, his allegiance.

"But, sir, the measure now before the Senate is almost if not altogether otherwise. It is not prospective, nor does it seek to secure fidelity in office; but for the most part is re-

trospective, and seeks to exclude from seats in this Chamber persons who are not excluded by the Constitution, and to establish disqualifications unknown to that instrument.

"It cannot be said that the proposed rule requires an oath but does not prescribe a qualification, for, if the oath be required, an entire class is excluded; as effectually excluded as if the cause were interpolated among the disqualifications prescribed in the Constitution. Could this body by a rule, or Congress by a law, require Senators before taking their seats to take an oath that they were over forty years of age, or that they have been twenty-one years citizens of the United States? All will agree that it could not be done. And why not, sir? For the obvious reason that it would be going beyond the constitutional disqualifications, and attempting to exclude classes not excluded by that instrument.

"The measure before the Senate is proposed by the Senator from Massachusetts (Mr. Sumner). Will that Senator allow me to remind him that when he took his seat in this body, twelve years ago, Senators of his political views were in a small minority; that both branches of Congress were controlled by men who, standing upon the adjudications of every department of the Government, believed that the Constitution not only allowed but required legislation on the part of Congress securing the return of fugitive slaves; and that good faith, as well as the harmony of the sections and the unity of the Republic, required that the laws enacted for that purpose should be faithfully executed. As I understand, that Senator came with avowed convictions adverse to the constitutional power of Congress to enact laws upon that subject, and disclaiming all obligation on the part of the citizen to aid in their enforcement. Now, sir, had Congress by law, or the Senate by a rule, required that Senator, before taking his seat, by solemn oath or affirmation to declare that in the past he had given no countenance, counsel, or encouragement to persons engaged in resisting the execution of the fugitive slave laws, and that in the future he would be loyal to their requirements and obligations, what course would the honorable Senator then have felt it his duty to pursue? If animated by the lofty sentiments of the great men his State has produced, he would have returned to her and at her feet laid down the commission she had put into his hands, and the robes of office she had placed upon his shoulders, and made report to her that he had been denied his seat in a 'Senate of equals;' that terms had been required of him unknown to the Constitution; and that it was for the ancient Commonwealth to maintain her Federal rights and equality, and to vindicate her wounded honor. To resist the laws of the United States in South Carolina is a grievous crime; but, sir, is it any less a crime in Massachusetts? The act in either State disturbs the foundations of public authority; and,

upon principle, as well may test oaths and solemn disclaimers of crime be required of Senators from the one State as from the other. As a question of constitutional right, he who comes here, being duly chosen by a sovereign State, and having the constitutional qualifications, is entitled to demand his seat, and to deny it is to break the Federal compact.

"The proposition before the Senate, Mr. President, involves other and quite as important considerations. It reaches to questions involved in the reorganization and reconstruction of the Federal Union. This war cannot continue forever. The time will come when it shall have ceased to agitate the world, leaving, it may be, scenes of desolation to mar the face of our country; society distracted; and, scattered upon every side, the broken 'columns and arches' of our institutions. Then will arise the questions that appertain to a state and condition of peace. To restore and reestablish will then be the duty of the statesman. Is it not well now, sir, to anticipate that condition of our affairs, and to avoid that which may render the duty and labor of reconstruction more difficult?"

Mr. Johnson, of Maryland, followed in opposition. He said: "Mr. President, the resolution upon your table, as I understand it, offers for the consideration of the Senate three questions. The first is, whether the act of July 2d, 1862, requiring an oath to be taken by certain officers of the Government, includes Senators. The second is, if it does include Senators, whether to that extent it is constitutional. The third is, whether, if it has not operation by its own force but is to become operative only by the Senate's adopting the rule which forms the subject of the resolution upon your table, it is expedient to adopt it.

"Does that act embrace the case of a Senator? Now, if there be any principle established as a principle of sound constitutional law, without which the Government cannot progress satisfactorily, beneficially, it is that these questions, when they arise, or any questions of constitutional law when they have arisen and have been decided, and the decision has been acquiesced in by every department of the Government, are to be considered as finally decided. I do not mean, Mr. President, that it is upon the ground that such a decision has the authority of a judicial judgment, binding as authority upon all succeeding judicial functionaries; but I mean to say that the law of expediency, the law of propriety, the law of safety, looking to the wholesome administration of the Government, demands that when questions of that sort have been so decided, and for years acquiesced in, they should be considered as settled. In the case of Blount (I shall not occupy the time of the Senate by taking up the book) the very question was presented, is a Senator of the United States an officer within the meaning of that clause of the Constitution of the United States which pro-

vides for the impeachment of officers? and the Senate, by a vote of 14 to 11, after an argument of great power, *pro* and *con*, by the managers upon the part of the House of Representatives, Messrs. Bayard and Harper, and by the counsel for the accused, decided that he was not; and from that day to this there has not only been expressed no opinion to the contrary entitled to be considered as authority, but, as far as any opinion has been expressed, it has been in accordance with that precedent.

"But further, to proceed with the question, let us consider it as now for the first time before the Senate. Is a Senator a civil officer? The language of the statute in that respect is precisely the same as is the language of the clause providing for impeachments in the Constitution itself. What 'civil officer' means in the one, the same term means in the other. Let me call the attention of Senators, not at length, but very briefly, to such clauses as I suppose bear upon the particular question. The question for us to decide is, is a Senator or a Representative in the other House the occupant of a civil office, or a civil officer within the meaning of the Constitution? I say he is not. The Senator from Vermont (Mr. Collamer) says, but did not attempt to prove it as far as I heard, that he is. The sixth section of the first article of the Constitution contains this provision:

No Senator or Representative shall during the time for which he was elected, be appointed to any civil office under the authority of the United States.

"Now, stopping there, as we see, the words 'Senator or Representative,' or the Senator or the Representative, is spoken of in contradistinction to every other office. If it had been in the view of the Convention to place, with reference to this clause, Senators and Representatives upon the same footing with all others, and according to their view they were civil officers, then all that would have been necessary would be to say that no one during the time for which he hold his office shall be appointed to any other office. Such is not the language. The prohibition is upon the Senator or Representative in that character, not as an officer, not as holding a civil office, but in his character of Senator or Representative as contradistinguished from a civil office, according to the terms of the Constitution; and it therefore provides, as they were obliged to provide, if their meaning was, as I suppose it to have been, that he should not be appointed to any civil office.

"But the conclusion of the paragraph makes it, as I think, still more obvious:

And no person holding any office under the United States shall be a member of either House during his continuance in office.

"Now, what is the meaning of the term 'holding any office' as here used? Is it that the word 'office' was used for the purpose of including a Senator or Representative? Then the provision would have been absurd, because as Senator or Representative he is then holding

an office. Was it the purpose to say that he should not hold any other office. If it had been, and they considered a Senator or Representative as the incumbent of an office, then the provision would have been that he should not hold any other office under the United States. But the provision being that he shall not hold any office under the United States, as I think conclusively demonstrates that, in the view of the Convention, the term 'office' was not designed to include a Senator or Representative; and for the same reason the term 'Senator or Representative' was not intended to include the same thing as the term 'office;' in other words, that in the judgment of the Convention the two were entirely separate.

"But that is not the only clause. The eighth clause of the ninth section of the first article provides:

And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, &c.

"Drawing a distinction, as I think, evidently between the Congress of the United States, the Senators and Representatives who constitute the Congress of the United States, and those who hold offices under the appointing power which the Government contains.

"But again, sir, the second paragraph in the first section of the second article contains a clause which is pregnant with instruction upon this question:

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

"Here, as in the former instance, the distinction is kept up, and the term 'Senator or Representative' is used not as equivalent to, or identical with, the term 'person holding an office,' but as standing in a different relation to the Government, and Senators and Representatives are included in the disqualification—no ingenuity can suggest a different reason—because, in the opinion of the Convention, if they had not been specially mentioned they might have been electors.

"So, again, in the second section of the same article, it contains provisions for the appointment of officers under the United States. It says that the President shall have power, by and with the advice and consent of the Senate, to appoint 'ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States.'

"The third section provides that all officers of the United States are to be commissioned by him. The language of the concluding part of that section being—

He (the President) shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

"Now, Mr. President, when we come to the

immediate succeeding section, which gives the power to impeach, we find the language to be—

The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment.

Why were the President and Vice-President included in this impeaching clause? What was the necessity for it? If it be true that they were civil officers, why would it not have been sufficient to say, 'All civil officers of the United States shall be removed from office on impeachment?' Can any other reason be given than that which I have suggested in relation to the other clauses; that it was because the Convention did not esteem the President and Vice-President civil officers; but intended by the term 'civil officers,' as here found, to exclude all who are not appointed officers under the Constitution; and because the President of the United States is elected by the people, and the Vice-President is elected by the people, and it was desirable, upon grounds of public policy, to subject them to the impeaching powers of Congress, they are inserted; but the *insertio unius est exclusio alterius* is a familiar rule of interpretation. Their insertion demonstrates that in the intendment of the Convention they were not civil officers, and the omission to insert Senators and Representatives in the same clause demonstrates that it was not the purpose of the Convention to subject Senators or Representatives to the same clause; and we can very readily, as I think, see the reasons for the distinction.

"How do we get here? By any appointment under the Government of the United States? Certainly not. We owe our appointment to our respective State Legislatures by the very terms of the Constitution, and we could not derive it from any other quarter. How do the Representatives get into the opposite Chamber? By the election of the people, and in no other way. They are therefore a part of the Government, to administer the Government, holding their offices paramount to the Government, by a title superior to any thing to be found in the Constitution which creates the Government, and they are intended to be responsible only to the appointing power—the Legislatures in the first case, the constituents of Senators; and the people in the other case, the constituents of the members.

"What is the Senate of the United States? Is each member of the Senate the Senate? Certainly not. In what, then, does the Senate consist? What is it? It is a body of men (and so of the House); numerous because obliged to be numerous, but constituting but one body—a Senate—deriving their powers not under but by the Constitution; holding them not subject to any other power except the restraints to be found in the Constitution; bound to yield obedience to no other department of the Government, except so far as they are made immediately amenable by constitutional provision. Has the President of the United States any

authority to call in question the conduct of the Senate? Certainly not. Have the House of Representatives any authority to call it in question? Certainly not. Why? Because we constitute a coördinate department of the Government, existing by virtue of a higher power, or as high a power as that which brings into existence the President or the House of Representatives, and entitled to stand exempt from all right of challenge.

"I have said now, Mr. President, as much as I propose to say on the first of these questions. Next as to the second. I do not know why the Senator from Massachusetts thinks it is necessary to incorporate the provisions of this law in the form of a rule. If he supposes that the law would have no operation until it becomes a rule of the Senate, the proposition which he presents is more liable to objection than the one which I am about to argue; for, however true it may be that Congress in its legislative capacity may impose an oath other than that which the Constitution proposes to Senators of the United States, I suppose no one will contend, except the Senator from Massachusetts—if he holds that opinion, and I do now know that he does—that it is in the power of the Senate by any such rule to require any such additional oath. If it is not, then your proposed rule is altogether unnecessary. If the law does not operate by its own terms it cannot operate at all. If, as the Presiding Officer of this body, it is not your duty, sir, to administer this oath because of the law, as it is to administer the oath prescribed by the Constitution, you cannot get the authority to administer it by the mere adoption of a resolution.

"Now, what is the oath required by the Constitution? An oath to support the Constitution of the United States. When? Then, when taken, and for all time thereafter. Not an oath that they had from the beginning supported it. Not an oath negatively denying that they had committed any act which would have been hostile to the Constitution of the United States in the past, but an oath dealing with the present and the future, that now and hereafter I will support the Constitution. Suppose the oath is taken; that is one way to test it. Suppose the oath is taken and the man is loyal now, repentant of his past offence, aroused to the necessity of allegiance, loyal now and continues loyal, would you turn him out by an indictment for perjury for the violation of that oath upon proving that he had at some antecedent time committed the offence of treason against the United States? Everybody will say not. Whether they were wise or unwise in making the oath of allegiance to commence at the period when it is taken and to date thereafter, or whether it would have been better to make it retroactive, is a matter with which the Senate have nothing to do. That was a question before the Convention. The Convention had a right to decide for itself, and the people had a right to decide for themselves

when they adopted it, what kind of oath they would require; and if they required an oath binding only to present and future obedience, I should like to see any reason upon which the authority can be placed, that Congress can require an oath more than coextensive, inconsistent with that oath of office."

Mr. Sumner, of Massachusetts, on the 25th of January, in reply, said: "There is a time for all things; but there are times when certain things are out of place, and this principle is especially applicable to the present debate. The question is on the adoption of a rule of the Senate to carry out an existing statute. It is not on the passage of the statute or on its proposed repeal, but it is simply on its recognition as an existing statute, and the enforcement of its plain requirement. Considering the simplicity of the question, we may well be astonished at much that has been intruded into this debate.

"The Senate is a branch of the legislative power, in conjunction with the House of Representatives and the President. Neither of these branches alone, can make a law or unmake a law. The concurrence of all three is essential to a valid act of legislation. And as it takes all three to make a law, so it takes all three to unmake a law. So long as the law exists, there is no difference between the obligations of the Senate and the obligations of the humblest citizen—except, perhaps, that the Senate, which helped to make the law, is bound to set an example of obedience beyond any citizen.

"Therefore I put aside as entirely irrelevant much that we have heard against the proposed rule. This is not the time to say that the oath is unconstitutional, or that it is *ex post facto*. These are considerations properly arising on the passage of the statute, or on a proposition for its repeal. The Senator from Delaware (Mr. Bayard) and the Senator from Maryland (Mr. Johnson), who have argued these topics so exhaustively, were either too late or too early. The statute is already the law of the land, and there is no new bill introduced for its repeal.

"Putting aside the irrelevant matter which has been introduced, and presenting the single point in issue, the question becomes too plain for argument. It is simply this: Will the Senate obey an existing statute? And this question opens another: What is the meaning of the statute?

"That the Senate will openly refuse obedience to an existing statute, recently enacted in support of loyalty, is not to be supposed without an impeachment of the loyalty of the Senate. It is only because the question of obedience has been complicated with other questions, that there has been for a moment any doubt on this head. Clearly, the Senate will not disobey an existing statute. It is then on the statute alone, and nothing else, that any question can arise.

"And here I ask leave to recall the Senate from the learned commentary and elaborate

diversion of the Senator from Delaware. The actual question is one which may be treated without learning and without effort. It arises on the following words of the statute:

Hereafter every person *elected* or appointed to any office of honor or profit under the Government of the United States, *either in the civil, military, or naval departments of the public service*, excepting the President of the United States, shall, before entering upon the duties of *such office*, and before being entitled to any of the salary or other emoluments thereof, take and subscribe the following oath or affirmation [here follows the oath]; which said oath, so taken and signed, shall be preserved among the files of the Court, *House of Congress*, or Department to which the said office may appertain—12 *Statutes at Large*, p. 502.

"It will be observed here, that the language is plain rather than technical. Every person 'elected' or 'appointed' to any 'office' in the 'civil, military, or naval department of the public service,' must take the oath. What words could be broader than 'departments' and 'public service?'

"Obviously, and beyond all question, a Senator is 'elected.' Therefore on this point there is no question.

"The inquiry recurs, is a Senator an 'officer' in the 'civil department of the public service?'

"Is he an 'officer?'

"Is he in the 'civil department?'

"It seems absurd to raise these questions, but I have not raised them. This has been done by others. You might as well raise the questions, if a man is a creature, and belongs to the human family.

"But let us look at these questions in their order.

"1. Is a Senator an 'officer?' Here please to look at the dictionary. I turn to Webster:

"OFFICE.—'Offices are civil, judicial, ministerial, executive, *legislative*, political, municipal, diplomatic, military, ecclesiastical,' &c.—*Webster*.

"Thus, plainly offices are legislative. But why summon the dictionary? And yet the zeal of the other side seems to leave me no alternative.

"Not content with the dictionary, I call your attention to the use of the word in other authoritative places, and pardon me if I begin with the constitution of Massachusetts, written originally by John Adams.

"In the bill of rights of the constitution of Massachusetts, section five, it is declared:

All power residing originally in the people and being derived from them, the several magistrates and officers of government, whether *legislative*, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

"Here are members of the *Legislature* classed among officers, and thus this word received its interpretation.

"In another part of this same constitution it is provided:

Any person chosen Governor or Lieutenant-Governor, Counsellor, Senator, or Representative, and accepting the *trust*, shall, before he proceed to execute

the duties of his *place* or *office*, take and subscribe the following declaration.

"Here the *place* or *trust* of a *Senator* or *Representative*, is called an *office*. But this same use of these terms as synonymous and as applicable to the post of *Senator* and *Representative* is continued, as follows:

Every person chosen to either of the places or *offices* aforesaid (meaning the *offices* of Governor, Lieutenant-Governor, *Senator*, or *Representative*), shall, before he enters on the discharge of the business of his place or *office*, take and subscribe, &c.

"The authority of New Hampshire is like that of Massachusetts. Her constitution declares:

All power residing originally in, and being derived from the people, all the magistrates and *officers* of government are their substitutes and agents, and at all times accountable to them.

"Here the word *officers* obviously means the *substitutes* and *agents* of the people. But who are substitutes and agents of the people more than *Senators*?

"Then again in the same constitution it is declared:

No *office* or place whatsoever in Government shall be hereditary.

"Here the word '*office*' is made synonymous with '*place*.'

The constitution of Vermont testifies as follows:

All power being originally invested in and consequently derived from the people, therefore all *officers* of government, whether *legislative* or executive, are their trustees.

"Thus in Vermont, members of the Legislature are '*officers*.'

"The constitution of New Jersey testifies also, in the clause prescribing the qualifications which shall entitle a person to vote:

For representatives in Council and Assembly, and also for all *other* public *officers* that shall be elected by the people of the county at large.

"Here, again, members of the *Legislature* are treated as '*public officers*.'

"The constitution of Pennsylvania testifies as follows:

Members of the General Assembly and *all officers*, executive and judicial, shall be bound by oath or affirmation to support the constitution of this Commonwealth, and to perform the duties of their respective *offices* with fidelity.

"Here members of the General Assembly are classed with those '*holding offices*.'

"The original constitution of New York is more positive. Here are the words:

The chancellor and judges of the Supreme Court shall not hold *any other office* except that of Delegate to the general Congress upon special occasions; and the first judges of the county courts in the several counties shall not, at the same time, hold any other *office*, except that of *Senator* or Delegate to the general Congress.

"Here the post of a Delegate to the general Congress, and also of a '*Senator*,' is treated as an '*office*.'

"Surely here is enough on this head. The post of *Senator* is an office of honor or profit, and a '*Senator*' is an '*officer*.'

"2. But assuming that the post of *Senator* is an '*office*,' and that a *Senator* is an '*officer*,' the question occurs, to what '*department* of the public service' does he belong?

"Clearly he is not of the '*military*' or '*naval*' department. But if not '*military*' or '*naval*,' he must be '*civil*.' Here again consult the dictionary:

"CIVIL.—'It is distinguished from *ecclesiastical*, which respects the church, and from *military*, which respects the army and navy.' 'This term is often employed in contrast with *military*, as, a *civil* hospital; the *civil* service.'

"CIVIL LIST.—'In England, formerly a list of the entire expenses of the *civil* government; hence the officers of *civil* government, who are paid from the public treasury; also, the revenue appropriated to support the *civil* government.'

"CIVIL STATE.—'The whole body of the laity or citizens not included under the military, maritime, and ecclesiastical states.'—*Webster*.

"To say that a *Senator* is not included under this comprehensive but distinctive term, is simply an absurdity.

"It is evident that Congress adopted the words of the statute because they were comprehensive and distinctive. They obviously comprehended all '*officers*' in the '*public service*,' whether '*elected*' like a *Senator*, or '*appointed*' like a judge. But, beyond their plainness, these words had this added advantage, that already for more than a generation, they had received a practical interpretation from Congress.

"Here is the Blue Book, so familiar to our hands. Its title-page begins as follows:

Register of *officers and agents, civil, military, and naval, in the service of the United States*.

"If we turn to the contents, we shall find in this list members of Congress, including *Senators* and *Representatives*, with the '*officers and agents*' of the two Houses.

"If we go back to the Blue Book for 1820, which is now in my hands, we shall find the same title, and the same enumeration of *Senators* and *Representatives*.

"This Blue Book is still published in pursuance of a joint resolution by Congress, originally adopted as long ago as 27th April, 1816, with the following title:

Resolution requiring the Secretary of State to compile and print, once in every two years, a *register of all officers and agents, civil, military, and naval, in the service of the United States*.

"If *Senators* can properly be included in such a register, it is only as belonging to the '*civil* department of the public service,' which is precisely where they have been placed by the recent act of Congress.

"The only apology for the objection which has been urged from the beginning of this debate with so much pertinacity, is founded on the case of Mr. Blount, the *Senator* expelled and afterwards impeached, at the close of the last century. I shall not take time to consider

this case. It has already been amply done by others. On former occasions I have done it at length. And yet I will not leave it without protesting again that it is absolutely inapplicable to the present occasion. If that case were out of the way, nobody would have thought of saying that a 'Senator' was not an 'officer in the civil department of the public service.' Now, what did this case decide? Let another give the summary. I quote the words of Mr. Wharton, in the notes to his edition of the State Trials:

In a legal point of view, all that this case decides is that a Senator of the United States, who has been expelled from his seat, is not, after such expulsion, subject to impeachment; and perhaps from this, the broader proposition may be drawn, that none are liable to impeachment except officers of the Government, in the technical sense, excluding thereby members of the national Legislature.—Page 317, note.

"The case of Mr. Blount has no application to the present question. It is not an interpretation of the statute, and so far as it illustrates the Constitution, it simply concerns the liability to impeachment. But even this case has often been drawn into doubt. And if we look into the proceedings of the time, we shall find that the decision, such as it was, encountered an able and earnest opposition.

"But whatever may be the signification of this word in the Constitution, even conceding all that is claimed for it there, the instance is entirely inapplicable to the interpretation of the statute in question. If there be any doubt on the Constitution, there is none on the statute. The latter is plain, and there are no associate words to interfere with its natural and unequivocal signification.

"I conclude this branch of the subject as I began, by putting aside all irrelevant matter—all supernumerary questions—all surplusage—all topics which are not properly germane to this debate. There is no question of the Constitution—no question of *ex post facto*—but a simple question on the meaning of a statute.

"The oath has been prescribed by Congress. It is too late to debate its constitutionality thus incidentally. It only remains for us to obey it; promptly, swiftly, patriotically. The procrastination of this debate is of evil example to the country. How can we expect the alacrity of loyalty among the people if the Senate hesitates?"

Mr. Johnson, of Maryland, in reply said: "Now, Mr. President, there are two questions upon which I have but a single remark or two to make before ceasing to trouble the Senate at all in this debate. The first is, whether the act of July 2, 1862, embraces a Senator. The honorable member from Massachusetts bolsters up, or seeks to bolster up, his view of that question by referring us to the constitutions of the several States, and the laws of the several States which have been passed in pursuance of those constitutions—not a legitimate source of argument, as I think, as far as the particular question is concerned. The question before

the Senate is, what is the meaning of the words 'civil officer,' as found in the Constitution of the United States, with reference to this question? That must be ascertained, as I humbly suggest to the honorable member from Massachusetts, by looking to the Constitution itself; nor is it to be ascertained by going to Webster, and conning from Webster the various significations that he attaches to the particular word. The interpretation of that word is in the Constitution. The Constitution is its own interpreter, and must be its own interpreter, unless we are willing to run the hazard of being wrong. The reason why, as I suppose, and those who agree with me have supposed heretofore, that the words 'civil officer' do not embrace a Senator, as those words are used in this act of Congress, is, that a Senator is not an officer under the Government, but above the Government; he does not derive his authority from the Government, but from the creators of the Government; his commission comes from his State, and his State issues the commission to him under the authority of the Constitution. He is a part of the Government, and not an officer holding a commission or exercising any authority under the Government in the sense which this debate involves."

The resolution was adopted by the following vote:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Collamer, Conness, Dixon, Fessenden, Foster, Grimes, Hale, Harlan, Henderson, Howard, Lane of Kansas, Morgan, Morrill, Ramsey, Sherman, Sprague, Sumner, Ten Eyck, Trumbull, Van Winkle, Wade, Wilkinson, Willey, and Wilson—28.

NAYS—Messrs. Buckalew, Carlile, Cowan, Davis, Doolittle, Harris, Howe, Johnson, Powell, Saulsbury, and Wright—11.

In the Senate on the 26th Mr. Bayard, of Delaware, came forward and took the oath prescribed, after which, resigning his seat in the Senate, he said: "Mr. President, in the course of the debate upon the rule adopted yesterday by the Senate, I stated that the body having exclusive jurisdiction over the subject, I should hold myself bound by its action, and that but one alternative remained if the rule was adopted: either to comply with the decision or relinquish my seat in the Senate. Subsequent reflection has convinced me I was partially in error. Another course is open: to submit to the decision and resign.

"The gravest consideration has induced me to pursue this latter course; and in a brief period my connection with this body, which has lasted nearly thirteen years, will cease.

"I desire to assign the reasons which control my action. Without any decision upon the constitutional validity of the act of July, 1862, all the members of the Senate and House to whom it applied belonging to the political party with which I have acted have voluntarily taken the oath prescribed by that act, deeming, doubtless, that the constitutional questions involved were of less moment and the precedent made less dangerous than they seemed to my

mind. I could not but reflect that this unanimous action of those with whom I coincided in general political views might give cause even to men unbiased by the perverting influences of political or personal hostility, who did not know me personally, to doubt, if not to believe, that I declined to take the oath for reasons other than the consideration that, in my judgment, it was a dangerous innovation upon fundamental principles of the Constitution.

"As I believed that the law had been passed without full discussion, and as a decision on its validity by the proper tribunal had been waived at the special session when I was not present, I was content to leave others to their own action, and govern mine by my convictions of duty. The decision has now, however, been judicially made, after hearing my objections to the act and the oath it imposes, and that decision, though in my belief a dangerous precedent, is obligatory to the extent of taking the oath, as I have already held the seat for nearly one year since my reelection.

"Sir, I admit that I covet the approbation of the good, the wise, and the reflecting, and would not willingly subject myself to their censure or to reasonable suspicion as to my motives of action; though I am utterly indifferent to those calumnious, groundless, and vindictive attacks to which every man in public life, even in less excited times, is subjected by personal malevolence or political hostility. But though I desire such approbation, I have never made either opinion or popularity my standard of action, but my own sense of right and duty; and I owe a respect to my own sincere convictions of public duty which I will never sacrifice. Many of you are aware that before civil war commenced I expressed fully my views as to the course of action which I thought the welfare and prosperity of the whole country required after the secession of seven States. Those views differed from the course pursued subsequently by the Administration, and its course was approved by a majority of Congress, and indeed by the people at large after their passions had become excited by actual war.

"I told you then that I did not consider secession a constitutional or reserved right of the States, but an act of revolution; but a revolution by organized communities—not rebellion in the modern sense of the word, but only in its old Roman sense—the revolt of a people. I told you, also, that, in my judgment, conciliation, and the removal of real or even apprehended grievances or dangers, and not coercion by arms, was, in such a crisis, the true policy of the statesman; and that the framers of the Constitution had wisely left such a state of affairs without any provision as one of those 'mortal feuds' which, in the language of Hamilton, 'when they happen, commonly amount to revolutions and dismemberments of empire.' I admitted that secession was a breach of the compact by which the Federal Government

was established, and that it rested with the United States to determine whether they would and could, by war, compel the seceding States to repair the breach, or whether the act by which they severed their political relations with us should be assented to, and a peaceful separation permitted, in the hope that past memories and the ties of blood and marriage, with continued commercial intercourse, might in a few years restore those seven States to the Union; similar influences having at the origin of the Government induced North Carolina and Rhode Island, after a year's delay, to become members of the Union, though the former had in the first instance rejected the Constitution, and the latter had refused to be represented in the Convention. I may be pardoned here for quoting a short extract from a speech I made on the 'condition of the country,' in March, 1861, as illustrative of my opinions before the sword had been drawn:

You may attempt by war to keep the States united—to restore the Union; but the attempt will be futile. Conciliation and concession may reunite us; war, never! The power may be exercised for the purpose of punishment and vengeance. It may be exercised if you propose to conquer the seceding States, and reduce the nation into a consolidated nation; but if your intention be to maintain the Government which your ancestors founded—that is, a common Government over separate, independent communities—war can never effect such an intention.

"I preferred then peaceful separation to civil war as the lesser evil, but the Administration and the dominant party decided to resort to an enforcement of the laws by the coercion of arms, as against an insurrection. Civil war has since raged, and its events and consequences have strengthened my convictions that the prosperity of my country and the happiness and morals of the people cannot be promoted by its continuance. To these views an overwhelming majority of Congress is opposed, and, so far as the elections of the past year can be accepted as evidence of public sentiment, that majority is sustained by the people. It is true that new questions have arisen in the progress of war as to its mode of conduct and object, and have produced conflict of opinion among the people. But on the question of peace—even by temporary separation if essential—the Democratic party with which I have been connected is divided, and many of its leading and most influential adherents indulge in the visionary idea that a common Government, based on 'the consent of the governed,' over separate political communities, with diversified habits, manners, customs, and institutions, can be restored and maintained by the sword, without the abandonment of a federal and its conversion into an imperial and centralized Government. So thought not the President of the United States or the Secretary of State on the 10th of April, 1861, before war had begun, and to my mind such an idea is a delusion and a mere chimera. I have also the fixed opinion and belief that the life of a nation depends upon

the preservation of its liberties, and not upon the extent of its dominion. Standing, therefore, almost alone in this body, I have lost the hope that I can longer be of service to my country or my State. Never an ambitious man, the passion of ambition has with the advance of life so diminished that I prefer the repose of private life to the embittered contests of the political arena in these tempestuous times.

"I have lived to see the elective franchises trodden under foot in my native State by the iron heel of the soldier, and "Order No. 55," not the people of Delaware, represented in one Hall of Congress. I have lived to see her citizens torn from their homes and separated from their families on the warrant of a self-styled detective, without any charge expressed on its face, and without any known accuser; and then, without hearing or trial, these citizens banished from their State, beyond the protection of the laws, into a State in which the laws of the United States are now neither enforced, nor enforceable. Yet in the State of Delaware the courts have been always open, and at no period has there existed the semblance of a conspiracy or combination to resist the authority of the United States. Such an allegation is a gross calumny, and utterly groundless, come from what source it may.

"And now, Mr. President, the Senate of the United States have, by their decision enforcing an expurgatory and retrospective test-oath, repugnant to both the letter and spirit of the Constitution, made a precedent which, in my judgment, is eminently dangerous, if not entirely subversive of a fundamental principle of representative government. Under these circumstances, with my construction of the Constitution, having held the seat, I am bound to submit to your judicial decision as to the validity of the act of July, 1862, and have therefore taken the oath it prescribes. I cannot doubt that the precedent now made will be followed, and yet I regard all test-oaths as useless and demoralizing acts of tyranny. It has been as truly as beautifully said by a brilliant and distinguished advocate :

They are the first weapons young oppression learns to handle; weapons the more odious since, though barbed and poisoned, neither strength nor courage is necessary to wield them.

"With a firm conviction that your decision inflicts a vital wound upon free representative government, I cannot, by continuing to hold the seat I now occupy under it, give my personal assent and sanction to its propriety. To do so, I must forfeit my own self-respect and sacrifice my clear convictions of duty for the sake merely of retaining a high trust and station with its emoluments. That will I never do, but retiring into private life, shall await, I trust, with calmness and firmness, though certainly with despondency, the further progress of a war which it is apparent to my vision will in its continuance subvert republican insti-

tutions, and sever this Federal Union into many arbitrary governments.

"Among these, wars for dominion will arise and continue until, from exhaustion, the different divisions subside into separate nationalities, leaving not the vestige of a republic remaining. If the lessons of history be not deceptive and valueless, such will be the inevitable result of protracted war; for a single centralized Government over so vast a territory, inhabited by so intelligent and energetic a people, could it be organized through military genius and power, and be successful for the hour, would not outlive the generation in which it was established.

"I close these remarks with the language in which a historian of the Constitution so eloquently portrays the universal sentiment of the American people (alas! how changed now) at the time of its adoption, and the great object they intended to accomplish in thus cementing more firmly a Federal Union: "

They beheld that republican and constitutional liberty which with all that it comprehends and all it bestows was not only altogether lovely in their eyes, but without which there could be no peace, no social order, no tranquillity, and no safety for them and their posterity.

This liberty they knew must be preserved. They loved it with a passionate devotion. They had been trained for it through a long and exhausting war. Their habits of thought and action, their cherished principles, their hopes, their life as a people, were all bound up in it; and they knew that if they suffered it to be lost, there would remain for them nothing but a heritage of shame and ages of confusion, strife, and sorrow.

In the Senate on Feb. 26th, a bill proposing to repeal the law which prohibits colored people from being employed as carriers of the mail, which was reported from the Committee on Post Offices and Post Roads with an amendment, was considered. The amendment was as follows:

SEC. 2. *And be it further enacted*, That in the courts of the United States there shall be no exclusion of any witness on account of color.

Mr. Collamer, of Vermont, said: "In relation to the bill, it is sufficiently explicit in itself; but the committee were of the opinion that if persons of color were to be employed and rendered eligible to be employed as carriers of the mail by those who have contracted to carry the mail and who wish to employ them, it would be unsafe to commit to their hands the mail, when they could not themselves be witnesses against those who should violate that mail, steal it, rob it, commit depredations on it. Inasmuch as in many of the States persons of color cannot be witnesses in the courts, we thought it was necessary to add this section to make them witnesses in the United States courts, in order to render the bill safe to the community.

"By our general law, the rules of evidence in the courts of the United States are the same as those existing in the particular State in which

our courts sit; and therefore in those States where such a law exists these colored people cannot be witnesses, and hence they cannot be safely intrusted with the carrying of the mails; but it is within the power of Congress to render them competent witnesses in the United States courts, and therefore the committee reported the amendment which is the second section of the bill."

Mr. Sumner, of Massachusetts, followed, saying: "Before the vote is taken, I desire for only one moment to call attention to the origin of the legislation which it is now proposed to sweep out of our statute-book. I think if the Senator from Indiana who opposes the bill under consideration were fully aware of the origin of the legislation which it seeks to remove, that we should have his vote, notwithstanding his eloquent speech.

"I have before me the American State Papers, the first volume, relating to the Post Office. In that volume, on page 27, is a letter from Gideon Granger, dated March 23, 1802. He was at the time, it will be remembered, Postmaster General of the United States. This letter is addressed to the Hon. James Jackson, Senator from Georgia. It is as follows:

GENERAL POST OFFICE, March 23, 1802.

SIR: An objection exists against employing negroes, or people of color, in transporting the public mails, of a nature too delicate to engraft into a report which may become public, yet too important to be omitted or passed over without full consideration. I therefore take the liberty of making to the committee, through you, a private representation on that subject. After the scenes which St. Domingo has exhibited to the world, we cannot be too cautious in attempting to prevent similar evils in the four southern States, where there are, particularly in the eastern and old settled parts of them, so great a proportion of blacks as to hazard the tranquillity and happiness of the free citizens. Indeed, in Virginia and South Carolina (as I have been informed) plans and conspiracies have already been concerted by them, more than once, to rise in arms, and subjugate their masters.

Every thing which tends to increase their knowledge of natural rights, of men and things, or that affords them an opportunity of associating, acquiring, and communicating sentiments, and of establishing a chain or line of intelligence, must increase your hazard, because it increases their means of effecting their object.

The most active and intelligent are employed as post-riders. These are the most ready to learn, and the most able to execute. By travelling from day to day, and hourly mixing with people, they must, they will acquire information. They will learn that a man's rights do not depend on his color. They will, in time, become teachers to their brethren. They become acquainted with each other on the line. Whenever the body, or a portion of them, wish to act, they are an organized corps, circulating our intelligence openly, their own privately.

Their travelling creates no suspicion, excites no alarm. One able man among them, perceiving the value of this machine, might lay a plan which would be communicated by your post-riders from town to town, and produce a general and united operation against you. It is easier to prevent the evil than to cure it. The hazard may be small and the prospect remote, but it does not follow that at some day the event would not be certain.

With respect and esteem, GIDEON GRANGER.
Hon. JAMES JACKSON, Senator from Georgia.

"There, sir, is the origin of the offensive legislation which we now seek to remove. It grew out of a proposition to sustain Slavery, communicated in private to a Senator from Georgia. The legislation is a part of that system which Congress has so long imposed upon the country under the domineering influence of Slavery, and it was expressly recommended on the ground that if colored persons were allowed to carry the mails 'they would learn that a man's rights do not depend on his color.' It was to subvert that principle that the offensive legislation was enacted. But now, since the resurrection of our day, since liberty is at last asserting her rights in the Republic, Congress, it seems to me, can do nothing less than to go back to its original policy under Washington and the fathers of the Republic, when no such legislation existed."

Mr. Powell, of Kentucky, moved to amend by inserting after the word "States," the words: "in all cases for robbing or violating the mails of the United States."

No further progress was made in the bill.

Subsequently on June 25th, the Civil Appropriation bill being before the Senate, Mr. Sumner offered the above proviso. To this Mr. Buckalew, of Pennsylvania, offered the following amendment:

Nor in civil actions because he is a party to or interested in the issue tried.

The entire amendment was as follows:

Provided, That in the courts of the United States there shall be no exclusion of any witness on account of color, nor in civil actions because he is a party to or interested in the issue tried.

It was concurred in by the following vote:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Howard, Howe, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sherman, Sprague, Sumner Ten Eyck, Wade, Wilkinson, and Wilson—29.

NAYS—Messrs. Buckalew, Carlile, Hendricks, Hicks, Nesmith, Powell, Saulsbury, Trumbull, Van Winkle, and Willey—10.

It was approved in the House by the following vote:

YEAS—Messrs. Allison, Ames, Arnold, Ashley, Bailey, John D. Baldwin, Beaman, Boutwell, Boyd, Broomall, Cobb, Cole, Thomas, T. Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Higby, Hooper, Hotchkiss, Hulburd, Ingersoll, Jenckes, F. W. Kellogg, Orlando Kellogg, Knox, Littlejohn, Loan, Longyear, McBride, McClurg, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Patterson, Perham, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smithers, Spalding, Stevens, Thayer, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Williams, Wilder, Wilson, and Windom—67.

NAYS—Messrs. Ancona, Augustus, C. Baldwin, Blair, Bliss, Brooks, William G. Brown, Chanler, Coffroth, Dawson, Dennison, Eden, Edgerton, Eldridge, Finck, Harding, Benjamin G. Harris, Charles M. Harris, Herrick, Holman, William Johnson, Knapp, Le Blond, Mallory, Marcy, James R. Morris, Morrison, Noble, John O'Neill, Pendleton, Perry, Samuel J. Randall, Robinson, Ross, John B. Steele,

William G. Steele, Stiles, Strouse, Stuart, Thomas, Tracy, Wadsworth, Ward, Webster, Whaley, Wheeler, Chilton A. White, and Joseph W. White
—47.

In the Senate, on the 31st of March, the House bill of the usual form to provide a temporary government for Montana was considered in Committee of the Whole, when Mr. Wilkinson proposed as an amendment to strike out the words "white male inhabitant," and to insert "male citizen of the United States, and those who have declared their intention to become such."

The amendment was agreed to, and also other amendments. When the bill was reported to the Senate, the amendments ordered to be engrossed, and the bill read a third time, Mr. Saulsbury, of Delaware, called for the Yeas and Nays, saying: "My object in asking for the yeas and nays is simply on account of the amendment which has been adopted to this bill. As I understand it, the amendment which has been adopted, if, as is contended by those who now administer the affairs of this Government, a negro is a citizen of the United States, gives the privilege to every negro in the land who shall be in this Territory for the period of thirty days, not only to vote but to be eligible to any office in that Territory; and it may be, if the people shall be so unwise as to do it, that a negro may be elected to the office of legislator of the Territory, or Delegate in Congress. Being opposed to the whole system of giving to this subordinate race any such privileges, I, for this reason, shall record my vote against the passage of this bill."

Mr. Johnson, of Maryland, suggested as follows: "I was about to say, in order to explain my reason for asking for the reading of the amendment, that if the object of the Senator from Minnesota (Mr. Wilkinson) is to put it beyond all doubt that Africans in the Territory shall be permitted to exert all the political rights that under the bill will be exercised by white men, he had better say 'all black men,' instead of saying 'all citizens,' because the Supreme Court of the United States has decided, and that question was directly before the court in the Dred Scott case, that a person of African descent is not a citizen of the United States. The objection to the authority of that decision did not apply at all to that particular question; it was to the other question which a majority of the court decided as to the unconstitutionality of the Missouri restriction. The opinion of a large part of the public, not only confined to what may be called laymen, but including a great many professional men, was that, so far as that question was concerned, the decision of the court was extra-judicial; but as far as related to the other question, the capacity of the African to sue in the courts of the United States, there was no doubt in the mind of any body that the decision, until it shall be reversed by the court itself, is conclusive, and conclusive upon the question that a

person of African descent is not a citizen of the United States within the meaning of the Constitution."

Mr. Wilkinson, of Minnesota, in reply said: "I am willing that it shall stand as it is, and let the decision of the Supreme Court be whatever it may. I simply wish to strike out the qualifying term there, and let the results take care of themselves. I neither want 'white' nor 'black' put into this bill."

Mr. Sumner, of Massachusetts, followed, saying: "I take it that each branch of the Government can interpret the Constitution for itself. I think that Congress is as good an authority in its interpretation as the Supreme Court, and I hope that Congress, in its legislation, will proceed absolutely without any respect to a decision which has already disgraced the country, and which ought to be expelled from its jurisprudence."

Mr. Johnson replied: "Mr. President, if the opinion of the Senator from Massachusetts was conclusive upon all such questions, guided and controlled the public mind, it might be considered now as settled that the decision of the Supreme Court in that case was a disgrace. But I have yet to be advised that the honorable member, either by nature or by education, has attained so much intellectual celebrity, or possesses such transcendent mental ability as to be able to pronounce *ex cathedra* against a decision pronounced by the Supreme Court of the United States. There are many men, the equals of the honorable Senator, to say the least, intellectually, who think that that decision was any thing but an outrage.

"The suit was instituted by Dred Scott, who was of African descent, in the courts of the United States. The master against whom the application for his freedom was instituted, pleaded that because he was an African he was not a citizen; and as the act of 1789, constituting the circuit courts of the United States, limited the jurisdiction of that court in cases of that description to controversies between citizens of different States (following in that respect the language of the Constitution), he maintained that upon that ground—irrespective of the question whether he was free or not, by having been carried into the State of Illinois where slavery did not exist, or having been carried north of the Missouri compromise line, where slavery was prohibited—the suit itself must be dismissed. The Supreme Court decided—contrary to the opinion of the court below, who ruled against the objection—that the objection was well taken; and of course they decided that any judgment pronounced in that case by the court below, whatever may have been the judgment, or any judgment which the Supreme Court should have pronounced in that case, would be of no avail if the court had no jurisdiction over the parties to the controversy.

"The Chief Justice in giving the opinion of the court, however, and speaking in that par-

ticular for six of the judges, I think, supposed that there was a difference between cases brought into the Supreme Court of the United States upon writ of error or appeal from the circuit courts of the United States, and cases brought before it by appeal or writ of error under the twenty-fifth section of the judiciary act; that in the latter class of cases, by the very terms of the judiciary act of 1789, the jurisdiction of the court was confined to certain specific questions; questions involving the Constitution of the United States; questions involving the constitutionality of a law of a State on the ground that it was in conflict with the Constitution of the United States; questions involving the constitutionality or construction of an act of Congress; but he supposed, speaking for the court—whether correctly or not I am not here to contend—that in a case brought up from a circuit court of the United States, it was the right and duty of the Supreme Court to decide the case upon all the grounds on which it had been decided in the court below; and, inasmuch as the court below decided against the plea to the jurisdiction, and then went on to decide that having jurisdiction the party was not entitled to his freedom, to which the Supreme Court concurs, yet the Supreme Court thought it proper to examine into the latter question as well as the first.”

Mr. Sumner answered: “The Senator from Maryland invoked the Dred Scott decision as a reason why Congress should not recognize colored persons as citizens. In the remark which I made, it was my purpose to vindicate the right of Congress to interpret the Constitution without any constraint from the Supreme Court. Each branch of the Government must interpret the Constitution for itself, according to its own sense of obligation under the oath we have all taken. And God forbid that Congress should consent to wear the straight-jacket of the Dred Scott decision!”

Mr. Hale, of New Hampshire, said: “I do not propose to enter into this discussion, but simply to make a single remark, in which I am compelled to differ with my honorable friend from Massachusetts. He says that the Dred Scott decision was a disgrace to the Supreme Court of the United States. I do not believe that I think any better of that decision than he does: I think it was an outrage upon the civilization of the age, and a libel upon the law; but I do not think it was a disgrace to the Supreme Court of the United States.” (Laughter.)

The bill was then passed by the following vote:

YEAS—Messrs. Brown, Clark, Collamer, Conness, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Henderson, Howard, Howe, Lane of Indiana, Morgan, Morrill, Nesmith, Pomeroy, Ramsey, Sherman, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, and Wilson—29.

NAYS—Messrs. Buckalew, Davis, Johnson, Powell, Riddle, Saulsbury, Van Winkle, and Willey—8.

The House, on the 31st, refused to concur in the amendments of the Senate, and, on a mo-

tion to reconsider the vote on April 2d, Mr. Pendleton, of Ohio, said: “The provision of the particular amendment to which I refer is intended, and I think it will be so admitted by all its friends, to give to negroes the right to vote at the first election in the Territory of Montana. The amendment differs in its provisions from any bill organizing a Territory of the United States which has ever been passed by either House of Congress. It strikes out the words ‘free white inhabitants,’ and substitutes for them the words ‘male citizens of the United States.’ If I may be permitted to allude to what has since been made public, the debates in the other House, although attention was called to the fact that under the decision of the Supreme Court no man of the African race can be a citizen of the United States, yet the amendment was expressly intended to overrule that decision, and to provide that all persons, of whatever color, who are otherwise qualified, shall have the right to vote in that Territory. I only desire to state this proposition to the House. I only desire that the House shall be thoroughly informed of the character of the amendments sent to it by the Senate. I only desire them to understand that now, for the first time in the history of the Government, one of the branches of Congress has endeavored to establish negro political equality. If they do so, they can vote understandingly upon this proposition.”

The motion to reconsider was then withdrawn, and a committee of conference was appointed by the Senate and House. On the report of this committee, the House adopted the following resolution:

Resolved, That the House non-concur in the report of the committee of conference on the disagreeing votes of the two Houses on the bill of the House (No. 15) to provide a temporary government for the Territory of Montana; and further insist on disagreeing to the Senate’s amendments, and ask a further conference; and that said committee be instructed to agree to no report which authorizes any others than free white male citizens, and those who have declared their intention to become such, to vote.

The vote was as follows:

YEAS—Messrs. James C. Allen, William J. Allen, Bailey, Augustus C. Baldwin, Francis P. Blair, Bliss, Brooks, James S. Brown, William G. Brown, Chandler, Clay, Coffroth, Cox, Cravens, Creswell, Henry Winter Davis, Dawson, Dennison, Eden, Eldridge, Finck, Ganson, Grider, Hall, Harding, Benjamin G. Harris, Herrick, Holman, Hutchins, William Johnson, Kalbfleisch, Kernan, Knapp, Law, Lazear, Long, Mallory, Marcy, McBride, McDowell, McKinney, William H. Miller, James R. Morris, Morrison, Nelson, Noble, Odell, Pendleton, Radford, Samuel J. Randall, William H. Randall, Robinson, Rogers, James S. Rollins, Ross, Scott, Smith, Smithers, Stebbins, John B. Steele, William G. Steele, Strouse, Stuart, Sweat, Thomas, Tracy, Voorhees, Webster, Whaley, Wheeler, Chilton A. White, Joseph W. White, Winfield, Fernando Wood, and Yeaman—75.

NAYS—Messrs. Alley, Allison, Ames, Anderson, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Boutwell, Boyd, Broomall, Ambrose W. Clark, Cobb, Cole, Dawes, Deming, Driggs, Dumont, Farnsworth, Frank, Gooch, Grinnell, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Jenckes,

Julian, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Longyear, Marvin, McClurg, McIndoe, Samuel F. Miller, Morrill, Daniel Morris, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Shannon, Sloan, Stevens, Thayer, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburne, Williams, Wilder, Wilson, Windom, and Woodbridge—67.

Whereupon the Senate declined to agree to a committee of conference in the manner asked for by the House.

In the Senate, a motion was made by Mr. Wilkinson, of Minnesota, that the Senate insist on their amendments and agree to a further conference.

Mr. Doolittle, of Wisconsin, said: "So far as this amendment applies to white or colored men in the Territory, it is the merest abstraction in the world. There is not a negro in the Territory, and probably will not be for years. It has no practical bearing or effect."

Mr. Hale, of New Hampshire, replied: "It is not so. It is one of the most practical questions that was ever presented to the American Senate, as it is involved in the proposition of the Senator from Minnesota. Here is an immense territory that we are about to organize into a territorial government. The question is, whether at its start, when there are no inhabitants there, we shall by its fundamental law educate the people to this absurd and barbarous prejudice. What a spectacle we present of ourselves to the world to-day! We are calling on this colored race to fight for us, and they are responding. They are taking their arms and going out and exposing their lives in battle; and we see how gallantly they stood at the fort that has recently been taken, and they were massacred at their arms. And at a time when they are responding to this call and going out, their lives in their hands, and laying down their lives in defence of the country and for its salvation, we proceed to declare that in this vast territory, which is now unoccupied, and which waits for the march of civilization and improvement, they shall be forever debarred from living with the privileges of freemen."

Mr. Trumbull, of Illinois, said: "I think the Senator from New Hampshire is entirely mistaken when he says that the amendment in dispute between the two Houses is not an abstraction, a mere temporary matter. This bill does not propose to fix fundamentally and forever the right of suffrage in this Territory. It is to have no operation except at the first election. When the Territorial Legislature meets it is to fix the right of suffrage. We have been informed here that there is not a single colored person in the proposed Territory. The amendment of the Senate will have no practical effect. It is the merest abstraction, precisely what the Senator from Wisconsin has stated; and I can see no good to arise from it."

Considerable discussion ensued on different days. Mr. Doolittle, of Wisconsin, said: "For myself, so far as this Territory of Montana is

concerned, I care but very little in which form the bill shall pass, whether in the form proposed by the Senator from Minnesota or in the form proposed by the Committee on Territories of the House, sanctioned by that House and sanctioned by the committee of this body; but, sir, that against which I enter my most earnest protest is the raising of this new issue, in form or in substance, out of this controversy between the two Houses; against throwing that issue, at this time and in the present state of the country, as a new element to inflame and embitter the great controversy to come off in the ensuing presidential election; I mean the issue of negro suffrage. Although perhaps in the form of the words employed this issue is not necessarily involved, yet it is so generally understood throughout the country by the press and by the people."

The motion of Senator Wilkinson was adopted.

In the Senate, on the 19th of May, the Committee of Conference made another report.

Mr. Morrill, of Maine, said: "I will state in a word that the effect of the amendment of the Committee of Conference is to authorize the temporary organization of the Government of Montana by that class of persons that were authorized to organize the Territory of Idaho."

Mr. Sumner, of Massachusetts, asked: "What class of persons was that?"

Mr. Morrill replied: "They were, as I recollect the qualification, white citizens of the United States, and such others as had declared their intention to become citizens. As it now stands, the qualification in Montana will be that the voters at the first election will be citizens of the United States, and such as have declared their intention to be citizens of the United States, and such as are qualified by the fifth section of the act organizing the Territory of Idaho."

Mr. Sumner: "That is, free white persons, I understand."

Mr. Morrill: "That is what it comes to."

Mr. Sumner: "I understand that the point of difference between the two Houses was simply as to the word 'white' or 'black.'"

Mr. Morrill: "That was the principal question, and on that point I desire to say precisely how the committee found the question. It will be seen that the whole provision for the qualification relates to the temporary organization of the Territory. When it is temporarily organized, which is to be at once, in the contemplation of the bill, as the necessities of the times demand it, the whole question of suffrage is left to the Territory; so that the question of suffrage as presented to us applies entirely to the temporary organization of the Territory; and the committee became satisfied that the question presented was this practical question, whether it was advisable to organize the Territory at the present time. If it were necessary to organize it, we became satisfied that this difference between the two Houses must be overcome in some such way as this; and the com-

mittee, believing there was no practical importance in the Senate amendment, as there was believed to be no colored person in the Territory, and probably would not be any colored persons actually resident in the Territory who, by an possibility, could vote on this occasion, did not see that it was worth while to make a question on what the honorable Senator from Massachusetts perhaps might regard as a principle, when, by no possibility, could it affect the question practically."

Mr. Sumner replied: "I hope the Senate will adhere to its original position, and I believe that the statement of that principle at this moment is more important than the bill."

Mr. Wade, of Ohio, thus expressed his views: "The bill was presented here with the old form that had grown into a custom in the days of negrophobia, when it prevailed to the highest extent here, and the word "white" was inserted everywhere wherever there was any chance to insert it, in order to discriminate between white and black. I was always opposed in principle to that, and I do not propose now to depart from my principle. I have no concealments to make on this subject or upon any other. I am opposed to this discrimination between white and black in voting. I do not think it forms an intelligible line of demarkation. Some black men are infinitely more capable of voting intelligently than a great many whites, and *vice versa*. The color of a man, whether black or white, is no criterion, and I will never consent to make it a criterion of voting. I think that in a republican form of government like ours a man has a right to vote, an inalienable right to vote; although I know that that principle is combated here by some. I believe that the right to participate in the Government under which we live is as sacred and as much a natural right as any other; and I believe that no other rights that belong to man can long be maintained when he is deprived of this; and therefore, sir, I go right straight to the work when there is any occasion for it, and I should have said nothing now on this subject only that the vote I intend to give here might be construed to be a vote by me against the principle that I have now avowed.

"I never legislate or act in reference to mere shadows. Gentlemen may call them principle or not principle. I look to the effect of a measure when my vote is required. I cannot be bluffed off by the mere form or shadow of a thing. What is this? When I agreed to the original bill it had the word 'white' in it, and I so reported it. I did not like it; but when I came to consider that it was the mere shadow of a shade, that it would not affect the rights of any body, I did not care to make a controversy over it. I did not care to compel gentlemen to vote upon that question when I saw difficulties in the way. I had much rather it had passed there, and I did not care which, because the effect of it would be just nothing at all. There are no negroes in the Territory. It

is not pretended that there is a black man in this whole territory. Why then should we detain the Senate here in fixing a principle that can have no application whatever? It is a bare abstraction as it stands, I do not care in what form of words it is; but I give gentlemen notice whenever this question shall be raised in such sort as to affect the rights of any man, I shall take the broad principle of right and stand by it as firmly as anybody else. But when the principle is invoked in a case where it can have no effect, I am not going to be biassed by it; nor am I going to be prevented from effecting a good purpose because I am told that I violate the ghost of some principle."

Mr. Hale, of New Hampshire, replied: "If there is any thing in this principle, I differ entirely with my honorable friend from Ohio in this particular: if you want to assert a principle that you believe in, it is vastly more easy practically to assert it in reference to a wilderness where there is not a man, than in reference to a mixed people consisting of the various classes that would be affected by your legislation."

Mr. Sumner, of Massachusetts, further said: "Senators may say that our fathers in the Declaration of Independence were not practical. I am not of that number. Senators may say that our fathers in the Constitution of the United States, which contains no discrimination of color, were not practical. I am not of that number. Sir, I believe that the authors of this ordinance and also the authors of the Declaration of Independence, and of the Constitution of the United States, were eminently practical when they excluded from all of those instruments any discrimination of color. But it is said that there are no persons in the new Territory to whom this principle is now applicable. This can make no difference. It is something to declare a principle, and I have no hesitation in saying that at this moment the principle is much more important than the bill. The bill may be postponed; but the principle must not be postponed."

Mr. Saulsbury, of Delaware, moved that the Senate adjourn, saying: "It is very seldom, as the Senate and the country know, that I speak on a subject of this character, and therefore I apologize for saying a word on the present occasion. I think we have had enough of the negro to-day for all the members of the Senate who wish to transact the legitimate business of the public."

The motion was lost, and the vote on agreeing with the report of the committee was taken, as follows:

YEAS—Messrs. Buckalew, Carlile, Collamer, Cowan, Davis, Doolittle, Foot, Foster, Harding, Harris, Henderson, Hendricks, Howard, Johnson, Lane of Indiana, Morrill, Nesmith, Powell, Ramsey, Saulsbury, Ten Eyck, Trumbull, Van Winkle, Wade, Wilkinson, and Willey—26.

NAYS—Messrs. Anthony, Chandler, Clark, Dixon, Grimes, Hale, Harlan, Lane of Kansas, Morgan, Pomeroy, Sprague, Sumner, and Wilson—13.

The report was adopted in the House. Yeas, 102; nays, 26.

In the Senate, on the 12th of May, a bill to amend the charter of the city of Washington, &c., was taken up, when Mr. Cowan, of Pennsylvania, moved to insert the word "white" before "male" in the first section. Mr. Morrill, of Maine, also offered an amendment to insert, as follows:

And shall within the year next preceding the election have paid a tax, or been assessed with a part of the revenue of the District, county, or cities therein, or been exempt from taxation having taxable estate, and who can read and write with facility, shall enjoy the privileges of an elector.

Mr. Cowan said: "I may state that I should regret such a modification as is suggested by the Senator from Maine; because, although the standard which he sets up as a qualification to vote is much less objectionable to my mind than the one contemplated by the bill, it is still obnoxious to this objection: it would have the effect in some cases of admitting negroes to the right of suffrage, which I may say is obnoxious to the vast bulk of the people of the border States, whatever it may be to those States lying upon the extreme frontier, and would also prevent white men who are unable to read and write from enjoying that suffrage.

"My principal objection to the introduction of any innovation at this time on this subject is the state of the country. I think it is a wrong time to introduce reforms, and particularly is it a wrong time to introduce any reform which goes to the basis of our institutions, which would strike at the fundamental principles on which they rest."

Mr. Morrill, of Maine, said: "The honorable Senator from Pennsylvania makes color the test; the complexion of a man; every 'white citizen' of the United States may do so and so, but by no possibility shall men of African descent exercise this privilege. Is that rational? No man will undertake to defend that on the ground of rationality; no man will undertake to defend such a proposition as that on the ground of right. It cannot be defended. What is the defence? The Senator from Pennsylvania says he does not want any new issue in these troublesome times. He objects to this upon the ground of an innovation; and I have no doubt that when he proposes to put the word 'white' into this bill he sincerely does not suppose that he himself is innovating; that he is laying himself obnoxious to precisely the charge he makes upon the bill."

Mr. Wilkinson, of Minnesota, said: "Mr. President, I hope that the Senate will adhere to the position it assumed upon the question of suffrage when the bill for the organization of the Territory of Montana was before it, and this question was directly presented for its decision. I do not know but that there may be instances in which I may be willing to yield my opinion upon this question of allowing negroes

to vote. I might do so, perhaps, in a case where my action would have no practical effect, as perhaps in the case of a Territory where there are none of that class; but I never will, under the present condition of things, yield this right where it is of any practical importance whatever."

Mr. Ten Eyck, of New Jersey, said: "The Senator from Minnesota says it only applies to this District. Sir, it is the principle that is objectionable. This is the centre; strike this chord here and it will vibrate to the utmost limits of the Republic, and agitate the country almost as deeply and profoundly as the rebellion has itself. Sir, it is madness now to do this thing.

"Then, sir, conceding it to be theoretically right, is this a proper time to press upon the country such a measure? There are many things in ethics and in morals which, although abstractedly right, cannot practically be used under all and every circumstance. What will be its effect upon our soldiers? The sympathies of my friend from Minnesota embrace these colored troops. He cannot see why men rushing to the ranks to preserve the blessings of this Government, whose skins are black, shall not have the right to exercise this franchise. Sir, why should men whose skins are white, residents of this District, unable to read and write, who have listened to their country's call, gone forth to battle, and bathed the land with their best blood, be forgotten by the Senator from Minnesota?"

Mr. Howe, of Wisconsin, said: "The only reason which the Senator from Pennsylvania suggests for depriving any one of the right of suffrage in the District of Columbia is that he is black. I do not and I never did consider that an adequate reason. Twice in the State of Wisconsin I have been called upon to vote on this very question, and both times I voted to extend the right of suffrage to people of this color, and both times I did it before the negro was much in fashion. I did it when black was not the popular style [laughter], and having done it then, I beg leave to have the advantage of the fashion, now that it has come in vogue."

Mr. Wilson, of Massachusetts, opposed the amendment, saying: "Mr. President, I cannot vote for the amendment proposed by the Senator from Pennsylvania, nor can I ever vote for the amendment suggested by the Senator from Maine. While I am anxious to extend to colored citizens in this District, and especially to those who are bravely fighting the battles of the country, the right of suffrage, I am not willing to take that right from those who now possess it. I never have voted, I never can vote to take from any man the right, the inestimable privilege of the suffrage."

Mr. Lane, of Kansas, said: "So far as I am concerned, I hope the time may come, and soon come, when we can safely extend to the colored men of our country all the political rights that we enjoy ourselves. It is known to the

members of the Senate that I have believed, and have so expressed myself, that they cannot obtain real liberty with us where we are in the majority. I have therefore introduced before the Senate a proposition to separate them from us, to give them the opportunity of occupying a country where they can be the majority race and enjoy all the liberties both social and political that we enjoy. The people I represent are opposed to granting to freedmen the right of suffrage at once. It was tested before our last Legislature. We are unwilling to extend to them the right of suffrage at once, but I believe they will sustain me in voting for a proposition to give to all men over twenty-one years of age the right of suffrage after sufficient time has been allowed them to qualify themselves to exercise that right."

Mr. Cowan, of Pennsylvania, further said: "Mr. President, I have from the beginning protested against new issues. When this rebellion broke out, it was our business to make war, and put it down by war. It was our business to present to the loyal people of the North that single issue, war or separation, war or a dissolution of the Union; and I say that in my judgment, if we had stood upon that single idea, if we had presented that single issue and let all other things abide, we should be to-day in a hundred times better position than we are now, and I might say, too, that to-day we should have been in a hundred times better position in regard to that peculiar institution, which some of our friends are so anxious to have destroyed, than we are to-day.

"What has been the consequence? From what shrub, from what source, from what flower does the copperhead distill his venom? Where does he get the poison with which he infects the community? I was going to say, ask the honorable Senator from Illinois [Mr. TRUMBULL]. He derives his capital, he extracts his noxious juices from these side issues which we get up here without any cause or any hope of reward whatever, and which never have done us any good and never will do so. This is one of them. Of what great benefit would it be to this nation that a few ignorant negroes in the District of Columbia should exercise, or, I beg pardon, should abuse the elective franchise, if the country is to be lost and the Union is to be dissolved, and all the elements of this empire let loose to take such direction as their weight may incline them to take? Of what avail, I say, would that be? And yet this great result is put in peril by introducing constantly this and cognate schemes which are of the most minute importance when thrown into the great scale."

This bill made no further progress; but a joint resolution amending the charter of Washington passed both Houses. During its consideration in the Senate, May 25th, Mr. Sumner offered the following amendment:

Provided, That there shall be no exclusion of any person from the register on account of color.

This was further amended and rejected. Yeas, 18; nays, 20.

YEAS—Messrs. Anthony, Chandler, Clark, Dixon, Foot, Foster, Hale, Harlan, Howard, Howe, Lane of Kansas, Morgan, Pomeroy, Ramsey, Sherman, Sumner, Wilkinson, and Wilson—18

NAYS—Messrs. Buckalew, Carlile, Cowan, Davis, Grimes, Harris, Hendricks, Hicks, Johnson, Lane of Indiana, McDougall, Morrill, Nesmith, Powell, Richardson, Saulsbury, Ten Eyck, Trumbull, Van Winkle, and Willey—20.

ABSENT—Messrs. Brown, Collamer, Conness, Doolittle, Fessenden, Harding, Henderson, Riddle, Sprague, Wade, and Wright—11.

In the Senate on Feb. 10th, Mr. Sumner, of Massachusetts, offered the following resolution:

Resolved, That the Committee on the District of Columbia be directed to consider the expediency of further providing by law against the exclusion of colored persons from the equal enjoyment of all railroad privileges in the District of Columbia.

Mr. Sumner said: My special motive in offering this resolution is to call attention to a recent outrage which has occurred in this District. I do it with great hesitation. At one moment I was disposed to keep silence with regard to it, believing that upon the whole the good name of our country required silence; but I notice that it has already found its way into the journals, and I think therefore it ought to find its way into this Chamber.

An officer of the United States with the commission of a major, with the uniform of the United States, has been pushed off one of these cars on Pennsylvania Avenue by the conductor for no other offence than that he was black. Now, sir, I am free to say that I think we had better give up railroads in the District of Columbia if we cannot have them without such an outrage upon humanity and upon the good name of our country. An incident like that, sir, is worse for our country at this moment than a defeat in battle. It makes for our cause abroad enemies, and sows distrust. I hope, therefore, that the Committee on the District of Columbia—I know the disposition of my honorable friend the chairman of that committee—in the bills which we are to consider relative to the railroads in this District will take care that such safeguards are established as will prevent the repetition of any such outrage.

Mr. Hendricks, of Indiana, replied: It seems to be considered a great outrage that the negroes in the District of Columbia are not allowed to take their seats in the same cars with the white men and women who travel on the railroads of this city. If I were to express any opinion on the subject, I should say the outrage would be the other way. But perhaps it is due to the company to say that I have observed the fact, as I suppose other Senators have observed it, that there are cars furnished for the colored people of the District, and those cars are plainly indicated, so that there can be no mistake. I do not understand from the Senator who has introduced this resolution, that any negro has been denied

the right to ride in the cars which, at the expense of the company, have been provided for their accommodation; but the difficulty, I suppose, has arisen because the negro declined to ride in the cars that are provided for persons of his color, and claimed the right to ride in the cars that are provided for the white men and women who travel on these railroads.

Mr. Sumner replied: Mr. President, I am sure that the Senator from Indiana is mistaken in regard to the provision for colored persons. There may be here and there, now and then, once in a long interval of time, a car which colored persons may enter; but any person who traverses the Avenue must see that those cars come very rarely, and if any person takes the trouble to acquaint himself with the actual condition of things, he will know that there are great abuses and hardships, particularly among women, growing out of that outrage. I use plain language, sir, for it is an outrage; it is a disgrace to this city; it is a disgrace to this Government which sanctions it under its eyes. It is a mere offshoot of the slavery which happily we have banished from Washington.

The resolution was agreed to by the following vote:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Collamer, Conness, Cowan, Dixon, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Howard, Howe, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sherman, Sprague, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, and Wilson—30.

NAYS—Messrs. Buckalew, Davis, Harding, Hendricks, Nesmith, Powell, Richardson, Riddle, Saulsbury, and Van Winkle—10.

Mr. Willey, of West Virginia, from the committee to whom the resolution was referred, reported on the 24th, that the act by which the company was incorporated, made no distinction as to passengers over said road on account of color; and that in the opinion of the committee, colored persons were entitled to all the privileges of the road equally with others.

On the 17th of March, the bill to incorporate the Metropolitan Railroad Company of the District of Columbia being considered in the Senate, Mr. Sumner, of Massachusetts, offered the following amendment to be added to the 14th section:

Provided, That there shall be no regulation excluding any person from any car on account of color.

Mr. Johnson, of Maryland, said: "Mr. President, I could wish, very sincerely wish, that the difference between these two races could for a moment be forgotten, and the Senate could be brought to devote itself more exclusively to the actual business of the country which involves issues touching at the very life of the nation. I am not sure that I am accurate, but I think that at least one-half of the business of the session, as far as the Senate is concerned, has been taken up by debating the respective rights of these two classes. Now, whether a white man is to ride in a black car if he think proper to ride there—I mean in a

car with black passengers—or whether a black man is to ride in a car appropriated to white passengers, is a matter that I do not think touches any of the great issues which are now before the country. I do not see that upon any ground, even of military necessity, there is any occasion for the continuance of a debate of this description; nor, with due deference to the honorable member from Massachusetts, do I see why it is necessary to provide more special guarantees for the black man than are provided for the white man. If the black man is improperly excluded from one of these cars, as the committee who had the subject before them on a former occasion held, he has the right to go to the courts and seek his remedy there, and the white man has no greater right. If that is the object of the Senator from Massachusetts, they are both in that respect upon an exact equality; their rights (provided the opinion which I entertain be the correct opinion) are the same, and the remedies which the law furnishes for a violation of such rights, under which they can obtain a redress for all the consequences attending such a violation, are equally open to them as they are open to the white man.

"Mr. President, there is one thing that cannot be done. Gentlemen may talk as sentimentally as they think proper, and as they no doubt feel; for when the mind runs upon a particular topic and wishes to come to a particular conclusion upon it, it sees nothing that stands in the way of that conclusion. If gentlemen are anxious to bring about absolute equality, not under the law alone, not for the purpose of establishing equal rights under the law, but that equality which seems now to be sought after, social equality, political equality, they will find, I think, in the end that there will be obstacles in the public judgment, that they will be unable to resist, and before which they will be unable perhaps to stand at some future day.

"The Senate are not to be told—we all know it—that, whether wisely or unwisely, whether humanely or otherwise, there is by white men and by white women, as a general thing—it is not universal—a preference, when the question of social intercourse is concerned, for white men and white women; and I believe the same may be said of the other class. God knows I have no feeling against them, and never have had; certainly have none now. I am perfectly willing to give them, and shall vote for every measure that may be deemed necessary to accomplish that end, all the rights necessary to enable them to be protected in life and property. But when we come to the question of political rights and social enjoyment, there are other considerations that enter into such inquiries. Nature has deeply fixed in the heart what may be called a prejudice or not, as gentlemen think proper. If it be a prejudice—if it be not irreligious so to say—it is a prejudice that comes from our Creator; a preference on

our part for the society of those whom we deem God has created our equals.

"Now, I remember, and it must be fresh in the recollection of the honorable member from Massachusetts—I do not think I can be mistaken in my recollection—I remember that when Major-General Dix, who was at that time in the command of the department including Fortress Monroe, was overburdened with these 'contrabands,' who were coming to the post and claiming protection, and he proposed to send five or six hundred of them to Massachusetts, the Governor of that State refused to receive them, on the ground, I think, that he thought the climate would not agree with them. If it be so, and I do not say it is not so—I will not dispute such high authority as the Governor of Massachusetts—that of itself proves that there is a natural distinction between the two races. The honorable member from Massachusetts, and every other man that I ever saw from Massachusetts who was white, looked as if the climate agreed with him; and, if there be any thing in the climate that is detrimental to this particular class, it only proves that nature has made a difference between us. Let us not try to improve upon nature. I do not think we are equal to it.

"The condition of this class is now such—I do not mean those who have been free for years—that it would be very perilous, as I think, to adopt this political and social equality. I do not know how many have escaped from the South where our armies have gone; but I suppose hundreds of thousands. Thousands and thousands are here from Virginia, and from the other slave States. Are they fit to take part in the great political questions which are now distracting the country? Are they fit companions for ourselves and our wives and our daughters? The question is not whether they can be fit, not whether nature has not endowed them with a mental capacity equal to that of the white. Upon that point differences of opinion are entertained. I have seen some of them who, as I thought, had as much natural capacity as any white man I ever saw; but apparently those instances were exceptions.

"But however that may be, one thing is certain, and he who has eyes to see must have seen it, that, speaking of those who have just escaped from slavery, they are not the people to exercise the elective franchise, and to mix in society with the educated classes of which, and from which, the public councils of the country should always be composed and taken. Just imagine some five or six or more of them holding a balance of power in this Senate, having seats in this body, and any of the great topics were presented for discussion and for action. How would you manipulate them so as to get them to go with either party? By reason? No; they know not what it is, except to a very limited degree. By persuasion? Yes. Persuasion, founded upon what, and appealing

to what? Founded upon ignorance, and appealing to ignorance. It might happen that the vote of one of these men, if not bereft of reason, bereft of all the qualities fitted for this Chamber, would outweigh, or weigh at least as much as the opinion and vote of the honorable Senator from Massachusetts. What would he think if a measure was carried by a vote of that description as against his own intelligent voice? Would he think the country was benefited?

"Let me refer to this idea of social equality in another aspect, and I shall do so certainly with no invidious purpose. There may be some few men deranged enough to be willing to go to that extent, but I am sure that no white educated man in the United States could be induced to contract a contract of marriage with a black woman. He could still less be willing to see any white woman, bound to him by any of those ties which bind woman to man in the domestic circle, contract that contract with a black man. He would hide his head in very shame, and his life would be embittered to its very end, if he could see the daughter of his heart wedded to a man of that description, and a progeny growing up the result of that marriage. He would feel that to him it would be a kindness to take his life, because such a measure to him would be infinitely worse than a calamity of that description. A man can meet death, if he be a man, in a just cause, without feeling even the sensation of fear; but no man can meet a calamity such as I suppose that would be felt by every man, with any thing but a continued, trembling, anxious, depressing, harassing, crushing fear.

"It may be in the providence of Heaven, that in some hundreds of years the problem which is now before us, of social and political equality, may be solved, particularly the first; but as it is, as we now are, he who hopes to see it solved so as to produce at once such equality, sins, as I think, against all the signs of the times, and wars, as I believe, against all the natural feelings of the human race.

"I conclude, Mr. President, by saying that I trust upon reflection the honorable member from Massachusetts will see that there is no necessity for his amendment.

Mr. Sumner replied: "Mr. President, the question before the Senate is very simple; it is as plain as one of the ten commandments; but the Senator from Maryland, with that nimbleness of speech which belongs to him, while undertaking to discuss it, has ranged over a very extensive field. He has treated the Senate to a discourse on almost every subject and something else also: the electoral franchise, social privileges at the presidential mansion, the equality of races, the intermarriage of different races, the state of slavery in Maryland, also in some other States, and then the state of slavery generally. Now, sir, I do not propose to follow the Senator on any of those topics. My desire is to bring the discussion to the pre-

cise point in issue. I think the Senate will then be the sooner prepared to vote.

"But the Senator from Maryland will allow me to remind him that he seemed to exhibit in what he said a rare inconsistency: first, so far as he declared the absolute right under the statute of colored people to a seat in the cars, and then went on to argue that on every consideration of social life and of principle they ought not to be admitted to any such privilege. The two parts of his argument did not go together. If colored people have the legal right to enter these cars, why does the Senator argue that they ought not to have that right? I agree with the Senator in the first argument. They have the legal right to enter these cars, and the proprietors are trespassers when they undertake to exclude them. On that point I agreed with the Senator the other day. To my mind it is clear, because any other conclusion authorizes a corporation to establish a *caste*, offensive to religion and humanity, injurious to a whole race now dwelling among us, and bringing shame upon our country.

"Now, the Senator asks why, as I agreed the other day to this conclusion, do I bring forward the present proposition? To this there are two answers, either of which is sufficient. The first is that in the last railroad statute which we have passed this provision has been introduced, and I have never heard of any complaint or trouble from it. Let us in the one now before us introduce it also, and make the two uniform. That is one reason. But the better reason is that while, beyond all question, colored persons have the legal right under the statute, even without this amendment, yet that legal right has been called in question. In point of fact they are excluded from the cars. The Senator from Maryland refers to one case because it had become well known. I have known of a great many other cases. Indeed, they are brought to my attention almost daily. There is then an abuse at this moment by the exclusion of colored persons from these cars. They are kept out of their rights. And permit me to say we cannot afford at this crisis of our history to sanction injustice. Every such act rises in judgment against us and hangs on the movement of our armies, checking even the currents of victory.

"The Senator admits their rights; but he says let them go to the courts. Sir, what is that for a poor, humble person, without means and without consideration? The Senator knows something of the law's delay and the law's expense; and I ask him whether it is right to subject this oppressed people to this additional oppression, when by a few words Congress now in session can remove the difficulty?"

The amendment was agreed to by the following vote:

YEAS—Messrs. Anthony, Brown, Clark, Conness, Fessenden, Foot, Foster, Grimes, Harlan, Howe, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sumner, Wade, Wilkinson, and Wilson—19.

NAYS—Messrs. Buckalew, Carlile, Davis, Doolittle, Harding, Harris, Hendricks, Johnson, Lane of Indiana, Powell, Riddle, Saulsbury, Sherman, Ten Eyck, Trumbull, Van Winkle, and Willey—17.

The bill was then passed by the Senate.

In the House, on June 18th, a motion was made to amend the bill by striking out this proviso, which was rejected by the following vote:

YEAS—Messrs. James C. Allen, William J. Allen, Ancona, Bailey, Augustus C. Baldwin, Blair, Bliss, Brooks, James S. Brown, William G. Brown, Chandler, Coffroth, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, Finck, Ganson, Grider, Griswold, Harding, Charles M. Harris, Holman, Hutchins, Philip Johnson, William Johnson, Kernan, Knapp, Law, Lazear, Le Blond, Long, Marcy, McDowell, McKinney, Middleton, William H. Miller, James R. Morris, Morrison, Nelson, Noble, Pendleton, Perry, Pruyn, Radford, Samuel J. Randall, Ross, Scott, John B. Steele, Stiles, Stuart, Thomas, Wadsworth, Ward, Whaley, Wheeler, Joseph W. White, and Winfield—60.

NAYS—Messrs. Alley, Ames, Anderson, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Boutwell, Boyd, Brandegee, Broomall, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Dawes, Deming, Dixon, Driggs, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Ingersoll, Julian, Kelley, Orlando Kellogg, Knox, Loan, Longyear, Marvin, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smithers, Stevens, Thayer, Upson, Elihu B. Washburne, William B. Washburn, Williams, Wilder, Wilson, Windom, and Woodbridge—76.

In the Senate, on June 21st, a supplement to the charter of the Washington and Georgetown Railroad Co. being considered, Mr. Sumner offered the following amendment to the first section:

And provided further, That there shall be no exclusion of any person from any car on account of color.

The amendment was rejected, but subsequently agreed to by the following vote:

YEAS—Messrs. Brown, Clark, Conness, Dixon, Foot, Hale, Harlan, Howe, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Wade, and Wilson—17.

NAYS—Messrs. Buckalew, Carlile, Cowan, Doolittle, Foster, Grimes, Johnson, Lane of Indiana, Powell, Riddle, Saulsbury, Sherman, Ten Eyck, Trumbull, Van Winkle, and Willey—16.

The bill passed the Senate, but failed in the House, in consequence of the rejecting of a House amendment, and the insertion of the above proviso by the Senate.

On June 24th, the civil appropriation bill being before the Senate, Mr. Sumner moved to amend by adding the following section:

And be it further enacted, That sections eight and nine of the act entitled "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States from and after the 1st day of January, in the year of our Lord 1808," which sections undertake to regulate the coastwise slave trade, are hereby repealed, and the coastwise slave trade prohibited forever.

Mr. Johnson, of Maryland, opposing the amendment, said: "I take it for granted every body will admit that however the opinions of individual senators may be upon the subject, there is nothing in the Constitution of the United States which prohibits slaves from being transported in vessels from one port of the United States to another port. If I am right, that is to say, that the courts hold that the act is not unconstitutional, the honorable member proposes to repeal the eighth and ninth sections of that act, and I inquire of him whether he has looked, with the acuteness which he always brings to the consideration of questions of that character, to the effect of his amendment. If the Constitution of the United States of itself would authorize a slave to be carried from one port of the United States to another port of the United States, then they may be carried, except so far as Congress under the commercial power may think proper to restrain it, and the object of the two sections he proposes to repeal is to restrain it. The eighth section prohibits their being carried in vessels of a less tonnage than forty tons. That he proposes to repeal. Then if I am right—and I am sure I am right—in the judgment of the courts they may be carried in vessels of a less amount of tonnage than that. The ninth section, the other one which he proposes to repeal, provides for the manner in which they may be carried in vessels of forty tons or more than forty tons; and for the purpose of protecting one who is claimed to be a slave, but who may be free against being sold into captivity in a State where he may not be able to establish his freedom by evidence, certain regulations are prescribed by Congress for the protection of the freeman, who, because he is black, when he gets into a State where slavery exists, may be sold and may be held in slavery forever thereafter.

"If the honorable member repeals that section, what is the result? The result is, that in all vessels of any amount of tonnage slaves may be carried, no matter at what hazard to the slave, no matter at what hazard of life or liberty, provided I am right, and I repeat I know that I am, and the courts will hold, that under the Constitution of the United States there is nothing to prohibit it except in the power which it confers upon Congress to regulate commerce between the States and foreign nations, and consequently, in the absence of such regulation, these people may be carried. If I wanted to accomplish the object which the honorable member supposes southern men in the past, at any rate, were anxious to accomplish, to open this trade entirely, to permit the slaves to be carried from one port to another without restraint, I would join hands with him and repeal these two sections of the act of March, 1807. Nothing is clearer in my judgment than that they may be carried in a vessel of any amount of tonnage, and they may be carried in any manner in which the master of

that vessel and the master of the slave think proper to have them carried, if those two sections are repealed. Instead, therefore, by this particular measure, of accomplishing the purpose which the honorable member says he always has in his mind's eye, of striking at the institution of slavery wherever it exists, he will grant a larger license to the institution than our ancestors granted, and a license which they intended to restrain by the very sections which the honorable member proposes to repeal."

Mr. Sumner: "Of course I differ radically from the senator from Maryland (Mr. Johnson) on the merits of this proposition. He is always willing to interpret the Constitution for slavery. I interpret it for freedom. And yet he is anxious lest the repeal of the two obnoxious sections regulating the coastwise slave trade should leave it open to unrestrained practice. I do not share his anxiety.

"Where will the slaves come from? Not from the rebel States, for emancipation is the destined law there. Not from his own State, for emancipation will soon be the law there. But even should slaves be found for this traffic (which, thank God, cannot be the case) I am unwilling that Congress should continue to regulate the ignoble business. Our statute-book should not be defiled by any such license. Remove this license and the Constitution, rightly interpreted, will do the rest.

"It is here that the difference arises between the Senator and myself. He proceeds as if those old days still continued when slavery was installed supreme over the Supreme Court, giving immunity to slavery everywhere. The times have changed, and the Supreme Court will yet testify to the change. To me it seems clear that, under the Constitution of the United States, no person can be held as a slave on shipboard within the national jurisdiction, and that the national flag cannot cover a slave. The Senator thinks differently, and relies upon the Supreme Court; but I cannot doubt that this regenerated tribunal will yet speak for freedom as in times past it has spoken for slavery. And I trust, should my life be spared, to see the Senator from Maryland, who bows always to the decisions of that tribunal, recognize gladly the law of freedom thus authoritatively pronounced. Perhaps he will be astonished that he was ever able to interpret the Constitution for slavery. If he is not, others will be.

"But my special purpose now has been to remove odious provisions, and I have contented myself with words of repeal, in the hope of presenting the proposition in such a form as to unite the largest number of votes. My own disposition has been to go further, and to add words of positive prohibition. But, at the present moment, I am willing to waive this addition, and content myself with the simple repeal, that our statute-book may no longer be degraded, trusting that the Constitution right-

ly interpreted will do the rest. And yet the positive prohibition, which the Senator seems to invite or to challenge, would not only purify the statute-book, but effectually guard against the future, so that both Constitution and law would be arrayed against an infamous traffic. Clearly this ought to be done; and if I have not moved it, do not set it down to indifference or inattention, but simply to my desire that the proposition, moved as it is on an appropriation bill, should be limited to the necessity of the occasion. To do less than I propose would be wrong. I should be glad to do more."

Mr. Hendricks, of Indiana, said: "I am surprised that any Senator should oppose the proposition of the Senator from Massachusetts, for we all know that eventually it will be adopted. The objection as to its materiality or proper connection with this measure is but an objection of time. No gentleman can question that the Senator from Massachusetts will eventually carry his proposition. Why, sir, about two weeks ago this body, after full discussion, deliberately voted that the Constitution imposed a duty upon Congress and the President of the United States; the present incumbent of the presidential chair in his inaugural address said that that duty rested as an oath upon the conscience of every Senator to see that there was an efficient and adequate law for the return of fugitive slaves; and yet under some process, not the force of argument, but through some influence that the uninitiated cannot understand, after the Senate had rejected the proposition in its original form, it was carried through yesterday by a large vote.

"Why then contest the matter longer? Let the Senator bring in his propositions. The Senator from Ohio (Mr. Sherman) made an effort to stay the progress at one point upon the Constitution, and did for a while save the act of 1793 and the signature of George Washington; but the Senator from Ohio finally failed yesterday, and it all went by the board. He may for this hour and in this debate, upon a technical point, prevent the adoption of the measure of the Senator from Massachusetts upon this bill; but that it will come in this body I have no doubt. It may as well come now as at any time. Let it be understood that all the positions assumed by our fathers touching the relations of these States are to be wiped out at once, and then I suppose the Senators that accomplish so much will undertake the work of reconstruction or the formation of a new Union!

"Sir, I regret to see this. Every law put upon the statute-book by our fathers with a view of carrying out the provisions of the Constitution, or in pursuance of the spirit of the union between the States, I regret to see wiped out; but we have witnessed it, and I think the effort to delay is useless. We may just as well let it come now as at any time. If misfortune comes of it I am not responsible, and there are other Senators who are not responsible. I be-

lieve this Union is to be restored upon the Constitution, if it is ever restored, and I do not believe that there is wisdom or patriotism or virtue enough now to make a new Union, and if we do not come back again upon the old Union substantially and upon the basis of the Constitution, I do not hope for a new Union.

"Mr. President, I am not satisfied that the true friends of the Union are the men who are breaking all the bonds that our fathers made to hold the States together. One ligament after another gives way in the presence of the sentiment of the hour; and yet Senators who will adopt these measures call themselves specially Union men, and upon some occasions doubt the fidelity to the Union of Senators who oppose this policy. I claim to be a Union man because I stand upon the bond of the Union, the covenant that brought these States together; and if I go outside of that covenant I cannot well claim to be a Union man.

"Sir, at the commencement of this war the North was a unit and the South was divided. Now the North is divided and the South is a unit. Why? Let Senators that ask for success in the war, answer the question, why? Because here in this Senate you said to the honest people of the country that this war should be to preserve the Union and the Constitution and not to break down the institutions of any of the States, and the people believed you, and they rallied from the wheat-fields and the corn-fields and shops everywhere to make a glorious army. You did not have to send provost marshals after the young men then, for they rushed forward themselves, and the question was who should get into the first regiment. Now the bloodhounds of war have to be sent upon the track of the young-men of the country to bring them into the army; and why? Because faith has been broken with the people, not by the statesmen with whom it is my pride and pleasure to think and to act, but by Senators and Representatives who have attempted to take advantage of this convulsion in our country to break down the institutions of the States. The country had a right to demand of the Senate, the country had a right to demand of Congress and of the President faith to the Crittenden resolution, the highest faith, because you asked the people for their money, you asked them for their blood, and you said it should be upon that proposition. I put it to the honor of any Senator, has it been upon that proposition? Has not every possible opportunity been taken advantage of to strike at the peculiar institution of one section of the country? I have never considered, as a public man, the question of slavery in a moral aspect. Our fathers have agreed to it; they wrote it down in the Constitution that it should be respected and protected in certain regards; and as they have covenanted in respect to it, so I have looked to it. To stand upon that covenant and agreement I felt to be my highest duty as a citizen, and especially

when I took an oath to respect the Constitution that they made."

Mr. Collamer, of Vermont, said: "Mr. President, I shall content myself simply with reading the opinion of the Supreme Court in the case of *Groves vs. Slaughter*, reported in 15 Peters. In that case the State of Mississippi had inserted in its constitution a provision that slaves should not be brought into that State for sale. Some slaves were brought in and sold, and a note was taken up and sued in the circuit court. The defence was that the note was unlawfully made. Various points arose in the case, and among others this one: whether that was an attempt on the part of the State to regulate commerce between the States, and, if so, whether it was an encroachment upon the power of Congress to regulate commerce between the States; because the power to regulate commerce between the States does not exist in the alternative, with the States or with the General Government, as each may choose to exercise it; but it is an exclusive grant of power to Congress. In considering that point, Judge McLean says:

In the case of *Gibbons vs. Ogden* (9 Wheat., 186), this court decided that the power to regulate commerce is exclusively vested in Congress, and that no part of it can be exercised by a State.

The necessity of a uniform commercial regulation, more than any other consideration, led to the adoption of the Federal Constitution. And, unless the power be not only paramount but exclusive, the Constitution must fail to attain one of the principal objects of its formation.

It has been contended that a State may exercise a commercial power if the same has not been exercised by Congress; and this power of the State ceased when the Federal authority was exerted over the same subject-matter.

"He goes on to repudiate that, and says:

Can the transfer and sale of slaves from one State to another be regulated by Congress under the commercial power?

"I ask gentlemen to pay attention to this.

If a State may admit or prohibit slaves at its discretion, this power must be in the State and not in Congress. The Constitution seems to recognize the power to be in the States. The importation of certain persons, meaning slaves, which was not to be prohibited before 1808, was limited to such States, then existing, as shall think proper to admit them. Some of the States at that time prohibited the admission of slaves, and their right to do so was as strongly implied by this provision as the right of other States that admitted them.

The Constitution treats slaves as persons. In the second section of the first article, which apportions Representatives and direct taxes among the States, it provides, "The numbers shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons." And again, in the third section of the fourth article, it is declared that "no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

By the laws of certain States slaves are treated as

property; and the constitution of Mississippi prohibits their being brought into that State by citizens of other States for sale, or as merchandise. Merchandise is a comprehensive term, and may include every article of traffic, whether foreign or domestic, which is properly embraced by a commercial regulation. But if slaves are considered in some of the States as merchandise, that cannot divest them of the leading and controlling quality of persons by which they are designated in the Constitution. * * *

The constitution of Ohio declares that there shall be neither slavery nor involuntary servitude in that State except for the punishment of crimes. Is this provision in conflict with the power in Congress to regulate commerce? It goes much further than the constitution of Mississippi. That prohibits only the introduction of slaves into the State by the citizens of other States as merchandise; but the constitution of Ohio not only does this, but it declares that slavery shall not exist in the State. Does not the greater power include the lesser? If Ohio may prohibit the introduction of slaves into it altogether, may not the State of Mississippi regulate their admission?

"After arguing this at some length he comes to this conclusion:

The power over slavery belongs to the States respectively. It is local in its character and in its effects; and the transfer or sale of slaves cannot be separated from this power. It is, indeed, an essential part of it.

Each State has a right to protect itself against the avarice and intrusion of the slave dealer; to guard its citizens against the inconveniences and dangers of a slave population.

The right to exercise this power by a State is higher and deeper than the Constitution. The evil involves the prosperity and may endanger the existence of a State. Its power to guard against or to remedy the evil rests upon the law of self-preservation, a law vital to every community, and especially to a sovereign State.

"Chief Justice Taney on this same point said:

In my judgment, the power over this subject is exclusively with the several States; and each of them has a right to decide for itself whether it will or will not allow persons of this description to be brought within its limits from another State, either for sale or for any other purpose; and also to prescribe the manner and mode in which they may be introduced, and to determine their condition and treatment within their respective territories; and the action of the several States upon this subject cannot be controlled by Congress, either by virtue of its power to regulate commerce or by virtue of its power conferred by the Constitution of the United States.

"Now, Mr. President, I consider that that case has decided that this subject of the introduction or passage of slaves from one State to another is entirely within the power of the several States; that it does not fall within the power given to Congress to regulate commerce between the States; and for the main reason which I have given before. It was essentially for this: that if we can prohibit it we can allow it; and if we can allow it, we can defeat the purpose of the State altogether. The great point in the case is that they are, as Judge McLean says, persons, not property, not articles of commerce and trade, and therefore do not fall within this delegated power that is given to Congress. I say, therefore, that the sections of the law of 1807 which it is proposed to

repeal, ought to be repealed, because they attempt to regulate it. I must say further, I consider any attempt by Congress to prohibit, or allow, or regulate this subject is to treat these persons as property, articles of merchandise, and to endeavor to exercise the power of Congress under that delegation of power to regulate commerce as covering it is contrary to the decision of the Supreme Court. This last clause which the honorable Senator had added to his amendment prohibiting the coastwise slave trade is an attempt to exercise this power, and I therefore shall be obliged to vote against the amendment."

Mr. Sumner replied: "I merely wish to make one remark as to the question of power. I say nothing as to whether Congress under the Constitution may undertake to regulate the trade in slaves between the States on the land. I waive that question. The proposition before the Senate simply undertakes to prohibit the coastwise slave trade. Now, sir, I hold in my hand Brightley's Digest. By turning to that you will find there is one head entitled 'coasting trade,' containing no less than forty-eight different sections, each section being in the nature of a regulation by Congress on that subject. I turn, then, to another head entitled 'passengers.' There I find seventeen sections, each section being in the nature of a regulation on that subject; and in point of fact it is well known to the Senate that Congress has, by most minute regulations, determined the conditions on which passengers shall be carried in ships. It is known that those regulations are applied especially on board the California steamers, and also the steamers between this country and Europe. In the one case the steamers are foreign; in the other they are domestic; or the trade, if I may so say, is domestic. In view of this minute and ample legislation of Congress on the subject of passengers and of the coasting trade, I submit there can be no question that Congress can go further, and by a final regulation declare that in that coasting trade there shall be no such thing as the slave trade."

The amendment was finally agreed to by the following vote:

YEAS—Messrs. Anthony, Brown, Chandler, Conness, Dixon, Doolittle, Fessenden, Foot, Harlan, Harris, Howard, Howe, Lane of Kansas, Morgan, Morrill, Pomeroy, Sprague, Sumner, Ten Eyck, Wade, Wilkinson, and Wilson—23.

NAYS—Messrs. Buckalew, Carlile, Clark, Hendricks, Hicks, Johnson, Lane of Indiana, Nesmith, Powell, Richardson, Saulsbury, Sherman, Trumbull, Van Winkle, and Willey—14.

The amendment was agreed in the House without a division.

In the Senate, on the 19th of April, the bill to repeal the Fugitive Slave Law was reported without amendment, ordered to be engrossed for a third reading and was read the third time. The bill was as follows:

Be it enacted, &c., That all acts of Congress, or parts of acts, providing for the rendition of fugitives from service or labor, be, and the same are hereby, repealed.

Mr. Sherman, of Ohio, said: "This bill includes not only the law of 1850, which I have always denounced as unconstitutional and unjust, but also the law of 1793. The only doubt I have on the subject is whether we ought to repeal that law, it being a law made by the framers of the Constitution."

Mr. Sumner, of Massachusetts, replied: "I will say the committee took that into consideration; but they felt that we had better make a clean thing of it, purify the country, lift the country up before foreign nations, and let us now wash our hands of all support of slavery."

Mr. Sherman answered: "I am not guided exactly by the motives of the honorable Senator from Massachusetts. He desires to extirpate the whole of these laws. I wish to give to the people of the southern States, the few that are left who have the right to enforce the Constitution against us, their constitutional rights fully and fairly. The law of 1850, I believe, is subject to a fatal objection, and it ought to be repealed. I would have voted for its repeal any time since it was passed. But I submit to the Senator whether it is worth while now to carry this proposition further. The law of 1793 was framed by the men who framed the Constitution. It has been declared valid and constitutional by every tribunal that has acted upon it."

Mr. Sumner further replied: "I beg the Senator's pardon. It was declared to be unconstitutional by the Supreme Court of the United States in the Prigg case; and the Senator knows very well that it is among the records in the life of Judge Story, who gave the opinion in the Prigg case, that the fatal objection to the act of 1793, that it did not give a trial by jury in a case of human freedom, was never argued before the court, and that he personally considered it an open question. I put it to the Senator whether he can doubt that any human being whose freedom is called in question under the Constitution of the United States is entitled to a trial by jury? And if that trial is not given to him by the statute which undertakes to doom him to slavery, I pronounce that statute unconstitutional."

Mr. Sherman said: "Without engaging in any debate on these controverted propositions, and feeling the weight of constitutional obligation upon me, I shall content myself in this case with recording my vote on the bill, and by placing it simply on the ground that I do not wish to extend this repeal back to a law which was framed by the men whom I reverence as the founders of this Government, a law that they believed it to be their duty to pass, that was acquiesced in for more than fifty years—a law that I believe has been sanctioned by the courts and by the people of this country. To repeal that act now, in this time

of revolution, when we are in the midst of war, it seems to me is carrying the matter too far. It can only operate in favor of a very few men comparatively in the State of Kentucky. Maryland has already substantially or soon will abolish slavery. Kentucky is the only State not within the proclamation of the President where this act could have any effect. There are portions of other States excluded from the proclamation; but Kentucky is the only State practically to be affected."

Mr. Sumner said: "Then, Mr. President, I understand that the Senator from Ohio has no doubt that under the Constitution of the United States a human being may be given over to slavery without a trial by jury."

Mr. Sherman replied: "I will not go into the discussion of that question. I only know that that law has been upon the statute-book almost since the foundation of the Government; that it was framed by the men who framed the Government. The very men who passed that law framed the Constitution. Under these circumstances, I will not pronounce it unconstitutional."

Mr. Sherman then moved to add at the end of the bill the words "except the act approved Feb. 12th, 1793, entitled, &c."

Mr. Johnson, of Maryland, said: "The Constitution as it is now, according to my interpretation of it, not only authorizes the passage of the act of 1793, and the passage of the act of 1850, but made it the duty of Congress to pass some law of that description. The honorable member from Massachusetts is mistaken, I think, in supposing that Mr. Justice Story ever even doubted the constitutionality of the act of 1793.

"But, Mr. President, even if the act of 1850 or that of 1793, considered as original propositions, would now for a moment be maintained to be unconstitutional, there is one question which is perfectly plain under the adjudications of the Supreme Court, and particularly in the judgment pronounced by Mr. Justice Story, that the Constitution itself is a fugitive slave act. In the case of *Prigg vs. the State of Pennsylvania*, with which the Senate no doubt is familiar, that court decided, the opinion being given by Mr. Justice Story, that a master had a right, without process and independent of any legislation, national or State, to seize his slave wherever he might find him, and return him to slavery by taking him to the State in which he resided, not only without being guilty of any trespass, but in so doing he was in the full discharge of what the Constitution gave him a right to perform to recover his property. In that particular, and because of that, there was a difference of opinion between the members of that court. The present Chief Justice of the United States was of the opinion (in that respect not agreeing with his colleagues of the majority) that the obligation under the Constitution was an obligation upon the States as well as the United States. The majority of the

court took the opposite view, that all State legislation on the subject was illegal and wholly inoperative. The Chief Justice, with one, I think, or perhaps two members of the bench, thought that the States had a right to pass laws to effect the same purpose, and that so far as they were not inconsistent with the laws which Congress may have passed, they were to be considered as valid.

"What practical good is to be the result of this measure? Will one single slave be returned under these laws? Does the honorable member believe that a single slave will be returned under them? The passage of this bill may create some unpleasant feeling in that part of the South which is sectionally loyal, and among many in that part of the South which, though sectionally disloyal, are themselves loyal.

"The men who framed the Constitution, I suppose, knew what the meaning of that Constitution was just as well as my honorable friend from Massachusetts can know, or as any member of this body can know. The president of the Convention by which it was framed—no friend of slavery, earnestly desiring, as we see by his writings, its early extermination—I suppose is just as likely to have known what the meaning of the Constitution was in this clause at least, which more especially affected his own region of country, as the honorable member from Massachusetts. The men who passed the act of 1793, most of whom had been members of that Convention, were just as likely to know what the Constitution is in this particular as the honorable member from Massachusetts. If he will look at the proceedings of each branch of Congress when the act of 1793 was passed, he will find that nobody ventured to breathe a suspicion either that Congress had no authority to pass it, or that it was not the duty of Congress to pass it. The bill passed both branches unanimously.

"The courts of every State in the Union, and every court of the United States, district or supreme, that has been called upon to pass judgment upon the constitutionality of the act of 1793, has maintained its constitutionality. During the whole series of years which have elapsed from the passage of the act of 1793 up to a comparatively recent day no member of Congress suggested the repeal of that act, either upon grounds of expediency or of unconstitutionality; and no State in the Union by any one of its departments of government ever questioned publicly the validity of that act. Recently, I know, new views have been taken on the subject. The Constitution recently, first, construed with reference to the principles to be found in the Declaration of Independence, and secondly, construed by itself through very many of the clauses which relate to personal freedom, has been held to be so inconsistent with slavery that an act of this description cannot be maintained as valid. The honorable Senator himself, in this report, if I remember it correctly, takes the ground that the clause in

question never was intended to embrace slaves, but apprentices."

Mr. Sumner: "The Senator misunderstood me. I did not doubt that the persons who drew up that clause meant slavery, but I insisted that, according to all just rules of interpretation, which neither the Senator nor myself are at liberty to disobey, the language they employed cannot be interpreted to mean slavery; for according to those rules slavery cannot stand on inference. It requires a positive text to sustain it."

Mr. Johnson: "I do not know what the honorable member supposes to be the limited effect of inference. I suppose when we are called upon to construe words, we are to construe them according to their intent. Now, I understand the honorable member to say that the intent of the persons by whom those words were used was to embrace slavery, but he says they have not carried out their intent."

Mr. Sumner: "As occurs very often in a will or contract."

Mr. Johnson: "But wills and contracts are not made by such men as composed that Convention. The brightest intellects that ever shed glory upon the world were to be found in that Convention. Every clause in the Constitution was carefully penned in the first instance, submitted to the most careful criticisms throughout, and not adopted until every man in the Convention knew what every other man in the Convention meant. If there was any member of that Convention who supposed that these words would not comprehend slaves, and he kept that to himself, he did not deal fairly with his compatriots. Why do not the words include slaves? Why is it a matter of inference? Do they not include apprentices? They include somebody, some class of people; and if they do, what class is included? Are apprentices included? The honorable member will admit that."

Mr. Sumner: "And redemptioners."

Mr. Johnson: "And redemptioners; and why? Because they are held to service. Is he who is held to service for life less held to service than he who is held to service for a few years? The honorable member may assail the laws of the States and deny that there can be any law in any State which can make one man the servant of another for life; but, assuming the validity of those laws (and the very object of repealing this act of 1793 and the act of 1850 is because it is assumed that the laws would operate upon them), then it would follow that slaves are included within the term 'held to service,' unless it be true that he who is held to service for life is not held to service equally with him who is held to service for a month or a year."

Mr. Davis, of Kentucky: "Will the Senator from Maryland allow me to call his attention to the third clause of the second section of the first article of the Constitution? It is in these words:

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons."

"Who are meant by the words 'three-fifths of all other persons?'"

Mr. Johnson: "I am obliged to my friend from Kentucky for his reference to that clause. The language of the particular clause in question is this:

No person held to service or labor in one State, under the laws thereof.

"All we have to ascertain is, is there a law in Maryland which gives me a right to the service of a slave for life? If there is, then according to the words of the provision if he escapes he is to be returned to me. But if there could be any doubt, looking to the terms themselves which are to be found in this clause, that doubt would be removed by the particular clause referred to by the honorable member from Kentucky. The question between the honorable member from Massachusetts and myself, and between him and Washington and every member of the Convention, all the State Legislatures, every State court, every district court of the United States, and the Supreme Court of the United States, with Marshall at their head, is whether the term, 'held to service,' as used in what is called the fugitive slave clause, embraces slaves."

Mr. Sumner: "The Senator will pardon me. That is not the question. The question is whether the whole clause is applicable to slaves. The Senator will observe that there are still other operative words. The clause is as follows:

No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

"The Senator will observe this clause speaks of a party, not of a thing. It speaks of a person held to service or labor, not of a thing; of a person held to service or labor pursued into another State where he is claimed by one to whom such service or labor may be due. All that implies contract. It does not imply a condition of slavery. No service or labor is due from a slave to his master; of course not."

Mr. Johnson: "I do not expect to satisfy the honorable member. I do not think anybody could satisfy him. I knew exactly what his reading of that clause was, and whatever might be urged he would be 'of the same opinion still.' He says now that it applies only to a person who is under a contract to render service to the party from whom he has escaped. Where does he get that meaning? The words used are, 'any person held to service or labor under the laws of a State,' not under contract, and the apprentice would be included, and the indented servant would be included, not be-

cause he was an apprentice by contract, not because he was an indented servant by contract, but because by the law of the State that contract was one from which he could not escape, because by the law of the State he was bound, having entered into the contract, to render the service for which the contract stipulated. But if the law of the State gave to one man a right to the service of another, and that law is legal (which is not involved in this question), if slavery as it exists in the States is legal, then he who owes service in a slave State to a citizen of the slave State owes service to such citizen 'under the laws thereof.'

Mr. Sumner: "A slave cannot owe service, the Senator will bear in mind."

Mr. Johnson: "I cannot bear that in mind. I cannot get it into the mind."

Mr. Sumner: "It is very essential in discussing this question."

Mr. Johnson: "I know it is absolutely essential to come to your conclusion; but it is a conclusion I think that no other gentleman can well come to, because no other gentleman can well get that into his mind. But I was about to say that the clause referred to by the member from Kentucky is pregnant with meaning on the question:

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years.

"Now, one of your classes is provided for. Your apprentices and your indented servants are 'bound' only 'for a term of years.' They are to be added. Who are to be excluded? 'Indians not taxed' are to be excluded. Who else is to be added? 'Three-fifths of all other persons.' What is the meaning of these words?

"Now, who are the 'persons,' three-fifths of whom are to be added for the purpose of determining the question of representation and the other question of taxation? If you take the apprentices out, and the indented servants out, and the Indians out, are there any other persons than slaves? The honorable member is not to be told, Mr. President, that one of the political objections to slavery which the North has urged, and which was quite a sound one if they were about to make a constitution for themselves, was that three-fifths of the slaves were added for the purpose of increasing the representation of the South, when the North was denied the right to increase its own representation by having added in any way for that purpose any portion of its property, whatever that might be. The objection was a political one. It was that this clause gave to the South greater weight in the councils of the country than their white free population entitled them to; and the objection was, not that apprentices were added, for they were white, not that indented servants were added, for they were

white, but that what the South considered as property, slaves, were added. In all the debates upon that subject, that has been a fruitful topic of complaint, and the North no doubt in a few years after the Constitution was adopted, and particularly after the southern States began to multiply and this slave population began to multiply, would have changed the Constitution if they could in that particular. When the Constitution was adopted, it was a matter comparatively unimportant; but when you added southern State after southern State, and brought in slaves by the thousand, the disproportion between the white population and the slave population became so great that in point of fact you made an aristocracy of the South, and they ruled the North, not by their own numbers, but because they were masters of the slaves.

"But what was the object of the ninth section of the first article? That is a provision which was taken out of the amendatory clause, and that ninth section says:

The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808.

"What is the meaning of 'persons' there? Were there any white apprentice boys in Africa? Were there any laws of apprenticeship in Africa? Did any there by contract owe service to any master in Africa? Did any there by contract agree to owe service to any man who would come there and take them away? We know it was not so. That ruthless and barbarous traffic, the disgrace of civilization, the dishonor of England more than of ourselves, was a trade of violence. They were snatched from their country by force or by fraud, subjected to all the dangers of the passage hence, dying by thousands and hundreds of thousands, after suffering excruciating tortures that make the blood run cold even when we read of them at this distant day; they were brought here and made slaves, and we said that they might continue to be brought for a time, as included under the term 'persons;' and the honorable member, therefore, unless he is able to read that word 'persons' in the ninth section as comprehending only apprentices, cannot read the same word to be found in the fugitive slave clause as meaning only apprentices.

"The Senate is not to be told, Mr. President, that I share as earnestly as the honorable member from Massachusetts can in a desire to see the institution terminated. The difference between us is, as I think, that he takes a different view of constitutional obligation. It is, as I think, that the Constitution recognizes the institution in plain terms, that it was the purpose of our fathers to make such a recognition, that they acted in pursuance of that purpose during the whole period of their own lives upon earth, that every act of legislation passed by them during the time that they were guiding the councils of the country recognized the institu-

tion and deemed it the duty of every department of the government, as long as the institution should remain, to protect it."

Mr. Sumner: "I shall not be betrayed into any extended debate; but shall content myself with replying directly to what has been said on the other side.

"There is first the Senator from Ohio (Mr. Sherman), who intervened to arrest the generous purpose of the Senate, as it was about to vote, by a proposition to keep alive the old act of 1793. Strange that now, while we are in deadly conflict with slavery, it should be proposed to keep alive an ancient support of slavery. But the Senator gravely insists, and the Senator from Maryland (Mr. Johnson) insists with him. But the Senator from Ohio does not seem to be aware of the character of the statute which he proposes to keep alive. Let me remind him that by this statute which he cherishes so warmly a fellow-man may be hurried before a magistrate and doomed to slavery without a trial by jury. Can this be constitutional? Will the Senator sanction such an enactment?

"But the Senator from Maryland, not content with affirming the constitutionality of the act of 1793, has plunged into a general discussion on the fugitive clause of the Constitution. He insists laboriously that it was intended to cover fugitive slaves. When I reminded him that its authors might have intended it to cover fugitive slaves, without succeeding in their attempts, he then insists that it does cover fugitive slaves. Well, sir, there I meet him point-blank. I insist that, whatever may have been the original intention of the framers of that clause, they did not succeed in making it cover fugitive slaves. It is a question of construction, and the language employed is not applicable to fugitive slaves. It does not describe them, and cannot by any just tribunal be extended to embrace them. If the prejudices of the Senator were not already enlisted, I should not doubt his judgment on this point, which in the light of jurisprudence is so clear.

"There is a rule of interpretation which the Senator will not call in question. Where any language is open to two constructions, one favorable and the other odious, that which is odious must be rejected. I do not stop to give authorities. The rule is unquestionable and the authorities are ample. But do not forget the conclusion: that which is odious must be rejected. Now, the Senator has already admitted that the language of the clause is applicable to apprentices. Very well. That is enough. In its application to apprentices, redemptioners, and the like, it is exhausted, so that it cannot be made to cover a slave without offending against the rule which requires us to adopt the construction which is the least odious. And, sir, if we go further and scan nicely the language of the clause, we shall find that the words employed are all applicable to a relation of contract or debt, and not to a relation

founded on force. The clause is applicable to a 'person,' and not to a thing, and this 'person' is to be surrendered on the claim of the person to whom his service or labor may be due. But clearly no labor or service can be due from a slave to a master. The whole pretension is an absurdity. And, if you give to this word its legitimate application, you must restrain it to a case of contract or debt. In this glance I omit the argument founded on history, and the well-known opinions of leading minds in the Convention, and confine myself to the text of the Constitution.

"But the Senator dwelt especially on the words 'held to service or labor in one State under the laws thereof,' and triumphantly insisted that slaves were included under this language. Here again he is mistaken. Apprentices and redemptioners were held under 'laws;' but I need not remind the Senator of the admission repeatedly made on this floor by Mr. Mason, that there were no 'laws' for slavery in any slave State; at least, that none could be produced. Besides, as a jurist, the Senator cannot have forgotten the ancient truth that injustice cannot be 'law,' but is always to be regarded as an 'abuse' or a 'violence,' even though expressed in the form of 'law.' In presence of this principle, which has the sanction of as great a lawyer as St. Augustine, and in the face of the positive assertion of Mr. Mason, that no 'law' for slavery could be found in the slave States, what becomes of the argument of the Senator? No, sir. The case is clear. No ingenuity of honest effort can make the words that the Senator cites or any others in that clause sanction slavery and the hunting of slaves. In order to proceed with his argument the Senator must begin by setting aside those commanding rules of interpretation which are binding on him as on myself. If, where words are susceptible of two significations, one favorable and the other odious, the former only can be taken, then must the Senator restrain this clause to that signification which is not odious. And again, if every word is always to be construed so as most to favor liberty, then must the Senator follow implicitly this rule. But these two rules make it impossible to torture this clause into any odious or tyrannical signification. They keep it clean and pure from slavery.

"Sir, I feel humbled by the necessity of this discussion; that at this late day I should be called to vindicate the Constitution of my country against glosses and interpretations in the interest of slavery. Pardon me if for a moment, leaving the two Senators who seek to foist slavery into the Constitution, I turn to the question itself, not so much for argument as for statement. If I seem to repeat, it is because there are certain points which I desire to impress upon the Senate. To my mind nothing is clearer than that, according to unquestionable rules of interpretation, the clause of the Constitution, whatever may have been the

intent of its authors, cannot be considered applicable to slaves. Such is slavery that, from the nature of the case, it cannot be sanctioned or legalized except by 'positive' words. It cannot stand on inference. This rule, which no reason can shake, drove Lord Mansfield to his great judgment in *Somerset's case*. African slavery had for two generations prevailed in England. It had been pronounced to be legal by eminent lawyers and judges. Some of the brightest names in Westminster Hall had given to it the sanction of professional opinion and of judicial decision. At last a person at that time unknown, Granville Sharp, struck by the injustice of slavery, devoted himself to consider the grounds on which its legality was recognized. He studied the laws of England, and all the evidences of its constitution. In the course of these studies, he was gratified to find that there was no positive establishment of African slavery in England, and, indeed, that the words 'slave' and 'slavery' were nowhere to be found in the British constitution. He next applied himself to the accumulation of well-known rules of interpretation, requiring, in any case of doubt or question, that the interpretation should be on the side of liberty, and especially that any man was 'impious' and 'cruel' who did not favor liberty. Impiety and cruelty are not light burdens for an honest conscience. The conclusion was irresistible that slavery could not exist in England.

"But the unanswerable argument of Granville Sharp was rejected at first by the bar, who regarded it as an attempted innovation. The direct precedents, and the weight of authority, were the other way, and this with most lawyers is enough. Harvey said that no person above 'forty' accepted his discovery of the circulation of the blood. And Granville Sharp found himself in the same predicament. But this good man was not disheartened. He knew well that there was no statute of limitations against principles; and, better still, that principles must finally prevail over precedents. Principles are immortal, and bloom with perpetual youth. Precedents are mortal, and die from age, decrepitude, and decay. Against principles, precedents may for a while prevail; but the time must surely come when that which is mortal must yield to that which is immortal. In this conviction he persevered, until at last lawyers were convinced, and then the court.

"The judgment of Lord Mansfield on this occasion, constitutes a landmark of law which will be remembered proudly when all his contributions to commercial law and general jurisprudence are forgotten. It was a contribution to the British constitution and to human rights. Like every principle of natural law, it approves itself at once to the reason and conscience. And this authority I now invoke in the interpretation of the fugitive clause.

"At this moment of severe trial, I wish my country to put itself right with that Supreme

Power which holds in its hands the destinies of nations. It is as true in the life of nations as in the life of individuals, that if you would have equity, you must do equity; but the great equity which we must do is to be found in justice to an oppressed race. It is vain that you complain of disaster to your arms, of colored soldiers and their brave officers cruelly treated at Fort Wagner, of colored soldiers and their brave officers massacred at Fort Pillow, if you yourselves continue to set the example of injustice. The story of the Israelites will be revived, and plague after plague will be sent, sounding forever the old commandment, 'Let my people go.' If the plagues that have been sent already are not enough, another and yet another will visit us. There is one assurance of obedience which you can give. It is to expunge from your statute-book all support of slavery. Be in earnest here, and you will be practical. Then, having done equity, you may fearlessly ask for equity.

The question being taken by yeas and nays, resulted—yeas 24, nays 17; as follows:

YEAS—Messrs. Buckalew, Carlile, Collamer, Cowan, Davis, Dixon, Doolittle, Foster, Harris, Henderson, Hendricks, Howe, Johnson, Lane of Indiana, McDougall, Nesmith, Powell, Riddle, Saulsbury, Sherman, Ten Eyck, Trumbull, Van Winkle, and Willey—24.

NAYS—Messrs. Anthony, Brown, Clark, Conness, Fessenden, Grimes, Hale, Howard, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Wilkinson, and Wilson—17.

So the amendment was agreed to.

Mr. Conness moved to lay the bill on the table, which was disagreed to—yeas 9, nays 31. No further action was taken upon it in the Senate.

In the House, on June 13th, a House bill was considered to repeal the fugitive slave law. The bill repealed sections three and four of the act of Feb. 12th, 1793, and an act supplementary passed Sept. 1850.

Mr. King, of Missouri, said: "The framers of our Constitution spoke for themselves and their children, and the children of those and their posterity, whose delegates they were. Those who vote to repeal this law, certainly will not attempt to place its passage on any such utopian theories as those to which I have been referring; nor will they, I trust, take the other ground, assumed by those visionary theorists of the same political party to which I have already referred, who take as their theory the exact reverse, and declare that ours is a proslavery Constitution, and that the Union, of which it is the only bond, by reason thereof, is a lie. 'The American Union is an imposture, a covenant with death, and an agreement with hell.' It must be overthrown. 'Up with the flag of disunion.'

"I will not do gentlemen the injustice to charge that they take either of the grounds to which I have been referring. If, however, they do, it will take a little more than the ability of plain 'Mr. Granville Sharp,' who by

his common sense and powerful arguments drove Lord Chief Justice Mansfield from his opinions of constitutional law. They must encounter first the opinions of the framers of our Constitution, and their sentiments uttered by such men as Alexander Hamilton, Fisher Ames, James Madison, Luther Martin, Patrick Henry, and other distinguished statesmen. Yea, more, they must encounter the sentiments delivered by Washington to Congress, by the unanimous order of the Convention, when he submitted the Constitution to Congress. In his letter to the president of Congress, among other reasons for its adoption, he says:

It is obviously impracticable, in the Federal Government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered and those which may be reserved; and on the present occasion this difficulty was increased by a difference among the several States as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject we kept steadily in our view that which appears to us the greatest interest of every true American—the consolidation of our Union—in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the Convention to be less rigid on points of inferior magnitude than might have been otherwise expected, and thus the Constitution which we now present is the result of a spirit of amity and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

“These are the sentiments uttered by Washington on behalf of the Convention which adopted our Constitution. How worthy now, in this dark day of our troubles, in the midst of a revolution brought on us by a disregard of these sentiments, that we should emulate the noble example here set us. Would that these patriot sages were now here, in this their country’s day of trial, with their lessons of wisdom, and to commend them to national approval.

When the Constitution was referred by Congress to the various States for its adoption, we find the same enlarged views taken, and often by the same men who had been in the Convention, urging reasons why it should be adopted. In the northern States the effort was to satisfy the people of the necessity there was for securing to the South their rights in slave property, and that by the compromise the North received more than an equivalent in the advantages secured to their commerce and navigation. The solemn compact between the slaveholding and non-slaveholding States was adopted by the unanimous votes of the States then present in the Convention. The dissent of a single State might have marred the whole scheme of compromises so elaborately prepared as a basis of the new Constitution, and remit-

ted the States of the Confederacy to a condition little short of anarchy.

“That the Constitution of 1787 was in truth founded on a deliberately-formed scheme of compromises and equivalents is a historical fact denied by none in terms, but virtually and practically by many who believe themselves to be statesmen, but who are nevertheless politicians merely. The importance of this historical fact justifies, if it does not demand, an exhibition of the evidence, in part at least, by which it is sustained.

“Here are the declarations of Alexander Hamilton to the New York convention, assembled at Poughkeepsie, in June, 1788, to pass on the new Constitution submitted to the States by the General Convention assembled at Philadelphia. I read from Eliot’s Debates, page 212. He said:

In order that the committee may understand clearly the principles upon which the Convention acted, I think it necessary to explain some particular circumstances.

Sir, the natural situation of the country seems to divide its interests into different classes. There are navigating and non-navigating States; the northern are properly the navigating States: the southern appear to possess neither the means nor the spirit of navigation. This difference of situation naturally produces a dissimilarity of interests and views respecting foreign commerce. It was the interest of the *northern States* that there should be no restraints on their navigation, and that they should have full power, by a *majority* in Congress, to make commercial regulations in favor of their own and in restraint of the navigation of foreigners. The *southern States* wished to impose a restraint on the northern, by requiring that *two-thirds* in Congress should be requisite to pass an act in regulation of commerce; they were apprehensive that the restraints of a navigation law would discourage foreigners, and by obliging them to employ shipping of the northern States, would probably enhance their freight. This being the case, they insisted strenuously on having this provision ingrafted on the Constitution; and the northern States were as anxious in opposing it.

“Again:

Much has been said of the impropriety of representing men who have no will of their own. Whether this be reasoning or declamation I will not presume to say. It is the unfortunate situation of the southern States to have a great part of their population, as well as property, in blacks. The regulation complained of was one result of the spirit of accommodation which governed the Convention, and without this indulgence no Union could possibly have been formed. And, sir, considering some *peculiar advantages* which we derive, it is entirely just that they should be gratified. The southern States possess certain staples, tobacco, rice, indigo, &c., which must now be capital objects in treaties of commerce with foreign nations; and the advantages which they necessarily procure in these treaties will be felt throughout all the States.

It became necessary, therefore, to compromise, or the Convention would have dissolved without effecting any thing. Would it have been wise and prudent in that body, in this critical situation, to have deserted their country? No. Every man who hears me, every wise man in the United States, would have condemned them. The Convention were obliged to appoint a committee for accommodation. In this committee the arrangement was formed as it now stands, and their report was accepted. It was a

delicate point, and it was necessary that all parties should be indulged.

"So much for the testimony of a distinguished northern statesman to the fact that the Constitution was a deliberately concocted system of compromises—the work of '*a committee for accommodation*,' specially appointed for the purpose, and in which committee the rights of the slaveholders were distinctly recognized and guaranteed. And stronger still is his evidence as the representative of a great navigating and commercial State, as to the value and importance of the equivalents given by the South for all the concessions made in the Convention by the North connected with the subject of slavery.

"The eloquence and fervid zeal of Fisher Ames, who, like Hamilton, was cut off in the full bloom of his intellectual powers, urged the acceptance of the new Constitution in the Convention of Massachusetts. He said:

Shall we put every thing that we hold precious to the hazard by rejecting this Constitution. *We have great advantages* by it in respect of *navigation*, and it is the general interests of the States that we should have them. But if we reject it, what security have we that we shall obtain them a second time, against the local interests and prejudices of other States?

"I could refer to the opinions at that day of other distinguished northern statesmen as to the absolute necessity of introducing these compromises into the Constitution, and without which no Union could ever have been formed, but I deem it unnecessary.

"To the same effect, and with like arguments, southern statesmen urged in their conventions the adoption of the Constitution. In reference to the fugitive slave clause, Edmund Randolph, in the Virginian convention, said:

Were it right to mention what passed in Convention on the occasion, I might tell you that the southern States—even South Carolina herself—conceived this property to be secured by these words.

"And Judge Iredell, in the North Carolina convention, referring to this clause of the Constitution, says:

In some of the northern States they have emancipated all their slaves. If any of our slaves go there and remain a certain time they would by their present laws be entitled to their freedom, so that their masters could not get them again. This would be extremely prejudicial to the inhabitants of the southern States, and to prevent it this clause is inserted in the Constitution.

"In the South Carolina convention for the adoption of the Constitution we have these emphatic expressions from Charles Cotesworth Pinckney:

We have obtained a right for the recovery of our slaves in whatever part of America they may take refuge, which is a right we had not before.

"Mr. Speaker, I may add truly that no such right existed under our Articles of Confederation, yet it is equally true that this Congress of the Confederation would not pass the celebrated Ordinance of 1787, in reference to the Northwestern Territory, until a clause for delivering up fugitive slaves was inserted.

"Mr. Speaker, I could add, if necessary, contemporaneous expressions going to sustain the same view from the Legislatures and conventions of every State to which the Constitution was submitted for its adoption. I now refer briefly to the view taken by the courts and the learned commentators upon the Constitution since its adoption.

"The passage of the act in reference to fugitive slaves in 1793 was not called for by any complaints from the South, but it is historically known that, upon a call for remedial legislation upon the subject of the surrender of fugitives from justice, this question also naturally pressed itself upon Congress, many of its members having been in the Convention when the Constitution was adopted.

"The owner of a slave, in the absence of any law, has the right under the Constitution, upon the principles of recaption at the common law, to seize and recapture his slave whenever he can do it without a breach of the peace. But cases may often arise when he cannot lay his hands on him by reason of obstacles thrown in the way, and hence the necessity of some legislation. This opinion and position is fully sustained by Mr. Justice Story in the opinion delivered in the case of *Prigg vs. The State of Pennsylvania*. In this decision, announced by a northern judge, he says:

The full recognition of this right and title was indispensable to the security of this species of property in all the slaveholding States, and was so vital to the preservation of their domestic interests and institutions that it constituted a fundamental article, without the adoption of which the Union could not have been formed.

"I will read no more of that decision. It is lengthy, and fully discusses the constitutional question as to the rights of the slave States upon this subject. I am aware that, since the death of Judge Story, some fanatic has procured a note to be appended to the decision, stating that Judge Story had said, out of court, that the constitutionality of the act was not considered in making the decision. The facts of this note are so irreconcilable with the decision that I will not insult the intelligence of the House by further comment upon it. It has emanated from the brain of some abolitionist who never had more than one idea in his head at a time, and that not a very clear one.

"To the same effect is the opinion of the supreme court of Pennsylvania, by Chief Justice Tilghman, in the case of *Wright vs. Deacon*, 5 S. and R., 63. He says:

Whatever may be our opinion on the subject of slavery, it is well known that our southern brethren would not have consented to have become parties to a Constitution under which the United States have enjoyed so much prosperity, unless their property in slaves had been secured.

"And I may add that all our distinguished writers and commentators upon this subject are to the same effect."

Mr. Hubbard, of Connecticut, followed, saying: "I deny that any constitutional question

whatever properly arises under the consideration of the subject-matter of the bill. The Constitution does not anywhere provide for an enactment by Congress of any law for the rendition of fugitive slaves; and if it did, I hold that by the treason of slavery the people are absolved from that obligation upon their part. This is so by the common law, and in the nature and fitness of things it must be so."

Considerable debate ensued, when the bill was passed by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Blair, Blow, Boutwell, Boyd, Brandegree, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Dixon, Donnelly, Driggs, Eckley, Eliot, Farnsworth, Frank, Garfield, Gooch, Griswold, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Ingersoll, Jenckes, Julian, Kelley, Francis W. Kellogg, Littlejohn, Loan, Longyear, Marvin, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Price, Alexander H. Rice, John H. Rice, Schenck, Scofield, Shannon, Sloan, Spalding, Starr, Stevens, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Webster, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—82.

NAYS—Messrs. James C. Allen, William J. Allen, Augustus C. Baldwin, Bliss, Brooks, James S. Brown, Chanler, Coffroth, Cox, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, English, Finck, Ganson, Grider, Harding, Harrington, Charles M. Harris, Holman, Hutchins, Kalbfleisch, Kernan, King, Knapp, Law, Lazear, Le Blond, Mallory, Marcy, McDowell, McKinney, William H. Miller, James R. Morris, Morrison, Odell, Pendleton, Pruyn, Radford, Robinson, James S. Rollins, Ross, Smithers, William G. Steele, Stiles, Strouse, Stuart, Sweat, Wadsworth, Ward, Wheeler, Chilton A. White, Joseph W. White, and Fernando Wood—57.

NOT VOTING—Messrs. Ancona, Anderson, Arnold, Bailey, Broomall, William G. Brown, Clay, Deming, Dumont, Fenton, Grinnell, Hale, Hall, Benjamin G. Harris, Herrick, Philip Johnson, William Johnson, Kasson, Orlando Kellogg, Long, McAllister, McBride, Middleton, Nelson, Noble, John O'Neill, Perry, Pomeroy, Samuel J. Randall, William H. Randall, Rogers, Edward H. Rollins, Scott, Smith, Stebbins, John B. Steele, Voorhees, Elihu B. Washburne, William B. Washburn, Winfield, Benjamin Wood, and Yeaman—42.

This bill of the House was considered in the Senate on June 23d, and a motion was made to amend it by excepting from repeal the act of Feb. 12th, 1793; thus making it similar to the bill of the Senate. This motion failed, and the bill from the House was passed by the following vote:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Dixon, Fessenden, Foot, Grimes, Hale, Harlan, Harris, Hicks, Howard, Howe, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Ten Eyck, Trumbull, Wade, and Wilson—27.

NAYS—Messrs. Buckalew, Carlile, Cowan, Davis, Johnson, McDougall, Powell, Richardson, Riddle, Saulsbury, Van Winkle, and Willey—12.

ABSENT—Messrs. Collamer, Doolittle, Foster, Harding, Henderson, Hendricks, Nesmith, Sherman, Wilkinson, and Wright—10.

In the Senate, on the 28th of March, the
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following joint resolution relative to amendments to the Constitution, was taken up for discussion:

ART. 1. Slavery or involuntary servitude, except as a punishment for crime, shall not exist in the United States.

ART. 2. The Congress, whenever a majority of the members elected to each House shall deem it necessary, may propose amendments to the Constitution, or, on the application of the Legislatures of a majority of the several States, shall call a convention for proposing amendments, which in either case shall be valid, to all intents and purposes, as part of the Constitution, when ratified by the Legislatures of two-thirds of the several States, or by conventions in two-thirds thereof, as the one or the other mode of ratification may be proposed by Congress.

To this resolution the Committee on the Judiciary proposed the following amendment by striking out all after the resolving clause:

(Two-thirds of both Houses concurring), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely:

ART. XIII.—Sec. 1. Neither slavery nor involuntary servitude, except as punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

Mr. Trumbull, of Illinois, took the floor and said: "It is a proposition so to amend the Constitution of the United States as forever to prohibit slavery within its jurisdiction, and authorize the Congress of the United States to pass such laws as may be necessary to carry this provision into effect.

"Without stopping to inquire into all the causes of our troubles, and of the distress, desolation, and death which have grown out of this atrocious rebellion, I suppose it will be generally admitted that they sprung from slavery. If a large political party in the North attributes these troubles to the impertinent interference of northern philanthropists and fanatics with an institution in the southern States with which they had no right to interfere, I reply, if there had been no such institution there could have been no alleged impertinent interference; if there had been no slavery in the South, there could have been no abolitionists in the North to interfere with it. If, upon the other hand, it be said that this rebellion grows out of the attempt on the part of those in the interest of slavery to govern this country so as to perpetuate and increase the slaveholding power, and failing in this that they have endeavored to overthrow the Government and set up an empire of their own, founded upon slavery as its chief cornerstone, I reply, if there had been no slavery there could have been no foundation on which to build. If the freedom of speech and of the press, so dear to freemen everywhere, and especially cherished in this time of war by a large party in the North who are now opposed to interfering with slavery, has been denied us

all our lives in one-half the States of the Union, it was by reason of slavery.

"If these Halls have resounded from our earliest recollections with strifes and contests of sections, ending sometimes in blood, it was slavery which almost always occasioned them. No superficial observer, even, of our history North or South, or of any party, can doubt that slavery lies at the bottom of our present troubles. Our fathers who made the Constitution regarded it as an evil, and looked forward to its early extinction. They felt the inconsistency of their position, while proclaiming the equal rights of all to life, liberty, and happiness, they denied liberty, happiness, and life itself to a whole race, except in subordination to them. It was impossible, in the nature of things, that a Government based on such antagonistic principles could permanently and peacefully endure, nor did its founders expect it would. They looked forward to the not distant, nor as they supposed uncertain period when slavery should be abolished, and the Government become in fact, what they made it in name, one securing the blessings of liberty to all. The history of the last seventy years has proved that the founders of the Republic were mistaken in their expectations; and slavery, so far from gradually disappearing as they had anticipated, had so strengthened itself that in 1860 its advocates demanded the control of the nation in its interests, failing in which they attempted its overthrow. This attempt brought into hostile collision the slaveholding aristocracy, who made the right to live by the toil of others the chief article of their faith, and the free laboring masses of the North, who believing in the right of every man to eat the bread his own hands had earned."

He then proceeded to state the various acts of Congress since the war began, and the measures of the Administration relative to slaves, and said: "If, then, we are to get rid of the institution, we must have some more efficient way of doing it than by the proclamations that have been issued or the acts of Congress which have been passed.

"Then, sir, in my judgment, the only effectual way of ridding the country of slavery, and so that it cannot be resuscitated, is by an amendment of the Constitution forever prohibiting it within the jurisdiction of the United States. This amendment adopted, not only does slavery cease, but it can never be reestablished by State authority, or in any other way than by again amending the Constitution. Whereas, if slavery should not be abolished by act of Congress or proclamation of the President, assuming that either has the power to do it, there is nothing in the Constitution to prevent any State from reestablishing it. This change of the Constitution will also relieve us of all difficulty in the restoration to the Union of the Rebel States when our brave soldiers shall have reduced them to obedience to the laws.

"To secure its passage requires, in the first

instance, a vote of two-thirds in its favor in each branch of Congress, and its ratification subsequently by three-fourths of the States of the Union. Can these majorities be obtained? It is very generally conceded, I believe, by men of all political parties, that slavery is gone; that the value of slavery is destroyed by the rebellion. What object, then, can there be on the part of any one, in the present state of public feeling in the country, to giving the people an opportunity to pass upon this question?"

Mr. Wilson, of Massachusetts, followed with a very full statement of his views relative to slavery, and thus referred to the pending question: "But, sir, the crowning act in this series of acts for the restriction and extinction of slavery in America is this proposed amendment to the Constitution prohibiting the existence of slavery for ever more in the Republic of the United States. If this amendment shall be incorporated by the will of the nation into the Constitution of the United States, it will obliterate the last lingering vestiges of the slave system; its chattelizing, degrading, and bloody codes; its dark, malignant, barbarizing spirit; all it was and is, every thing connected with it or pertaining to it, from the face of the nation it has scarred with moral desolation, from the bosom of the country it has reddened with the blood and strewn with the graves of patriotism. The incorporation of this amendment into the organic law of the nation will make impossible for ever more the reappearing of the discarded slave system, and the returning of the despotism of the slavemasters' domination.

"Then, sir, when this amendment to the Constitution shall be consummated, the shackle will fall from the limbs of the hapless bondman, and the lash drop from the weary hand of the taskmaster. Then the sharp cry of the agonizing hearts of severed families will cease to vex the weary ear of the nation, and to pierce the ear of Him whose judgments are now avenging the wrongs of centuries. Then the slave mart, pen, and auction-block, with their clanking fetters for human limbs, will disappear from the land they have brutalized, and the school-house will rise to enlighten the darkened intellect of a race imbruted by long years of enforced ignorance. Then the sacred rights of human nature, the hallowed family relations of husband and wife, parent and child, will be protected by the guardian spirit of that law which makes sacred alike the proud homes and lowly cabins of freedom. Then the scarred earth, blighted by the sweat and tears of bondage, will bloom again under the quickening culture of rewarded toil. Then the wronged victim of the slave system, the poor white man, and sand-hiller, the clay-eater of the wasted fields of California, impoverished, debased, dishonored by the system that makes toil a badge of disgrace, and the instruction of the brain and soul of man a crime, will lift his abashed forehead to the skies and begin to run the race of im-

provement, progress, and elevation. Then the nation, 'regenerated and disenthralled by the genius of universal emancipation,' will run the career of development, power, and glory, quickened, animated, and guided by the spirit of the Christian democracy that 'pulls not the highest down, but lifts the lowest up.'"

Mr. Saulsbury, of Delaware, opposed the joint resolution, saying: "I may be about to announce a heresy, but if it is a heresy I firmly believe in the truth of it, that if the Senate of the United States were to adopt this joint resolution, and were to submit it to all the States of this Union, and if three-fourths of the States should ratify the amendment, it would not be binding on any State whose interest was affected by it if that State protested against it. I know the popular doctrine is, that if a convention is called by two-thirds of the States and proposes any amendments whatever to the Constitution, which amendments are ratified by three-fourths of the States, such amendments then become the supreme law of the land, and are binding on each and every State—those who had not assented to them as well as those who had. Such is not the opinion which I entertain of this matter. I may be in error; I know my view is against the popular opinion; but let us test it and see who is right and who is wrong. Who framed this Constitution? Who made it?"

"Sir, that Constitution was framed by the States, by the people of the States, who elected delegates to their conventions or Legislatures. It was submitted separately to each State. It never was submitted to the people of the United States as an aggregate body. It was not even submitted to the Congress of the United States elected by the people from the particular States. It was not submitted to a general convention of delegates elected in the different States, but it was submitted directly and immediately to the States themselves. It was to bind no State, and had no effect in any State except those States which, in their independent and separate character, ratified it.

"Our seceding fathers withdrew not *en masse* from the old Articles of Confederation. The State which I have the honor in part to represent, although now one of the least populous in the Union, was the first seceder. New Jersey, Pennsylvania, and other States followed, until finally New Hampshire made secession complete from the other States by ratifying that Constitution. New York, Virginia, North Carolina, and Rhode Island were left to determine the great issue of peaceable separation or forcible opposition to it. They were left to try the power of military coercion or to exclaim that their wayward sisters might depart in peace. New York and Virginia soon seceded from the old Confederation and came in, and finally North Carolina; but Rhode Island would not whip them back again.

"The Constitution of the United States is a contract made for the government of the peo-

ple of the whole United States. It is a contract to which, in the language of Mr. Madison, the States themselves are parties, and it is to be construed, just as any other contract is to be construed, by its own terms and by the surrounding circumstances showing the objects and the purposes for which it was formed. What were those purposes? To form a union among the States for common purposes, not to give them the control over the domestic relations existing in the States, not to regulate the right and title to property in the States; but there were great common purposes to be subserved by the formation of this Union which could be better subserved by the States in the aggregate than by the States separately. They were intrusted with the interests of the States so far as intercourse with foreign nations was concerned, with the regulation of commerce, with the coinage of money, and many other things. But the framers of that instrument show in it the object which they had in forming it, because they delegate the powers which the Federal Government should have, and then declare that the powers not therein delegated, and not prohibited to the States, are reserved to the States respectively or to the people.

"Do any suppose if, at the time of the formation of that Constitution, it had been suggested that, by allowing it to be amended by the ratification of three-fourths of the States, a future convention would undertake to invade the rights of the States and to determine what should be property in the States, or to regulate the relation of parent and child, husband and wife, master and slave, within those States, that the fathers would ever have entered into such an agreement? Why, sir, even with the omission from that Constitution of the provision which provides for the rendition of fugitive slaves, we are told by so high an authority as Justice Story, the Constitution could not have been framed. Do you suppose that men who were so tenacious of their rights—men who had waged a long seven years' war for the achievement or preservation of those rights, after all their experience in that bloody conflict—would ever have committed to any body of men, present or in the future, the power to regulate the relation of parent and child or husband and wife?"

"Sir, if you can go into the States and attempt to regulate the relation of master and slave, you can go into a State and attempt to regulate the relation between parent and child or husband and wife. If you have a right to go into a State and say that one particular species of property which has heretofore been property shall not in the future be property, you have a right to say that any other subject of property heretofore shall not be property in the future; and you have a right to say in that case, by way of amendment, that there shall be no such thing as property at all. It will not do to answer me by saying that no convention of the States would do this; that three-fourths

of the States could not be found to ratify any such provision as that. Why, sir, the thing is just as likely now to be done in the future as it was likely, when that Constitution was framed, that in seventy-five years a dominant party in this country would attempt to invade a State to determine the question of what should be property by abolishing an existing institution.

"But, sir, this provision goes further. It is not only prospective in character so as to effect future rights, but it absolutely proposes by an amendment of the Constitution to sweep away and blot out hundreds of millions' of dollars worth of property in the States. That is the destruction of property. It operates for the destruction of property, because if this amendment becomes incorporated in the Constitution and is submitted to, that property ceases. Then, I ask, where is the difference in principle between the destruction of this amount of property invested in slaves, and the destruction of that amount of property invested in manufactures, in agriculture, or in the mechanic arts?

"Again, can a convention frame an amendment, or can Congress propose an amendment to the Constitution, which, being ratified by three-fourths of the States, shall become the supreme law of the land, by which there shall be made an equal distribution of property throughout the United States? Can they do that? Let it be known that it is within the power of three-fourths of the States to do that, and a party may rise up in the country most clamorous for the exercise of that power. I apprehend, however, it will be admitted that a convention of three-fourths of the States cannot propose an amendment, which, being ratified by three-fourths of the States, can do any of the things that I have mentioned.

"The sinfulness of slavery or the evil of slavery among those with whom it exists is not to be invoked as affording power, in the absence of any thing else, to make this proposed change. If that be the source whence is derived the authority to make this amendment to the Constitution it is an authority against which I cannot argue, for the simple reason that I and my antagonist never could agree."

Mr. Clark, of New Hampshire, followed, saying: "Mr. President, I do not propose to discuss at large the power of Congress to propose this amendment to the States. I find in the Constitution as it now stands this provision:

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, &c.

"I understand that course to be now proposed. I understand that Congress is about to propose to the States certain amendments to this Constitution. I understand that when those amendments shall be ratified, if they ever

are, by three-fourths of the States, they will be, in the language of the Constitution now, 'valid to all intents and purposes.' But, says the Senator from Delaware, you cannot amend the Constitution in this particular; the framers of the Constitution did not anticipate that such an amendment would be proposed. Has the Senator from Delaware carefully considered the provisions of this Constitution?

"The framers of the Constitution said that you might amend it in this way, and it should be valid to all intents and purposes except in three particulars: one was in regard to the slave trade; another was in regard to the capitation tax; and the third was in regard to the equal representation of the States in this branch of Congress. Why, sir, article five of this Constitution shows conclusively that the framers of the Constitution had the subject of slavery directly under their thought and control when they said, you shall not amend it in regard to the slave trade for twenty years, but was silent as to every thing else in regard to it, and you may amend it. There is no provision here that you shall not abolish domestic servitude. There was and is a provision that you should not touch the slave trade within twenty years, but you might abolish slavery. The implication is clear and forcible that you may do it whenever two-thirds of both Houses of Congress see fit to propose the amendment, and three-fourths of the States to accept it."

The amendment of Mr. Davis was lost—yeas, 5; nays, 32.

The question now came up on the amendment reported by the Judiciary Committee.

Mr. Hale, of New Hampshire, said: "Mr. President, permit me to say that this is a day that I and many others have long wished for, long hoped for, long striven for. It is a day when the nation is to commence its new life, or if it is not the day, it is the dawning of the day; the day is near at hand. The day is to come when the American people are to wake up to the meaning of the sublime truths which their fathers uttered years ago, and which have slumbered dead letters upon our Constitution, of our Declaration of Independence, and of our history—a day when the nation is to be dis-embarrassed of the inconsistencies which have marked its history and its career, patent to the world and to ourselves when we have had the courage faithfully, fairly, and boldly to look the truth in the face.

"Sir, what is the truth? We have had upon the pages of our public history, our public documents, and our public records, some of the sublimest truths that ever fell from human lips; and there never has been in the history of the world a more striking contrast than we have presented to heaven and earth between the grandeur and the sublimity of our professions and the degradation and infamy of our practice. That day is to pass away, and to pass away, I trust, right speedily.

"Sir, when the great founder of the Dutch

republic, William the Silent, I think he was called, after losing his armies, his treasure, his finances, and every thing but his own indomitable courage and his Christian faith, counselled his followers again to rally and again to strike for freedom, they asked him, 'Have you secured any alliances? Are there any of the potentates and Powers of the earth that you could associate with, that will aid you in the struggle in which you propose to engage?' His answer was, 'Yes; I have allied myself to the King of kings, and in His strength I invite you to go to battle.' Sir, that is the position and the only position this nation can occupy. If we cannot do that, if we cannot put away from us the great sin and the great crime which has separated us not only from the sympathies of the Christian world, but from the blessings of the God of the Christian world, then indeed is our cause hopeless and our struggle desperate.

"But, sir, whenever unconditionally and without equivocation we come up to the mark and place ourselves on the high standard of Christian duty, and resolve that despite of all extraneous circumstances, of all doubtful contingencies, of all questions of expediency, we will place ourselves firmly upon the everlasting rock of duty and our action shall be in accordance with our conscientious convictions, then, and not till then, will that pillar of cloud by day and fire by night which led the chosen people from the house of bondage to the land of promise, be ours. Then we shall indeed and in truth be worthy of our genealogy and our history. Then the sublime teachings of the Pilgrim fathers who left every thing behind them that they might come hither and plant in this wilderness a temple of liberty, and throw wide open its doors for the oppressed of earth to enter and be at rest—then will all that be realized. Then without shame, without reproach, and without apology, we can stand in this nineteenth century, soldiers of the new civilization and of an old Christianity, going forth to battle with every impulse of our hearts and every purpose that we entertain in full accordance with the best wishes and hopes of the good on earth and of the God in heaven; when we take this position and take it firmly and ably, then and not until then shall we triumph; then and not till then shall we see the beginning of the end."

Mr. McDougall, of California, followed, saying: "I thought when I came here that the business of the Federal Congress, the business of the Executive of the Federal Union, the business of this Government, was by the exercise of its full power to put down the rebellion; but what has been the fact? From the time I took my place here until this day, until these last ten minutes, hardly a quarter of an hour has passed that has not been occupied by discussing the status of negroes in the southern confederacy. Our home policy, our finances, our legitimate business, our foreign relations, have all been ignored.

I, as I said on rising, do not propose to discuss this question here: my argument is an affirmation that we have no business with meddling with so grave a question of fundamental and elementary law while we have a war to maintain for the purpose of reestablishing the Republic. I have from the first protested against the continuous discussion of this question not belonging to armies, not belonging to forces, but belonging to a sentiment or opinion which could not be made use of for any legitimate purpose in the controversy before us. I have asked the Senators on both sides of the Chamber to assert the strength of the Republic and compel obedience to the Constitution and the laws, and so I shall say as long as I occupy my place in this Chamber; but I protest against occupying the time of the Senate of the Republic of North America entirely in discussing subjects that have nothing to do with the reestablishing of the Republic that has been disintegrated by hostile forces having no faith in the system as it exists."

Mr. Hendricks, of Indiana, following, said: "Ought not the people deliberately to consider any proposition for an amendment of the Constitution? Ought it not to be considered more deliberately than any ordinary measure of government or of administration? Sir, what is our condition? We are in a state of war. The minds of the people are greatly excited. They come to conclusions now not so much upon reflection and argument and reason as they do upon the passions of the hour. I ask Senators whether a time like this is favorable to consider amendments of the organic law?"

"I ask Senators in what condition are Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, Tennessee, Texas, and Virginia, to consider amendments to the Constitution? Is this to be their Constitution as well as ours? Is this to be a Constitution for Louisiana as well as Indiana, for Florida as well as New Hampshire? Then, sir, if it is to be their great law to which they will owe allegiance and render obedience, shall they not be in a condition to consider so important an amendment before it is proposed to them?"

Mr. Howard, of Michigan, answered: "If those States are not in a condition to participate in the amendment of the Constitution, as is contemplated by this joint resolution, whose fault will it be? Can a party in that attitude take advantage of his own fault, of his own wrong?"

Mr. Hendricks said: "I ask the Senator, is it not to be their Constitution as well as ours, and must not this amendment be considered by them and acted upon by them, so as to secure three-fourths of the thirty-five States, before it becomes a part of the Constitution?"

Mr. Collamer, of Vermont, replied: "If those States were voting and were in favor of the amendment, they would vote for it and would be satisfied with it, if it were adopted, and if

they were opposed to it they would vote against it. Now, in counting the thirty-five States so as to get three-fourths to agree to it, those States that have not voted at all are counted the same precisely as if they had voted against it."

The resolution came up again on April 8th, when Mr. Sumner, of Massachusetts, after taking a view of the Constitution in reference to any support it might afford to the institution of slavery, said:

"We have already seen that slavery can find no support in the Constitution. Glance now at the positive provisions by which it is brought completely under the control of Congress.

"1. First among the powers of Congress, and associated with the power to lay and collect taxes, is that 'to provide for the common defence and general welfare.' It has been questioned whether this is a substantive power, or simply incident to that with which it is associated. But it seems difficult, if not absurd, to insist that Congress should not have this substantive power. Shall it not provide for the common defence? Shall it not provide for the general welfare? If it cannot do these things it had better abdicate. In the discussions on the Constitution in the Virginia convention, Mr. George Mason, one of its most decided opponents, said, 'That Congress should have power to provide for the general welfare of the Union, I grant.' (2 *Eliot's Debates*, 327.) But the language of Patrick Henry, to which allusion has been already made, was still more explicit. He foresaw that this power would be naturally directed against slavery, and he said:

Slavery is detested. We feel its fatal effects. We deplore it with all the pity of humanity. Let all these considerations, at some future period, press with full force on the minds of Congress. Let that urbanity which, I trust, will distinguish Americans, and the necessity of national defence—let all these things operate on their minds; they will search that paper [the Constitution] and see if they have the power of manumission. And have they not, sir? Have they not the power to provide for the general defence and welfare? May they not think that they call for the abolition of slavery? May they not pronounce all slaves free? And will they not be warranted by that power? This is no ambiguous implication or logical deduction. The paper speaks to the point. They have the power in clear and unequivocal terms, and will clearly and certainly exercise it. —*Eliot's Debates*, vol. 3, p. 590.

"Language could not be more positive. To all who ask for the power of Congress over slavery, here is a sufficient answer; and remember that this is not my speech, but the speech of Patrick Henry, who says that the Constitution 'speaks to the point.'

"2. Next comes the clause, 'Congress shall have power to declare war; to raise and support armies; to provide and maintain a navy.' A power like this is from its very nature unlimited. In raising and supporting an army, in providing and maintaining a navy, Congress is not restrained to any particular class or color. It may call

upon all, and authorize that contract which the Government makes with an enlisted soldier. But such a contract would be in itself an act of manumission; for a slave cannot make a contract. And if the contract be followed by actual service, who can deny its completest efficacy in enfranchising the soldier-slave and his whole family? Shakspeare, immortal teacher, gives expression to an instinctive sentiment when he makes Henry V., on the eve of the battle of Agincourt, encourage his men by promising,

"For he to-day that sheds his blood with me,
Shall be my brother; be he ne'er so vile,
This day shall gentle his condition."

"3. There is still another clause: 'The United States shall guaranty to every State in this Union a republican form of government.' There again is a plain duty. But the question recurs, what is a republican form of government? John Adams, in the correspondence of his old age, says:

The customary meanings of the words republic and commonwealth have been infinite. They have been applied to every government under heaven; that of Turkey and that of Spain, as well as that of Athens and of Rome, of Geneva and San Marino.—*John Adams's Works*, vol. x., p. 378.

"But the guarantee of a republican form of government must have a meaning congenial with the purposes of the Constitution. If a Government like that of Turkey, or even like that of Venice, could come within the scope of this guarantee, it would be of little value. It would be words and nothing more. Evidently it must be construed so as to uphold the Constitution according to all the promises of its preamble, and Mr. Madison has left a record, first published to the Senate by the distinguished Senator from Vermont (Mr. Collamer), the chairman of the Committee on the Library, showing that this clause was originally suggested in part by the fear of slavery. The record is important, disclosing the real intention of this guarantee. But no American need be at a loss to designate some of the distinctive elements of a republic according to the idea of American institutions. These will be found, first, in the Declaration of Independence, by which it is solemnly announced 'that all men are endowed by their Creator with unalienable rights; that among these are life, liberty, and the pursuit of happiness.' And they will be found, secondly, in that other guarantee and prohibition of the Constitution, in harmony with the Declaration of Independence, 'no person shall be deprived of life, liberty, or property without due process of law.' Such are some of the essential elements of a 'republican form of government,' which cannot be disowned by us without disowning the very muniments of our liberties; and it is these which the United States are bound to guarantee. But all these make slavery impossible. It is idle to say that this result was not anticipated. It would be, then, only another

illustration that our fathers 'builded wiser than they knew.'

"4. But, independent of the clause of guarantee, there is the clause just quoted, which in itself is a source of power: 'no person shall be deprived of life, liberty, or property without due process of law.' This was a part of the amendments to the Constitution proposed by the First Congress, under the popular demand for a Bill of Rights. Brief as it is, it is in itself alone a whole Bill of Rights. Liberty can be lost only by 'due process of law,' words borrowed from the old liberty-loving common law, illustrated by our master-in-law, Lord Coke, but best explained by the late Mr. Justice Bronson, of New York, in a judicial opinion where he says:

The meaning of the section then seems to be, that no member of the State shall be disfranchised or deprived of any of his rights or privileges unless the matter shall be adjudged against him upon trial had according to the course of common law. The words "due process of law" in this place cannot mean less than a prosecution or suit instituted and conducted according to the prescribed forms and solemnities for ascertaining guilt or determining the title to property.—4 *Hill's Reports*, 146.

"Such is the protection which is thrown by the Constitution over every 'person,' without distinction of race or color, class or condition. There can be no doubt about the universality of this protection. All, without exception, come within its scope. Its natural meaning is plain; but there is an incident of history which makes it plainer still, excluding all possibility of misconception. A clause of this character was originally recommended as an amendment by two slave States, North Carolina and Virginia, but it was restrained by them to freemen, thus: 'No freeman ought to be deprived of his life, liberty, or property but by the law of the land.' But when the recommendation came before Congress the word 'person' was substituted for 'freemen,' and the more searching phrase 'due process of law' was substituted for 'the law of the land.' In making this change, rejecting the recommendation of two slave States, the authors of this amendment revealed their purpose, that no person wearing the human form should be deprived of liberty without due process of law; and the proposition was adopted by the votes of Congress and then of the States as a part of the Constitution. Clearly on its face it is an express guarantee of personal liberty, and an express prohibition against its invasion anywhere.

"In the face of this guarantee and prohibition—for it is both—how can any 'person' be held as a slave? But it is sometimes said that this provision must be restrained to places within the exclusive jurisdiction of the national Government. Let me say frankly that such formerly was my own impression, often avowed in this Chamber; but I never doubted its complete efficacy to render slavery unconstitutional in all such places, so that 'no person' could be held as a slave at the national

capital or in any national territory. Constitutionally slavery has always been an outlaw wherever that provision of the Constitution was applicable. Nobody doubted that it was binding on the national courts, and yet it was left unexecuted—a dead letter, killed by the predominant influence of slavery, until at last Congress was obliged by legislative act to do what the courts had failed to do, and to put an end to slavery in the national capital and national territories.

"But there are no words in this guarantee and prohibition by which they are restrained to any exclusive jurisdiction. They are broad and general as the Constitution itself; and since they are in support of human rights they cannot be restrained by any interpretation. There is no limitation in them, and nobody now can supply any such limitation, without encountering the venerable maxim of law, *Impius ac crudelis qui libertati non favet*—'Impious and cruel is he who does not favor liberty.' Long enough courts and Congress have merited this condemnation. The time has come when they should merit it no longer. The Constitution should become a living letter under the predominant influence of freedom. It is this conviction which has brought petitioners to Congress, during the present session, asking that the Constitution shall be simply executed against slavery and not altered. Ah! sir, it would be a glad sight to see that Constitution, which we have all sworn to support, interpreted generously, nobly, gloriously for freedom, so that everywhere within its influence the chains should drop from the slave. If it be said that this was not anticipated at the adoption of the Constitution, I remind you of the words of Patrick Henry at the time when he said, 'the paper speaks to the point.' No doubt. It does speak to the point. Cicero preferred to err with Plato rather than to think right with other men. And pardon me if, on this occasion, when my country is in peril from slavery, and when human rights are to be rescued, I prefer to err with Patrick Henry, the contemporary of the Constitution, rather than to think right with Senators who hesitate against slavery.

"Mr. President, thus stands the case. There is nothing in the Constitution on which slavery can rest, or find any the least support. Even on the face of that instrument it is an outlaw; but if we look further at its provisions we find at least four distinct sources of power, which, if executed, must render slavery impossible, while the preamble makes them all vital for freedom: first, the power to provide for the common defence and general welfare; secondly, the power to raise armies and maintain navies; thirdly, the power to guarantee to every State a republican form of government; and fourthly, the power to secure liberty to every person restrained without due process of law. But all these provisions are something more than powers; they are duties also. And yet

we are constantly and painfully reminded in this Chamber that pending measures against slavery are unconstitutional. Sir, this is an immense mistake. Nothing against slavery can be unconstitutional. It is only hesitation which is unconstitutional."

The Senator then noticed various objections to the resolution, and said: "Putting aside, then, all objections that have been interposed, whether proceeding from open opposition or from lukewarm support, the great question recurs, that question which dominates this whole debate, How shall slavery be overthrown? The answer is threefold: first, by the courts, declaring and applying the true principles of the Constitution; secondly, by Congress, in the exercise of the powers which belong to it; and, thirdly, by the people, through an amendment to the Constitution. Courts, Congress, people, all may be invoked, and the occasion will justify the appeal."

Mr. Sumner closed by moving to strike out the first and second sections of the report of the committee, and insert the following:

Section 1. All persons are free (equal) before the law, so that no person can hold another as a slave; and the Congress may make all laws necessary and proper to carry this article into effect everywhere within the United States and the jurisdiction thereof.

Mr. Powell, of Kentucky, in reply said: "Adopt this amendment, say to the people of the Southern States that they are to be deprived of their property and the earnings of their labor, that their whole domestic policy is to be overthrown, and four millions of miserable blacks turned loose among them, if you please, and do you think they will yield while they have arms to strike? Never, sir; and in my honest judgment (I always speak plainly what I think) those fanatical gentlemen on the other side of the House who desire the passage of this measure, intend to do one of two things—either to destroy the institution of slavery or to destroy the Union. If they can make the preservation of this Union a pretext by which they can be enabled to strike down slavery, they will do so. If they find that they cannot, in my judgment they will be willing to recognize the South. Their whole policy indicates that to my mind. Pass this amendment and you make an impassable chasm, as if you were to put a lake of burning fire between the adhering States and those who are out. You will then have to make it a war of conquest and extermination before you can ever bring them back under the flag of the Government. There is no doubt about that proposition.

"Why, sir, suppose you were to propose and pass an amendment to the Constitution laying your hand upon the property interest in New England, I will not say equal but half equal to the property interests of the Southern States which you now propose to strike down; does any man believe that all New England would not be in revolution to-morrow? Yes, sir, one-

half of the violation of their property rights by an attempted amendment of the Constitution of the United States inflicted upon them would put all New England in revolt to-morrow.

"Knowing that this will be the best disunion measure that was ever adopted, and desiring as I do a restoration of the Union as it was with the Constitution as it is, I oppose it, and shall oppose it here and everywhere, with all the power that I have.

"The Senator from Massachusetts to-day has quoted from Patrick Henry, and he has eulogized him very much. Certainly he does not feel any more admiration for that distinguished orator than I do. Does not the Senator know that an amendment to the Constitution has been adopted since Patrick Henry made that speech, which says that private property shall not be taken for public uses except on just compensation? and that is an answer to his whole quotation from Mr. Henry. I do not believe that Mr. Henry was right in the position he assumed in the speech from which the Senator quoted. Mr. Henry was engaged at that time in making an assault on the Constitution in a slave State; he wished to reject it; he did not like it; but even if what he then stated were true, the amendment since adopted explodes the whole of the Senator's argument on that branch of the case, and Mr. Henry's argument along with it."

Mr. Sumner's amendment was withdrawn after some discussion.

Mr. Davis, of Kentucky, said: "Mr. President, if the men who are to pass this amendment were as much interested in this property as those who are opposing it here and elsewhere, there is not one of them but would be found in opposition to it. It is a very beautiful operation, to be sure. They say to us, 'We will take from you your property; we will make you no compensation for it; and we will do it under the power to amend the Constitution.' Sir, property is a matter of State or domestic institution. The General Government have not legitimately, and were never intended to have, any jurisdiction or authority over the subject of property. What subjects should constitute property, how it should be regulated, whether it should exist and continue in one subject or be discontinued in another subject, are questions which were never intended to be intrusted to the General Government. That is a great and fundamental feature of our Federal and State system of governments. The proposed amendment takes that principle to be true in relation to but one subject of property; but if it strikes at it in relation to one subject of property, it may in relation to all.

"The power of amendment as now proposed to be exercised imparts a power that would revolutionize the whole Government, and that would invest the amending power with a faculty of destroying and revolutionizing the

whole Government. In my judgment, it is absurd to say that the power of amendment, which is simply a power to reform, a power to improve, imparts and authorizes the exercise of a power to destroy."

The following was the vote on the passage of the joint resolution :

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Collamer, Conness, Cowan, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Harding, Harlan, Harris, Henderson, Howard, Howe, Johnson, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Nesmith, Pomeroy, Ramsey, Sherman, Sprague, Sumner, Ten Eyck, Trumbull, Van Winkle, Wade, Wilkinson, Willey, and Wilson—38.

NAYS—Messrs. Davis, Hendricks, McDougall, Powell, Riddle, and Saulsbury—6.

The Vice-President announced that the joint resolution having received the concurrence of two-thirds of the Senators present, was passed.

Mr. McDougall, of California, said: "I desire to ask a question for the purpose of understanding a ruling of the Chair. The ruling, I understand, is that the vote as it stands now has no relation to the States not represented on the floor. I think our vote now being a final vote should have relation to all the States as recognized under the Constitution."

The Vice-President replied: "The Chair rules that a majority of all the Senators is a quorum, and two-thirds of the number voting, provided a quorum votes, is sufficient to pass any resolution proposing an amendment to the Constitution."

Mr. McDougall: "I only desire the privilege of saying that such is not the opinion I entertain."

In the House the joint resolution was considered on June 14th. Mr. Pruyn, of New York, opposed it, saying: "Can three-fourths of the States, under this power to amend, overturn the institutions, subvert the authority, and change the condition of the other States? If so, the States might as well in the outset have surrendered all their sovereignty to the General Government, and the amendment declaratory of their reserved rights was meaningless. Is there any person who will venture to claim that any State which adopted the Constitution, placed any such construction on this power to amend?"

"Can Maryland and Delaware and New Jersey (for this illustrates the principle) force upon Pennsylvania an entire change of her domestic policy and institutions? Can Vermont, Massachusetts, and Connecticut compel New York to submit to their domination over her internal affairs, and to lay down rights at their bidding which she never agreed to surrender? If three-fourths of the States can take away rights now clearly reserved to their associates, what is to prevent the absorption of their territory by other States? If one right can be taken away, several can be—all can be. If one principle can be swept away, all can be. Under such a doctrine States may be annihilated and a monarchy built up. These it may

be said are extreme cases, but they are legitimate results from the power to amend now claimed. The right to amend is not a right to extend and enlarge the powers granted under the Constitution. It was only intended through its instrumentality to provide for the better and more convenient exercise of the powers expressly granted, in case defects should be found to exist in the practical working of the system. The amendment as to the manner of electing the President and Vice-President illustrates this view.

"To construe the Constitution as authorizing three-fourths of the States to impose upon the residue terms and conditions of Union not agreed upon or assented to by them, would be a wide departure from its spirit, and a monstrous usurpation of power; and this it is which we are now called upon to do; to take a further step to alienate the feelings of the South, and to embarrass and impede their return to the Union. No matter what the question may be, whether that of slavery or of any other domestic institution or right reserved to the States; so long as it is reserved, Congress has no right to interfere with it in any way."

Mr. Wood, of New York, said: "Mr. Speaker, I see many objections to this amendment, while I fail to find one reason in its favor. I am opposed to it because it aims at the introduction of a new element over which Government shall operate. It proposes to make the social interests subjects for governmental action. This is the introduction of a principle antagonist to that which underlies all republican systems. Our Union was made for the political government of the parties to it, for certain specified objects of a very general character, all of them political, and none of them relating to or affecting in any manner individual or personal interests in those things which touch the domestic concerns. There is no feature or principle of it giving to the Federal power authority over them. These were reserved and left exclusively to the jurisdiction of the States and 'the people thereof.' Of this character are the marital relations, the religious beliefs, the right of eminent domain within the territorial limits of the States, other private property, and all matters purely social. Slavery where it exists is a system of domestic labor; it is not the creature of law. It existed without law before this Government was established. It is incorporated into the organization of society as part of the existing domestic regulations. It cannot be brought within constitutional jurisdiction any more than can any or either of the other private and personal interests referred to."

Mr. Higby, of California, replied: "Sir, the whole debate on the other side of the House upon this proposition has been upon the presumption that whatever action is taken by us as a legislative body is conclusive; that if this resolution passes this House—it having already

passed the Senate—it becomes a finality, and whatever is embraced in it becomes a portion of the Constitution of the United States. Let no such fallacy sink deep into the heart of any man. The Constitution has most amply and cautiously provided that the national legislative branch of the Government can make no such amendment. Why, sir, the resolution simply gives the amendment in so many words, and proposes its ratification; and then the amendment goes to the State legislatures, and must be ratified by them."

The debate subsequently extended to the general subject of slavery, and was continued at much length. The vote was taken on the next day, and two-thirds not voting in favor, the joint resolution failed to pass.

The vote was as follows:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Bailey, John D. Baldwin, Baxter, Beaman, Blaine, Blair, Blow, Boutwell, Boyd, Brandegee, Broomall, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Creswell, Dawes, Deming, Dixon, Donnelly, Driggs, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Griswold, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburt, Ingersoll, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, Littlejohn, Loan, Longyear, Marvin, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Odell, Charles O'Neill, Orth, Patterson, Perham, Pike, Price, Alexander H. Rice, John H. Rice, Schenck, Schofield, Shannon, Sloan, Smith, Smithers, Spaulding, Starr, Stevens, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, Webster, Whaley, Wheeler, Williams, Wilder, Wilson, Windom, and Woodbridge—93.

NAYS—Messrs. James C. Allen, William J. Allen, Ancona, Ashley, Augustus C. Baldwin, Bliss, Brooks, James S. Brown, Chanler, Coffroth, Cox, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, English, Finck, Ganson, Grider, Harding, Harrington, Herrick, Holman, Hutchins, Philip Johnson, William Johnson, Kalbfleisch, Kernan, King, Law, Lazear, Le Blond, Long, Mallory, Marcy, McAllister, McDowell, McKinney, William H. Miller, James R. Morris, Morrison, Noble, John O'Neill, Pendleton, Pruyn, Radford, Samuel J. Randall, Robinson, Rogers, James S. Rollins, Ross, Scott, John B. Steele, William G. Steele, Stiles, Strouse, Stuart, Sweat, Wadsworth, Ward, Chilton A. White, Joseph W. White, and Fernando Wood—65.

NOT VOTING—Messrs. William G. Brown, Clay, Henry Winter Davis, Thomas T. Davis, Dumont, Grinnell, Hall, Benjamin G. Harris, Charles M. Harris, Knapp, McBride, Middleton, Nelson, Perry, Pomeroy, William H. Randall, Edward H. Rollins, Stebbins, Voorhees, William B. Washburn, Winfield, Benjamin Wood, and Yeaman—23.

In the House on Dec. 14, 1863, Mr. Arnold of Illinois, offered the following bill which was read the second time and referred to the Committee on the Judiciary:

A bill to aid the President of the United States in carrying into more immediate execution the proclamation of emancipation issued by him on the 1st day of January, A. D. 1863, prohibiting the holding of certain persons as slaves in all that portion of the United States designated therein.

Whereas the President of the United States, by his proclamation issued on the 1st day of January, in the year 1863, as commander-in-chief of the Army thereof, did, as a fit and lawful means of suppressing the rebellion, in accordance with the laws of war

and with the dictates of justice and humanity, order, proclaim, and declare that all persons held as slaves within the limits of certain States and parts of States therein designated were, and should thereafter and forever be, free; and that the executive, military, and naval authorities would and should thenceforward recognize and maintain the freedom of all such persons; and whereas by said proclamation and order the President has guaranteed to all such persons their freedom, and has pledged the faith and honor of the country that their freedom shall be recognized and forever maintained; and whereas it is the right and the duty of Congress to make all laws which may be necessary and proper for carrying into execution all the powers, whether civil or military, vested by the Constitution in the President as Commander-in-Chief of the Army and Navy; and among such military powers is that of making and executing the proclamation aforesaid; and whereas all persons heretofore held as slaves, as aforesaid, within said designated States or parts of States, are now of right free, and ought to be hereafter forever unmolested in the enjoyment of that freedom which the Government of the United States is bound to "recognize and maintain;"

Now, therefore, for the purpose of carrying into more complete and immediate execution the aforesaid proclamation, and to secure forever the recognition and maintenance of the freedom of all persons designated therein, and thereby to provide more effectually for the suppression of the rebellion, the securing of domestic tranquillity, the maintaining of the common defence, and the preservation of the liberties of the people;

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all States and parts of States designated in said proclamation as in rebellion, the reënsaving or holding, or attempting to hold, in slavery or in involuntary servitude of any person who shall have been made or declared to be free by said proclamation, or any of their descendants, from and after the date of said proclamation, otherwise than in punishment of crime whereof the accused shall have been duly convicted, is and shall be forever prohibited, any law or regulation of either of such States to the contrary notwithstanding.

Subsequently, on June 15th, the proposition to repeal the commutation clause of the enrolment act, being under consideration, Mr. Boutwell, of Massachusetts, said:

"I am not disposed to despair at all of the Republic, or of the power of the Government to maintain itself. The gentleman from Kentucky (Mr. Mallory) said this morning that the whole policy of the country was changed by the proclamation of the President, and he attributed that proclamation to the meeting of the Governors of certain States at Altoona. I am not here to be put upon the witness-stand, but it so happens that I have the means of knowing that the proclamation of September, 1862, was entirely independent of and antecedent to the meeting of the Governors at Altoona. The meeting of the Governors had no connection with the proclamation. The gentleman from Kentucky should remember that prior to the issuing of that proclamation we had met with but few successes, and that we had endured many, many reverses. Lee had battled for four days under the fortifications of the capital, and had finally crossed the Potomac into Maryland. It was not until the country put itself on the side of justice that it had a right to expect the favor of

Divine Providence, or any of those successes which have rendered this war glorious in the cause of freedom, truth, and justice."

Mr. Mallory, of Kentucky, said: "Will the gentleman state when that convention of Governors assembled at Altoona?"

Mr. Boutwell: "I think it assembled at Altoona previous to the 22d of September, but I assert as within my own knowledge that the issuing of the proclamation was determined upon previous to the meeting at Altoona."

Mr. Mallory: "Can the gentleman inform me when the issuing of that proclamation was determined upon?"

Mr. Boutwell: "I cannot go far in this matter. I assert distinctly the fact which is within my own knowledge that the President previous to the meeting of the Governors at Altoona had decided in a certain contingency, which happened upon the Wednesday preceding the 22d of September, to issue the proclamation, and therefore the inference I draw is in contravention of the declaration of the gentleman from Kentucky that that proclamation was the result of the meeting of the Governors at Altoona."

Mr. Mallory: "Will the gentleman tell us the contingency on the happening of which that proclamation was to be issued?"

Mr. Boutwell: "I said, Mr. Speaker, when I mentioned this fact, that I was not to be put upon the stand as a witness. I have made a statement as of a fact within my own knowledge, and history will confirm the statement."

Mr. Mallory: "If the gentleman from Massachusetts does not wish to answer the question or to state the fact, I will not insist."

Mr. Boutwell: "I have done nothing more than this—to put my statement of a fact, which I assert to be within my own knowledge, against the declaration of the gentleman from Kentucky, that the proclamation of emancipation, or the monitory proclamation of emancipation, was issued in consequence of the meeting of Governors at Altoona."

Mr. Mallory: "We know that the President himself stated on the 13th of that month that he had no idea of issuing such a proclamation, and that he argued against issuing it. I want to know from the gentleman from Massachusetts whether it was between the 13th and 22d, and if so, at what point between these two periods, the President had prepared the proclamation, and had determined to issue it upon a certain contingency. I would also like to know what that contingency was."

Mr. Boutwell: "The gentleman from Kentucky is good at questioning, but I have to keep myself within the position which I stated."

Mr. Pendleton: "I desire to ask the gentleman from Massachusetts upon what event happening on a certain Wednesday the issuing of the President's emancipation message was contingent?"

Mr. Boutwell: "The wisdom of the remark with which I prefaced my first statement is more and more manifest as I proceed. The

questions put to me are not founded upon any thing I have said. The gentleman's question states that the event was to happen on Wednesday."

Mr. Pendleton: "It did happen on Wednesday."

Mr. Boutwell: "I have already stated to my friends on that side of the House that I do not intend to answer that question. With all due respect to them, I do not intend to answer that question. I stated just exactly what I wanted to say, for the purpose of repelling, so far as I could, the imputation that the President was controlled in issuing his emancipation proclamation by any assembly of men anywhere. If what the gentleman from Kentucky (Mr. Mallory) has asserted be true, of which I have no knowledge, then so much higher is my opinion of the President's wisdom that he abandoned a policy which had brought nothing but disaster upon the country, and raised himself to the contemplation of the supreme truth that justice to the enslaved was involved in this contest, and that neither he nor the country could hope for the blessing of God until they saw the injustice of slavery, and determined by one supreme decree to strike down slavery and slaveholders."

Mr. Pendleton: "Will the gentleman yield to me?"

Mr. Boutwell: "Certainly."

Mr. Pendleton: "I ask the gentleman whether the issuing of that proclamation did not depend upon a victory* being obtained by the Union forces? I will be satisfied with any answer, but I want an answer."

Mr. Boutwell: "In regard to these questions, I have already said I would not answer."

In the Senate, on January 27th, the bill to promote enlistments and for other purposes was taken up. Mr. Powell, of Kentucky, moved to strike out the third section, as follows:

SEC. 3. *And be it further enacted*, That when any person of African descent, whose service or labor is claimed in any State under the laws thereof, shall be mustered into the military or naval service of the United States, he, his mother, and his wife and children, shall forever thereafter be free, any law, usage, or custom whatsoever to the contrary notwithstanding.

* The battle of Antietam was fought Wednesday, Sept. 17th. A letter from Mr. Owen Lovejoy, member of Congress from Illinois, dated 22d February, 1864, was published. The following is an extract from this letter:

"Recurring to the President, there are a great many reports concerning him which seem to be reliable and authentic, which, after all, are not so. It was currently reported among the anti-slavery men of Illinois that the emancipation proclamation was extorted from him by the outward pressure, and particularly by the delegation from the Christian Convention that met at Chicago. Now the fact is this, as I had it from his own lips: he had written the proclamation in the summer, as early as June, I think—but will not be certain as to the precise time—and called his Cabinet together and informed them he had written it and meant to make it, but wanted to read it to them for any criticism or remarks as to its features or details. After having done so, Mr. Seward suggested whether it would not be well for him to withhold its publication until after we had gained some substantial advantage in the field, as at that time we had met with many reverses and it might be considered a cry of despair. He told me he thought the suggestion a wise one, and so held on the proclamation until after the battle of Antietam."

ing; and all laws and parts of laws inconsistent herewith are hereby repealed.

He said: "Mr. President, this section of the bill, to my mind, is clearly and palpably unconstitutional. I should like the chairman of the Military Committee, who reported the bill, to point me to the clause of the Constitution which authorizes the passage of such a section as this. I believe it has heretofore been admitted on all hands, by all political organizations of this country, with very few exceptions, that the institution of African slavery in the States where it exists is a matter of local concernment that cannot be interfered with by the action of the Federal Government. Now, this section proposes that if a man of African descent shall be enlisted in the Army or join the Army of the United States, not only he himself, but also his mother, his wife, and his children shall all be free in consequence of that act, any law or usage or custom to the contrary notwithstanding. Well, sir, suppose that a slave belonging to a rebel in the State of Mississippi, if you please, or any other State, were to enlist into the Army, and he should have children or a mother or a wife, who were the slaves of loyal men in adhering and loyal States, under this provision they would be free, provided this law could have any efficacy whatever. There is certainly no power in this Congress to pass any such law. It is depriving loyal men of loyal States of their property by the legislative enactment of this Congress."

Mr. Henderson, of Missouri, said: "I move to amend the section by striking out the words 'his mother, and his wife and children,' in the fifth line; and after the word 'notwithstanding,' in the seventh line, to insert, 'and his mother, his wife and children shall also be free, provided that by the laws of any State they owe service or labor to any person or persons who have given aid or comfort to the existing rebellion against the Government since July 17, 1862.'"

Mr. Grimes, of Iowa, said: "I believe the amendment proposed by the Senator from Missouri is substantially the law as it stands to-day. Any person of African descent now held in bondage, and whose service is claimed by a person in rebellion, or who has furnished aid and comfort to the rebellion, if he enlists into the service of the United States becomes a free man. The proposition in the third section of this bill is to extend that existing law so as to set free any colored person, whether he belongs to a loyal citizen or to a disloyal citizen, if he shall enlist into the service of the United States, and shall remain in the service for the period of three years."

Mr. Johnson, of Maryland, asked: "Without compensation to the owner?"

Mr. Grimes replied: "That is a question which is not provided for in this bill, but which will undoubtedly come up hereafter. If the Government sets free a person to whom some one has a legitimate and legal claim, recog-

nized as such by the Government, unquestionably he would be entitled to pay. The reason why I shall vote for this section is, that I am exceedingly anxious to pass a law by which it shall be declared that if a man who has perilled his life for me and for the institutions of my country at Port Hudson—I care not what kind of a claim may be set up to his service or who may set it up—is claimed by any one, that claim shall not be regarded. I am unwilling that after he has thus perilled his life and been wounded in my defence, he shall be taken off to slavery by any person or under any sort of institution. I think that such a proposition as this will meet the approval and commendation of the country, and I rejoice that the Senator from Massachusetts and the Committee on Military Affairs have given us an opportunity to record our votes in favor of it."

Mr. Wilkinson, of Minnesota, said: "There is no necessity for the adoption of the amendment offered by the Senator from Missouri. The thirteenth section of the act of July 17, 1862, 'to amend the act calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, approved February 28, 1795, and the acts amendatory thereof, and for other purposes,' contains the following proviso:

Provided, That the mother, wife, and children of such man or boy of African descent shall not be made free by the operation of this act except where such mother, wife, or children owe service or labor to some person who, during the present rebellion, has borne arms against the United States, or adhered to their enemies by giving them aid and comfort.

"That is the law as it now stands; and if the Senator from Missouri wishes to carry out the purpose or to retain this provision of the existing law, all he has to do is to oppose this section entirely. I think, Mr. President, that the clause I have just read is the most disgraceful legislation of the Congress which passed that law. It is a disgrace to the nation to pass such a law, and I am very much rejoiced that the Committee on Military Affairs have introduced this bill wiping it out. What are the facts? We muster a man into the service of the United States and free him if he serves in the armies of the Union to put down this rebellion, but we suffer his mother, his wife, and his children to remain in slavery. What is freedom worth to a man who has served in the armies of the Union to put down this rebellion, if you take his family away from him and keep them in slavery?"

Mr. Henderson: "Mr. President, the proposition contained in the third section of this bill is, that when a slave, or one who is held as a slave under the laws of one of the States, shall be mustered into the service of the United States, the relatives of that slave shall all be free. I ask the Senator from Minnesota, and the Senator from Iowa, who have advocated this proposition, and I desire them

to answer, if Congress has the power by the mere fact of a slave serving for an hour or two hours, or a day, to emancipate all his relatives, has it not also the power to-day to pass a law emancipating the slaves of Kentucky and Missouri, entirely upon the broad ground that slavery stands in the way of our peace, that it is an institution which has originated the rebellion, and that in order to put down the rebellion it is necessary to get rid of it, and therefore we have the power to pass it?"

Mr. Grimes: "I will say very frankly that I have not any doubt of it at all, and I shall be very anxious to have an opportunity to vote for the passage of such a law as that."

Mr. Henderson: "Do I understand the Senator to assume the ground that this power would not exist in the Congress of the United States but for the existence of the present civil war? Is that his position? I understand that it is. He assents to it. Well, now, Mr. President, of course, upon an amendment of this character, I am not disposed to go into a discussion of the extended or enlarged powers of the Government during the existence of a civil war. I see no necessity whatever for the legislation proposed in the third section of the bill before us. If I could vote for it I could vote for the proposition which the Senator from Iowa says he is prepared to vote for, and which he desires to vote for. That question ought to be tested; and if it be desired to abolish slavery throughout the United States by an act of Congress, let the proposition be made and let us meet the question boldly and manfully."

The subject again came up in the Senate on February 2d, when Mr. Sherman, of Ohio, said: "Mr. President, the bill now before the Senate presents not only the question of the employment of negroes in the military service of the United States, but also, in my judgment, the question of the emancipation of the whole negro race in this country. The second section of the bill provides that all persons of African descent who have been or may be hereafter employed in the military or naval service, shall receive the same uniform, pay, arms, and equipments as other soldiers of the regular or volunteer forces of the United States other than bounty. The third section provides that 'when any person of African descent whose service or labor is claimed in any State under the laws thereof, shall be mustered into the military or naval service of the United States, he, his mother, his wife, and children, shall forever thereafter be free.' It is manifest, Mr. President, that if a slave is employed in the military service, the inevitable result of that employment is emancipation. It would appear to be just, when a slave renders military service and exposes his life in a civil war like this, that it should inure to the benefit of his wife, his mother, and his children. It is equally clear that if by the laws of war all slaves who enter into the military service in the Southern States, and all who are connected with them by the

ties of blood shall be emancipated, the tenure of slavery in this country would become so uncertain as to result in universal emancipation. I will, therefore, treat this proposition according to its logical effect, and as involving the emancipation of the negro race in this country.

"Has Congress or the President power to employ slaves in the military service? Can we emancipate them either as a punishment of rebels, or as a reward for military service? If these powers exist, to what extent and in what way should we exercise them? These questions present the most difficult problem of the war, which requires in its solution more than human wisdom.

"Have we this power, and if so whence is it derived and to what extent can we execute it? The power to emancipate a slave by Congress or the President certainly does not exist in time of peace. This is an axiom in American politics.

"It is equally true that the existence of a mere insurrection in our country will not justify interference with slavery. This has been settled now by many cases in our courts. I have listened very often to the argument made by the Senator from Kentucky (Mr. Davis) on this point, but the difficulty with him is that he does not distinguish between insurrection and war. The line is broad and deep.

"It will be necessary for Senators to keep in view these distinctions, because upon them rests the whole argument in the case. Civil war is where an insurrection has assumed such power and strength as to invoke armies, where victories and defeats alternate, when the matter ceases to be a mere insurrection or rising against the civil authority, and when marshals and constables are no longer necessary, but armies must be called upon to decide the conflict. The law of 1795 defines what an insurrection is. I have not the laws before me, but the words are familiar. In such cases, the President must call out the militia of the State, through its Governor, the riot act must be read, and various precautions are prescribed; constables and marshals must be employed to a certain extent; notice must be given to the insurgents; and they must be dispersed in that way, if possible. The law of 1795 provides the manner in which an insurrection shall be treated, but when the insurrection assumes the magnitude of civil war, other laws must govern; the law of 1795 ceases to apply; and the laws of war as recognized among the civilized and Christian nations of the world must then decide the contest.

"It is sometimes difficult to ascertain when an insurrection melts into rebellion, and when a rebellion assumes the proportions of a civil war is often difficult of ascertainment; but in the present case, the character of the struggle in which we are engaged has been ascertained and definitely settled by every department of the Government. The Supreme Court of the

United States has already declared that this is no longer an insurrection, but a civil war. Every department of the Government concurs that this is a civil war and not an insurrection. When the President of the United States originally called out seventy-five thousand volunteers he treated it partly as an insurrection and partly as a civil war—a kind of incongruous condition not easily understood; but Congress, as soon as it convened, treated it as a civil war, authorized the employment of half a million men, and called it war. The President issued a proclamation declaring a blockade, a thing not known as against insurgents. Finally, the decision of the Supreme Court in the prize cases during the December term, 1862, declared that it was civil war and not insurrection.

"The decision goes on upon that basis, treats these rebels, as we commonly call them, these enemies, as enemies in war, open war, to be put down according to the laws of war. That point was, however, previously settled by another tribunal. We are one of the family of nations. Great Britain, with a hasty indecency, before the facts were known, when our minister was on his way to take his place at that court, a minister whose very name should have commanded the respect of Great Britain, recognized the insurgents as belligerents; and France followed her example. By that fact we are bound, as one of the family of nations; and after that acknowledgment by Great Britain and France we dared not treat the rebels as simple insurgents, but we were bound to wage the war against them according to the laws of war.

"Mr. President, the effect of civil war in substituting new laws for our Government is stated very clearly by Vattel, and at the risk of being wearisome I will read an extract:

A civil war breaks the bands of society and government, or at least suspends their force and effect; it produces in the nation two independent parties, who consider each other as enemies, and acknowledge no common judge. Those two parties, therefore, must necessarily be considered as thenceforward constituting at least for a time two separate bodies, two distinct societies. Though one of the parties may have been to blame in breaking the unity of the State, and resisting the lawful authority, they are not the less divided in fact. Besides, who shall judge them? who shall pronounce on which side the right or wrong lies? On earth they have no common superior. They stand therefore in precisely the same predicament as two nations who engage in a contest, and, being unable to come to an agreement, have recourse to arms.—*Vattel*, page 425.

"The Constitution of the United States now furnishes no guide. There are no rules prescribed in the Constitution pointing out how we shall treat public enemies who are regarded as such. The Constitution only deals with people in a state of peace, or, at most, in a state of insurrection. It does not define our relations or our duties to enemies. When these people assumed the power and position of enemies, you could no longer look in the Constitution of the United States, or to the laws

made in pursuance thereof, for the mode and manner in which you should treat them. This principle is clearly laid down in the laws of nations. By their unity, by their vigor, by their strength they have won the position of enemies, and you cannot treat them as insurgents. Civilized society would not allow you to treat these enemies, who by their vigor and courage have held you at bay for nearly three years, as common insurgents or traitors and felons. You must treat them as enemies.

"Now, Mr. President, let us apply these principles to the bill before us. We are in war. Have we the right in war as against public enemies to emancipate their slaves? Have we a right according to the laws of war to employ the slaves of our own citizens in arms against the public enemy? Have we a right in accordance with the laws of war to emancipate them and their families, those that are connected with them by domestic ties? These are the questions. I have already passed over the principal difficulty in the way, and that is the argument so often made that we are restrained from doing this because these enemies are our fellow-citizens. I have shown you that the men in rebellion have won a position beyond the reach of your Constitution; that our war with them must be tested by the laws of war; and these questions must be decided by the laws of war as recognized and practiced among civilized nations in ancient and modern times. That is the position which I hold.

"Then, by the laws of war, have we a right to arm our own slaves, and to arm the slaves of our enemies and emancipate them? Now, sir, I say that there never was a country in the world, in ancient or modern times, which held slaves, that did not at some period of its history arm them, and employ them against the common enemy; and there never was a case where, when those slaves were so employed, they were not emancipated. This proposition, I think, will be sustained by the most careful examination of history."

Mr. Sherman then proceeded to state the actions of the Grecians and Romans, and of the Governments of Great Britain and the United States, in their wars.

He said: "I have thus, Mr. President, perhaps at the risk of being wearisome, shown that in ancient and in modern times, by all civilized nations, by our own country and by our enemies, in all of our wars, negro soldiers both free and slave have been used in the military service, and in every case where slaves have been so used they have been secured their liberty. It would be an intolerable injustice, to which no people would ever submit, to serve in the military service without securing that greatest of boons. My answer, then, to the main question, whether the employment of negroes, free or slave, is justified by the laws of war, is, that by the practice of all nations it is justified.

I come then to another question that it is

necessary for me briefly to refer to, and that is whether there is any thing in the Constitution of the United States that forbids us from employing free negroes or slaves. On that point there can be no doubt. The only restraint upon the law of war contained in the Constitution is in article three of the Amendments, which provides that 'no soldiers shall in time of peace be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.' With this exception, all the practices of civilized nations may be used in this war.

"On the subject of emancipation, I am ready now to go as far as any one. Like all others, I hesitated at first, because I could not see the effect of the general project of emancipation. I think the time has now arrived when we must meet this question of emancipation boldly and fearlessly. There is no other way. Slavery is destroyed, not by your act, sir, or mine, but by the act of this rebellion. I think, therefore, the better way would be to wipe out all that is left of the whole trouble; the dead and buried and wounded of this system of slavery. It is obnoxious to every manly and generous sentiment. The idea that one man may hold property in the life of another, may sell him like cattle, is obnoxious to the common sentiment of all. Now, when the power is in our hands, when these rebels have broken down the barriers of the Constitution, when they must be treated by the laws of war, when we dictate those laws, not the President, let us by law meet this question of emancipation boldly and fearlessly. I am prepared to do it, and to vote to-day, to-morrow, or any day for a broad and general system of emancipation. Then, sir, I would couple with that idea, fair, honest compensation to those loyal men who, in the adhering States, own this class of property. The amount paid to them would be insignificant compared to the cost of this war."

Mr. Carlile, of Virginia, followed, saying: "Let me state as I understand them the positions assumed by the Senator from Ohio in his speech to which I have referred. They are these: That the struggle in which we are engaged is with States as such united under a common Government, and not with individuals; that we are not engaged in suppressing an insurrection or rebellion, but in open, flagrant war with a belligerent Power, which we have recognized as such; that, being engaged in civil war, we are only bound by the laws of public war, and are not restrained by the Constitution of the United States in the means we employ, the measures we adopt, or the manner in which we conduct the war; that Congress is not authorized by the Constitution to emancipate slaves, but in time of civil war Congress derives the power to emancipate from the laws of war.

"To prove that such power is conferred upon Congress, the Senator cites the clause authorizing Congress to raise armies. He denies

that the President possesses the power under the Constitution. He denies that his emancipation proclamation can have any effect upon slaves who are not brought within its operation during actual hostilities. Now, sir, granting that we have the constitutional power, where can any law that we may enact on this subject have any effect during the existence of this rebellion beyond our military lines? If you can derive the power to emancipate slaves from the power to raise armies, it seems to me it would be a less stretch of the imagination to suppose that the President possessed the power when he was sworn to preserve, protect, and defend the Constitution.

"In opposition to the authority of the Senator on this subject, that we derive any legislative power from the laws of war, I will quote the opinions of Mr. John Quincy Adams. In a speech made by him in New York, in 1839, in speaking of the powers of Government as divided between the different departments, he said:

The legislative powers of Congress are, therefore, limited to specific grants contained in the Constitution itself, all restricted on one side by the power of internal legislation within the separate States, and on the other by the laws of nations, otherwise and more properly called the rights of war and peace, consisting of all the rules of intercourse between independent nations. These—

"That is, the laws of war—

are not subject to the legislative authority of any one nation, and they are, therefore, not included within the powers of Congress.

"But the very nature of the Government, being one of limited and delegated powers, being a compact between the people of the several States in their separate and distinct character of States, is conclusive as to the power of Congress to legislate beyond the grants contained in the instrument which creates Congress itself. The very first section of the very first article of the Constitution declares that

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

"To the Constitution, then, not to the laws of war, we must look for all power which we can rightfully exercise as the legislative branch of this Government. All powers not granted were not reserved to the people in the aggregate, but were reserved to the States respectively, and to the people thereof; clearly showing that the Government of the United States is the result of compact between the States, and that the Union created by the Constitution is a Union only to the extent of the powers granted, and no further. To attempt, therefore, to make war against the States as such, is, in my judgment, and in the view which I have presented of the power of the Federal Government, an unwarrantable and arbitrary assumption of power which the States as such would be justified before the civilized world in resisting. To assume such a position is to give to the rebellion, which we have been engaged for

nearly three years in subduing, a position which it never could have attained for itself. It is to acknowledge that the experiment our fathers made, and the institutions under which we have lived and grown, can no longer be maintained by the people; not that the experiment itself, or that the institutions themselves are failures, but that the people to whom their preservation has been intrusted have become unworthy of them, and are lacking in that virtue and intelligence which are necessary to enable them to preserve institutions won for and bequeathed to them by the founders of the Government.

"The whole scope and plan of the powers of the Government, as ascertained by the Constitution, is to operate upon individuals and not States. The Government of the United States enforces obedience to its Constitution and laws, by exacting their rigid observance from individuals and not from States. You have no power under the Constitution to coerce a State. You have no power under the Constitution to use force against a State as such; but you are confined in the employment of all the force which belongs to you under the Constitution, to its assertion as against individuals and not against States. This very proposition, to authorize the Government that was about to be formed, to use force against a State, was made in the Convention that framed the Constitution of the United States, and was postponed without a dissenting voice. In the plan of a Constitution and form of Government submitted to the Convention by Mr. Randolph, in the shape of resolutions, the sixth resolution contained a grant of power 'authorizing an exercise of the force of the whole against a delinquent State,' and when it came up for consideration—

Mr. Madison observed that the more he reflected on the use of force, the more he doubted the practicability, the justice, and the efficacy of it, when applied to people collectively and not individually. An union of these State containing such an ingredient seemed to provide for its own destruction. The use of force against a State would look more like a declaration of war than an infliction of punishment; and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound. He hoped that such a system would be framed as might render this unnecessary, and moved that the clause be postponed. This motion was agreed to, *nem con.*—*The Madison Papers*, vol. 2, p. 761.

"Here, then, we have the authority which is claimed by the Senator from Ohio denied in the Convention that framed the Constitution, and the nature of the force and against whom it is to be used clearly defined.

"Now, sir, what are the war powers of the General Government? They are contained in the Constitution. Congress has the power

To declare war, grant letters of marque and reprisal, and make rules concerning captures of land and water; to raise and support armies; but no appropriation of money to that use shall be for a longer term than two years; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces.

"That is the extent of the war powers of Congress. When Congress has declared war, when Congress has raised its army, the mode and manner of conducting that war is intrusted to the Executive and the military authorities of the Government, and they are to be bound in its conduct, by the laws of war. To suppose that a Government created by each State for itself, a Government that could have no force or effect in any single State until it was ratified and adopted by that State for itself, would contain a grant of power to make war upon the State so adopting, is to suppose that the men who created it were wholly irrational. It is to suppose that they had learned nothing in the war out of which they had just come. The Government of the United States is the child of civil war. It is the creature of civil war. It was framed by men who resorted to civil war for the purpose of severing the tie which united them with the mother country. It was established upon the principle that there could be a union in the same Government for common purposes between States of different local interests and different local institutions. The principle that was established by the foundation of this Government was, that a union of States having different interests and dissimilar local institutions could be formed for purposes of common defence. If the power which is proposed to be exercised here is exerted, and if it is necessary to be exerted to maintain territorial unity, it is a declaration that after seventy years of trial that principle has proven to be a failure, and we are at war in 1864 to destroy what it took seven years of war from 1776 to 1783, and six years of peace, to establish.

"Mr. President, I have no interest in this question of slavery. I dislike to discuss it. I only refer to it because it has been selected as the institution to be annihilated, and because through it State rights are to be stricken down and State sovereignty ignored. The argument that slavery is the cause of the war, that there can be no union with slaveholding States, is an argument against the facts asserted and the principles established by the formation of the Government; it is an argument against the right of a State to govern itself and to prescribe and regulate within its own jurisdiction its own domestic and internal policy; it is an argument which, if acquiesced in, must inevitably destroy our present beautiful system of Government and erect upon its ruins a strong central Government; it is an argument tending to consolidation of power in the central Government; it is an argument against any union between States of different geographical interests and of dissimilar local institutions. If we are unable by constitutional means to resist the power of secession and preserve the Union, then has our experiment proven a failure.

"We have never as a Congress recognized the Confederate States as a belligerent power. If it be true, as the Senator from Ohio says, 'that they have won a position beyond the

reach of your Constitution, that our war with them must be tested by the laws of war, and these questions must be decided by the laws of war as recognized and practiced among civilized nations in ancient and modern times,' I ask you for your authority under the Constitution of the United States, and as a Government created by it, to wage this war. I regard the admission contained within that sentence as pregnant with meaning, and, if correct, fatal to the cause of reunion."

Mr. Richardson, of Illinois, said: "I do not understand that Congress has any power in time of war that it has not in time of peace. Since our national existence we have passed through two wars, and no party, no department of the Government, no man in the Government, no court has ever held that Congress had more power in time of war than it has in time of peace. The power of Congress in both cases is derived from the same source—the Constitution of the United States. It can draw no power from any other source. The claim that the President or Congress has power derived from war above the Constitution is of recent origin.

"But, Mr. President, extraordinary as it may seem, the Senator from Ohio says that we are engaged in a war, that this is not an insurrection which we are putting down, that the war is being carried on between belligerents, and that Congress derives its power from the law of nations governing war. Sir, let me ask what power Congress can derive from the law of nations? Is there any additional power whatever it can derive which is not granted by the Constitution? Can Congress change the law of nations in any particular? Of course we must be governed by the laws of civilized warfare, but how can Congress derive any authority from the law of nations?

"If the Senator from Ohio is right, if his position is correct, I maintain that there are but two things which can be done in reference to this matter. If this is a war between belligerents all we can do is to treat or conquer, and no law that Congress may make will have any influence or power on our enemies so long as they are belligerents. I shall not trouble myself to hunt up the writers on the law of nations and read long extracts, but I lay down the proposition, and I invite the Senator from Ohio to discuss it.

"The Senator from Ohio says there is nothing in the Constitution preventing the course which he proposes. I do not state his precise language, but that is the substance of what he said. Sir, that statesman in search of power for Congress who is driven to this argument is argumentless. It cannot be supported by precedent; it cannot be supported by reason; it cannot be supported by principle. I do not propose to amplify on these propositions; I merely state them. I am speaking without notes and with very little preparation.

"But the Senators, however much they may

differ in reference to the point from which they derive the power, all seem to concur in the proposition that it is necessary in order to bring this war to a successful issue that you shall dispose of the question of slavery. I concur to some extent with those who say that the institution of slavery is gone; but I say you may wipe it from existence to-morrow, and you advance no step toward the putting down of the rebellion, if it is a rebellion, or the ending of the civil war, if it is civil war. We have tried that for three years, and how far has it advanced our cause? Your Proclamation of Emancipation gave to Jeff. Davis fifty thousand bayonets when his cause was sinking. Your acts of confiscation gave to him armies when he could not have got armies by any other means. You have pursued this line of policy, this course of legislation, and it has accomplished nothing. All the interests of the country, the interests of the white race, demand that we should bring this war to a speedy close, preserving the integrity of the Union and the rights of the States.

"Now, Mr. President, I differ from some of my own friends on this side of the Chamber. In the army of the Confederacy they have not to-day over two hundred and fifty thousand men; they had not during last year over three hundred thousand; they have never had over four hundred thousand men at any time during the progress of the war. We have to-day seven hundred thousand, that is we are feeding and paying that many. The President has called for five hundred thousand more. We have never had less than six hundred thousand in the field, often eight hundred thousand. The credit of Mr. Davis's government is worthless. The people inside of their lines are suffering for many of the necessities of life, and the supplies both of materials of war, ammunition, and the like, and food, are scarce and difficult to be obtained for their army.

"Why is it that this civil war has been permitted to linger so long? You have all the departments of the Government and such an army as the sun has never shone upon. Why did you not end it last year? Why do you not do it now? You have armies and resources, credit and money. Why don't you end the war?

"I will tell you why you cannot. Your thoughts are turned upon the negro; your legislation is directed for his benefit; your ideas all float in and around him, from your Executive down. Instead of turning your attention to putting down the rebellion, to enforcing the laws of the Union under the Constitution, which you have the right to do, you are legislating for the benefit of the negro. That white man who has borne civilization so far, you have lost sight of and ignored. Sir, you are responsible before the American people to-day for the continuance of this war. You have made no call for troops that has not been answered. You have had the resources of the country with you. Any other country on the face

of the earth with the blunders of this Administration would have been destroyed and utterly ruined. It shows the immense resources of this country and its great powers of endurance, when it can stand so many blunders and so much mismanagement. But, sir, suppose we adopt a little different policy; suppose that instead of pursuing this policy that has done so much mischief we turn our attention to another. We have the lights of history thrown along our path. Let us be instructed by them. Let us proclaim to these people real amnesty—not such as has been proclaimed by Mr. Lincoln—and give them six or nine months to accept it, and limit the time of its operation. Do that, and this difficulty will be settled very speedily. Open some door to those men who have gone into rebellion by which they can escape from the position which they are in, and they will retire from it very soon. My opinion is that if the President of the United States had proclaimed universal amnesty at any time within the last eighteen months, this war would now be over.”

On the 21st of March the subject came up again in the Senate, on the following amendment, proposed by Mr. Wilson, of Massachusetts:

That when any person of African descent, whose service or labor is claimed in any State under the laws thereof, shall be mustered into the military or naval service of the United States, his wife, meaning thereby the woman regarded and treated by him as such, and his children, if any he have, shall forever thereafter be free, any law, usage, or custom whatever to the contrary notwithstanding.

Mr. Davis offered the following as an amendment to the amendment:

And the loyal owner or owners of the wife or children of all slaves taken into the military service of the United States shall be entitled to a just compensation for such wife and children of said slaves, which may be taken from such owner or owners, to be ascertained by three commissioners to be appointed by the judge of the United States district court for the district in which the wife and children of any slave so mustered into the military service may reside, which commissioners shall make a detailed report to said judge, who shall approve or remand the same to the said commissioners, and when the report shall have been affirmed by said judge, the owner or owners of any wife and children aforesaid, shall be paid such sums as said report may state they are entitled to, out of any money in the Treasury not otherwise appropriated.

He said: “Mr. President, I assumed some days ago, and I think established by the most overwhelming amount of authority, that property existed in slaves, and furthermore, that I thought no sane man could controvert that position. I shall consider both these propositions to be established by the authorities which I then adduced, and shall treat the subject as though the property of the owners of slaves, as well in the husband that is taken into the military service as in his wife and children, was conceded; at any rate that it is established.

“I hold, sir, that the Constitution and the laws in relation to private property, and the

power of the General Government over private property, are the same exactly without regard to the class of property. The General Government has no higher right to interfere with property in slaves than it has in lands, or horses, or any other subject of property. Here is a plainly-written provision of the Constitution of the United States, and almost every State in the Union has in its constitution a similar provision:

No person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

“Sir, what does this bill propose to do? To take the wife and the child of every slave man who may be mustered into the military service of the United States from their owners, not only without just compensation but without any compensation at all. Was there ever a more unjust and unconstitutional proposition made in a legislative body? I estimate that the average number of slaves to the soldier that would be taken by this provision would be four—a wife and three children. The average price of the wife and three children would be at least \$500, and I believe more. I have entire confidence that if the United States Government would cease its war upon that property it would soon rise largely above that sum. It is now proposed in the Senate of the United States, as a legislative measure, under a Constitution guaranteeing to all property-holders a just compensation for their property before it shall be taken for public use, to deprive the owners of every such wife and children of them of a property worth \$2,000, without making any compensation for that property.”

Mr. Wilkinson, of Minnesota, dissented, saying: “Mr. President, if I believed that slaves were property, if I entertained on that question the same views which are entertained by the Senator from Kentucky (Mr. Davis), I should certainly vote for his amendment. If I believed that under the Constitution of the United States slaves are property in the sense in which the honorable Senator regards them, I should support his amendment. But as I do not believe that a human being who is in the Constitution denominated a ‘person’ is to be regarded as property in the same sense in which a horse or a mule is considered property, I dissent entirely from the positions he has assumed.

“This bill, Mr. President, is to give freedom to the wives and children of the soldiers who fight our battles for the Government and for freedom. It has been claimed that if this bill shall pass it will work the emancipation of the whole negro race within the United States. It has also been argued that it is unjust to free the wife and children of a soldier in our Army where they belong to or are claimed as the slaves of a loyal man. To this I answer that it will be equally unjust to free the soldier himself where he belongs to a party who is loyal to the Government. Yet nobody claims—even the

Senator from Kentucky will hardly assume—that this Government can afford to commit an act so atrocious as to call upon a slave to serve in our armies and then remand him back to slavery again after he shall have aided in the suppression of this rebellion by his valor and his bravery upon the battle-field.”

Mr. Willey, of West Virginia, said: “I see in the Constitution which I have taken an oath to support a very plain provision that we shall not take private property for public use without just compensation; and it seems to me that the plain principles and obligations of constitutional law and the simple dictates of justice should compel the Senate to incorporate in a bill of this character a provision looking to that result. It will not do to tell me that there can be no property in slaves, and that, therefore, there ought to be no compensation for them. The very terms of the bill negative any such idea as that. I agree perfectly with Senators as to whether slaves should have been regarded as property in the first place; but we are to look at things as they are and at facts as they exist. I say, then, the very terms of the bill itself include the idea of property in slaves. Else where the necessity for the emancipation of the slaves whose husband and father enlists in the service of the United States? The main and fundamental principle of the bill is predicated upon the very idea that there is property in a slave. It is to take him out of the custody of his master and give him to himself. I should like, therefore (for I want to vote for this bill), to see this plain requirement of the Constitution recognized in the provisions of the bill, this plain response to the dictates of common justice, and I had nearly said of common honesty, heeded and obeyed under our obligation to the Government.”

No further progress was made in this bill.

In the House, on the 13th of January, Mr. Wilson, of Iowa, from the Committee on the Judiciary, reported a joint resolution to amend a joint resolution, explanatory of the act to suppress insurrection, &c., which he thus explained: “Mr. Speaker, the law affected by the joint resolution just reported from the Committee on the Judiciary, is in the following language:

Resolved by the Senate and House of Representatives, &c., That the provision of the third clause of the fifth section of “An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes,” shall be so construed as not to apply to any act or acts done prior to the passage thereof; nor to include any member of a State Legislature, or judge of any State court, who has not, in accepting or entering upon his office, taken an oath to support the constitution of the so-called Confederate States of America; nor shall any punishment or proceedings under said act be so construed as to work a forfeiture of the real estate of the offender beyond his natural life.

“The only part of that resolution affected by the one now under consideration is the last clause, which provides that no punishment or

proceeding under the confiscation act shall be so construed as to work a forfeiture of the real estate of the offender beyond his natural life. The object of the resolution which I have reported, is to so amend that last clause of the resolution of July, 1862, as to make it conform to section third of article third of the Constitution of the United States. In other words, it proposes to substitute for the language embraced in that resolution of 1862, the language of the Constitution, which is as follows:

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

“We do not propose by the resolution to determine the question of the legislative construction of the Constitution, whether we may provide for forfeiture of fee, or confiscation of the real estate during life. The pending resolution leaves the whole matter to the court. In other words, we simply submit the section of the Constitution relating to the forfeiture of real estate to the courts of the country to determine whether forfeiture may be in fee or only for life.”

Mr. Kernan, of New York, who was unable to agree with the majority of the Committee, said: “Now, sir, the confiscation act was passed by Congress, and sent to the President, and before the joint resolution now proposed to be amended was passed, the President prepared a message to veto the original confiscation act, and I beg to read from that message which the President transmitted to the House as his views of the confiscation act. I read from the ‘Congressional Globe:’

That to which I chiefly object pervades most part of the act, but more distinctly appears in the first, second, seventh, and eighth sections. It is the sum of those provisions which results in the divesting of title forever.

For the causes of treason and ingredients of treason, not amounting to the full crime, it declares forfeiture extending beyond the lives of the guilty parties; whereas the Constitution of the United States declares that “no attainder shall work corruption of blood or forfeiture except during the life of the person attainted.” True, there is to be no formal attainder in this case: still I think the greater punishment cannot be constitutionally inflicted, in a different form, for the same offence.

I may remark that the provision of the Constitution, put in language borrowed from Great Britain, applies only in this country, as I understand, to real or landed estate.

“After the President, having this confiscation act under consideration, had, as he says to Congress, prepared this message to veto it, because it was unconstitutional, as purporting to take away, as part punishment of treason, a greater estate in lands than a life estate, Congress passed the resolution explanatory of the confiscation act, and sent it to the President; and the language of the explanatory resolution now in question I beg leave to read again:

Nor shall any punishment or proceeding under said act be so construed as to work a forfeiture of the real estate of the offender beyond his natural life.

"After Congress had passed and the President had approved that act and the explanatory resolution, he returned them to Congress, using this language in his message returning them with his approval:

Considering the bill for "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," and the joint resolution explanatory of said act as being substantially one, I have approved and signed both.

"So that we have from the President a statement: first, that any attempt by Congress or by the law-making power, to make as a part punishment of treason the forfeiture of a greater estate in lands than a life estate of the offender, would be unconstitutional; and secondly, that he only approved the act because he regarded the joint resolution, now proposed to be changed, a part of the act. And as the law now stands, there is no doubt that the forfeiture incurred as to the real estate of the traitor is only of his life estate. Believing as I do that that is as far as we can affect real estate as a part punishment of treason, I deem it wise to allow the law to stand. I agree with the President that the true construction of the Constitution is, that we have no power to cut off the inheritance of innocent heirs as part punishment for treason."

Mr. Kernan then passed to the consideration of the expediency of the change. It would render the meaning of the law doubtful; persons buying an estate under a decision of an inferior court that may be reversed in a higher court, might be involved in the misfortune of losing what they had paid; would it be wise to take away forever the estate in the land?

Mr. Kernan further said: "I submit that the punishment for treason, like the punishment for every other crime, should fall upon the guilty party only, and that we should not seek to affect his innocent children and heirs. Take away from the guilty party his life estate, his right to dispose of it, but do not take away the right of inheritance from the innocent heirs, who will show themselves loyal, else they never will have the right to come into court and ask to be heard.

"I submit again, if there is a desire to press this matter through now, that this law and joint resolution are and speak as one law as they stand; that the law could not have been passed but from the fact that the joint resolution was made a part of it. The act was amended in accordance with the President's suggestion of what it ought to be. Now, repeal the joint resolution, or so amend it that it speaks anew from this time, and how will it affect men who have been guilty of treason since July, 1862, when the law was enacted? At least it will raise very embarrassing questions in reference to proceedings now pending, because the rule is that, if you repeal a penal law, all proceedings under it not completed before the repeal, fall."

Mr. Orth, of Indiana, followed, with a brief sketch of the prominent features of the law of treason in Great Britain, whence is derived the principal part of our jurisprudence, and proceeded to examine the law-making power of Congress over the subject, and the penalties which it was authorized to prescribe, and said: "The whole question, then, of the extent of our power to provide a punishment for treason, which in our judgment shall be adequate to the suppression of the crime, rests upon the construction to be given to the limitation in the clause of the Constitution. The words of limitation are: 'but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted.'

"The intent of the framers of the Constitution," he said, "was not to be found expressed either in the debates of the Convention, or in contemporaneous exposition." He then quoted the opinions of Rawle, Story, and Curtis, as commentators, as not being of sufficient weight to deter further examination, and proceeded as follows: "The language of this section, we must remember, is, 'but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.' If the Constitution had intended to prohibit corruption of blood or forfeiture altogether, why add the words 'except during the life of the person attainted?' Had these latter words been omitted the restriction would have been absolute, and Congress could not, by any punishment whatever, have deprived the person attainted of any property for even a single day or hour. But these words, 'except during the life of the person attainted,' are part of the Constitution; and shall we be driven, in their construction, to the absurd position that such forfeiture shall only extend to the lifetime of the traitor and then cease? Did our Constitution, else so redolent with wisdom and statesmanship, intend to provide for such a farce as that the property of the traitor should be forfeited to the Government only for that brief space of time which should intervene between the day of sentence and the day of execution? Is it rational or logical to suppose that such a construction of this section, where the forfeiture at best would probably be from thirty to ninety or one hundred and twenty days, could in any just sense of the term be called a punishment? Can it be supposed that the Constitution intended to regard the high and damning crime of treason with more lenity than the criminal code regards the comparatively insignificant crime of horse-stealing or petit larceny?

"If you cannot by forfeiture deprive the traitor of his property, how can you collect any fine which may be assessed against him? Forfeiture is a method of alienating property, and by the act of the last Congress you authorized a fine to be assessed against the traitor of not less than \$10,000. This fine becomes a judgment of court, and a lien upon the real estate of the culprit, and the same judgment also de-

nounces the sentence of death. A warrant issues to the officer to carry into effect the sentence of death, and a writ of *fieri facias* to collect the fine by seizure and sale of the real and personal estate. Both writs are in process of execution at the same time. With the one the officer makes a levy on the real and personal estate and gives notice of the day of sale; by virtue of the other he purchases a rope and erects a scaffold. The defendant is to be hung in thirty days after sentence, but the sale cannot be had without giving, say forty days' notice of the time and place. The traitor is hung, life becomes extinct, the attending physician pronounces him dead; and the opposite construction of the Constitution pronounces the writ of *fieri facias* also defunct and the forfeiture a nullity. For, they say, you can only forfeit, take, alienate the estate for the period of his life, and if you proceed to sell property by virtue of the *fieri facias*, you sell, alienate, convey the fee simple thereof, and to do this would be, in the opposite view, a violation of the Constitution.

"Absurd and ridiculous as such a conclusion is, it is the legitimate result of a contrary construction of this section of the Constitution.

"What, then, is the fair import of these words, 'except during the life of the person attainted'? To my mind they will admit of but a single rational interpretation, and that is that there shall be no forfeiture after the death of the person attainted. In other words, the judgment of the court shall be rendered against him while he is alive, after he has had a fair trial, with opportunity to confront his accusers, meet them face to face, and combat their accusations. That after his death, whether according to the course of nature or by process of law, no judgment or sentence shall be had the effect of which shall be to forfeit his estate, unless that judgment shall be final and irrevocable prior to his death. If I were disposed to indulge in mere verbal criticism I might animadvert upon the word 'except' used in that section. The word 'except,' we are told by lexicographers, is equivalent to the word 'unless,' and a century ago, as reference to the writers of that age will show, was used almost exclusively in the same sense as we now use the word 'unless.' Numerous instances of this are found in the Holy Bible, where the word 'except' is used in sentences in which at the present day we should invariably use the word 'unless;' thus:

Except the Lord build the house, they labor in vain that build it.

Except the Lord of Hosts had left unto us a very small remnant we should have been as Sodom.

Can two walk together, except they be agreed.

Except a man be born again, he cannot see the kingdom of God.

Except ye repent, ye shall all likewise perish.

"In all these instances, and they could be multiplied almost *ad infinitum* from writings of that age, both sacred and profane, the word 'except' is used in the sense in which we of the present

day would use the equivalent word 'unless.' Now, then, let us, in further illustration of my position, substitute the word 'unless' for the word 'except' in the clause under consideration. It will then read:

But no attainder of treason shall work corruption of blood or forfeiture, unless during the life of the person attainted.

"Unless what or when? The attainder shall not work forfeiture unless it be worked, completed, during the lifetime. If the prisoner die after verdict of guilty and before judgment, there can be no forfeiture. If the prisoner die after sentence of death and before judgment of forfeiture, there can be no forfeiture. If the prisoner be executed after sentence of death and before judgment of forfeiture is entered, there can be no forfeiture. The sentence of death and the judgment of forfeiture are not necessarily simultaneous acts. They may be rendered separately, on separate days, if you please, and the right is thus reserved to the prisoner to move in arrest of the judgment of forfeiture even after sentence of death is passed upon him; for the criminal law holds the rights of the prisoner in such regard that it will take no step against him in any of the stages of trial, from arrest to final execution, without giving him an opportunity of being heard in his defence.

"In further support of my position, let me advert to the fact that in England, long prior to and at the adoption of our Constitution, attainder of treason after the death of the supposed traitor (I mean his natural death before trial or even accusation) was of frequent occurrence. This was a monstrous doctrine, shocking to every principle of justice upon which the criminal code is founded, to accuse a man of crime after death, when none is to speak for his innocence, to proceed to trial and judgment, to wrest from innocent hands that property which by law upon his death descended to and vested in his heirs, and forfeit their property, not his property, to the Government for his supposed criminal conduct. Is it not more just and reasonable to suppose that the Constitution intended to embrace and provide against this monstrous perversion of natural justice than that they intended so absurd a proposition as that the forfeiture of estate should only be for that brief period of time between sentence of death and its execution?"

On the 14th of January the question came up again in the House, and Mr. Cox, of Ohio, said: "Mr. Speaker, the gentleman from Indiana, in his elaborate and learned speech, drew from the old feudal system, from the black-letter laws, from the whole history of our common law with reference to forfeiture, to show that there should be another and a different interpretation given to the Constitution from that which was given by the men who made the Constitution, by the men who passed the law of 1790, to carry out that clause of the Constitution to which I have referred, and by all the interpreters of the Constitution to whom he himself has referred. He

says that the science of philology is progressive, and that a word which meant one thing at one time and in one age may mean another thing at another time and in a different age, and upon that principle he says that the word 'except' in the Constitution means 'unless,' and then he draws, the conclusion that the only meaning of the Constitution is that the proceedings shall be commenced in the life of the person attainted.

"It will be borne in mind that the phraseology of our Constitution was most carefully guarded. It was as pure and simple as the spirit of the Constitution was kind and liberal. The word except, in 1787, had as plain a meaning then as it has now. The word 'unless' was not its synonym then, nor is it now, except in very rare and remote instances.

"But suppose the gentleman should by some technical logomachy find out that the word 'except' meant sometimes 'unless;' he does not find the word 'unless' in the Constitution, and if he had it would make no difference in the argument. The word 'except,' according to my philology, which has not progressed very rapidly, is derived from the Latin words *ex* and *cipio*, to take from, to exclude from, to leave out. This is the primary, and not the secondary meaning into which the gentleman would distort it. That is the meaning always attributed to it by all the public writers who have commented on this part of the Constitution. This, too, is the ordinary and simple meaning of the Constitution. It reads in this way, and cannot be made to read in any other: 'But no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted.' There are some clauses which interpret themselves. Discussion only obscures, and does not elucidate their meaning. This clause is one of them.

"Now, suppose the gentleman inserts his favorite word 'unless;' how does that help him? It is still a limitation on the power which works corruption of blood or forfeiture, and that limit is during the life of the person attainted of treason. That word 'unless' does not change the meaning of it at all. You may use it with all emphasis, and still the limitation would be on forfeiture during life.

"But, Mr. Speaker, there can be no such construction given to it. The word 'except,' according to Worcester, Webster, and all other dictionaries, in its first and best meaning simply means 'to exclude from;' so that when the Constitution said that the attainder of treason should not work forfeiture of property except during the life of the person attainted, it meant that the forfeiture should exclude the fee. It was taken out of and from the effects of the forfeiture. The forfeiture never went beyond the life. And there are good reasons for such a construction which the gentleman from Indiana seemed to overlook. He might have found them laid down by Judge Story. He might have found them in the United States courts decisions. He might have found them in com-

mon sense. He might have found them in the history of the English parliament. He might have found them in the history of English and Irish confiscations. It was intended by our Constitution to prevent forever this crime of Government taking from those not in legal existence, from minors, from the weak and helpless, from those not guilty, from those incapable of crime, that property which always in cases of intestacy, and generally in cases of will, the law gives to the children, and which by natural right, and according to every code of inheritance known among men, always goes to the children in the absence of a will. The only authority which can be offered by the gentleman for his construction is this Virginia judge. The gentleman has brought no authority here for the purpose of sustaining his view—none whatever. He has evidently been diligent, and has run over all the authorities, and found them against him. Can the gentleman name one authority which sustains his view of the case except this trashy decision of this Judge Underwood? Not one."

Mr. Davis, of Maryland, followed, saying: "No attainder shall work corruption of blood or forfeiture, except during the life of the person attainted." Now I take it that the meaning of that clause is that the forfeiture worked shall, must be effected during life. The honorable gentleman from Ohio, and those who think with him, would construe it to be that the forfeiture when worked shall only endure for the life of the party. Palpably the latter is the incorrect and the former the legal meaning. The purpose assumed is the protection of the offspring from punishment for the guilt of the ancestor. But a fine is equally taken from the offspring, as land; yet no one denies the right to fine a person attainted. There was, however, an effect of attainder that did punish the offspring, and the offspring alone. Every student of Blackstone knows this, that the judgment convicting a person of treason operated a corruption of blood. The corruption of blood stopped the transmission of hereditary blood to any heir of the person attainted; so that the legal effect of conviction for treason under the law of England was, first, to forfeit all the property, real and personal, of the person attainted, and, secondly, to corrupt his blood, destroy its heritable quality, so that he could neither take land by descent himself, nor transmit heritable blood to the persons who would, but for his attainder, have been his heirs. He could, in the language of the law, have no heirs. The attainder corrupted his blood, and there was no hereditary blood transmitted to them.

"Now, suppose any ancestor of any person convicted and attainted for treason died the day after the execution, owning lands, they could not pass to his son, nor to any collateral relation claiming by descent through him, because the operation of judgment, besides forfeiting the land owned by the party in his lifetime, had corrupted his blood, and no one could trace

descent through him. He was a bar, cutting off the relationship between grandfather and grandson. Land which would have come to the grandson if the father had not been a person attainted, instead of going to the heir, was arrested in transit to the heir by the corruption of blood, and passed either to the lord of the fee or to the king.

"So that the Constitution deals merely with corruption of blood and its operation. There shall be no corruption of blood worked by attainder or forfeiture except during the life of the person. Attainder worked no forfeiture after the death of the party except by corruption of blood. The forfeiture of a fee-simple estate was not a forfeiture after the life of the party; the whole fee was in the person attainted, his heirs had no interest in it, and no lawyer would ever dream of describing a forfeiture for life by the words of the Constitution, or describe the forfeiture of a fee-simple estate as a forfeiture worked by attainder after the life of the party. It was one of the settled laws of England at that time, and which also prevailed in some of the States of this Union, that the corruption of blood did, what the gentleman from Ohio so properly execrates, operate upon innocent persons with reference to their rights coming from a different source after the criminal had expiated his crime. Now, without meaning to say positively that that is the meaning and operation of the section, I say that in my judgment it comes nearer an intelligible exposition of it than any such theory as this, that you cannot take lands in fee, but you may take all his personal property absolutely, which was the ground of the President's threatened veto of last year; that you can fine a man to the extent of his estate, but you cannot take his lands to pay the fine. And being unintelligible, with all respect to our recent friends, they are driven to say, that in the punishment of treason the Constitution has been guilty of this intolerable folly: that for robbing the mail, or piracy, for any ordinary offence, or murder on the seas or in the army or navy; that for any ordinary crime, Congress may prescribe what punishment they please; take the land in fee; but in providing for the punishment of treason, the greatest crime, the most dangerous crime, it has feebly attempted to protect innocent offspring by saving the lands of the convict, but leaving his life and all his personal property at the mercy of the law; that it has been guilty of sanctioning the unrepugnant discrimination between real and personal property, and adopting the aristocratic idea that land was something that must not be taken, but preserved for the heir, that must come down to him by a perpetual constitutional entail. And this anti-republican view is urged to fetter us in breaking the power of an aristocratic rebellion founded on land in large bodies and on negroes. Were there no other objection than this, that simple *reductio ad absurdum* disposes of the argument.

"But, Mr. Speaker, the question here, as I have said, is not, what is the true meaning of this clause of the Constitution, but does it declare that no forfeiture, that no confiscation under any process of law shall affect land for a longer period than the life of the owner? Does it apply to any case where there is no attainder, no conviction?

"The law of the last Congress prescribed a different process from conviction in a court of law of the person guilty of the crime. It provides that upon proceedings in the district court in the nature of proceedings in admiralty, the lands of certain classes of persons, and all their personal property, shall be forfeited for the use of the Government.

"And the Constitution provides that the property of citizens shall not be taken without due process of law. Now, the question which gentlemen on the other side of the House have to argue is, not the law of attainder, but whether the process in the district courts of the United States to confiscate the property of persons proved to be of the specified classes is due process of law for depriving a man of his property under the Constitution. If they cannot maintain that that is not due process of law within the meaning of the Constitution, they cannot throw the least doubt on the constitutionality of this mode of procedure."

On the 22d the question being again before the House, Mr. Stevens, of Pennsylvania, said: "I begin simply by denying that the Constitution has the least reference to any one of the provisions of the bill in question, and I intend to show that the act of 1862, which was modified by a resolution which it has been truly said was passed under duress very little to the credit of the Congress that passed it—that act of 1862 is not affected directly or indirectly by any one of the provisions of the Constitution, and that especially that part of the act which provides for seizing property and confiscating it in fee-simple is purely a proceeding under the laws of war and under the law of nations, over which the Constitution has no control, and in regard to which it has no effect whatever. The first section of the act of 1862 punishes the crime of treason with death and the forfeiture of personal estate. That, I believe, is not objected to, because personal estate, once forfeited, is forfeited forever. There is no such thing as a life estate in personal property. He who gets it for an hour gets it forever. That is the plainest principle of law. The second provision is that those who incite to rebellion shall be punished with fine and imprisonment. That has nothing to do with the Constitution. It is not pretended, I suppose, that the Constitution in any way affects it. Then comes the clause of the bill to which gentlemen take exception; and what is that? It is to be found in the statute-books of that session of Congress, page 313. It provides that, to insure the speedy termination of the present rebellion, it shall be the duty of the President of the United States

to cause the seizure of all the estate and property, money, credits, &c., of the persons guilty, and apply the proceeds thereof to the support of the army of the United States.

"Here is no attainder for treason, here is no confiscation of property under any provision of the Constitution. Then the law goes on to state how you are to seize and condemn property. It is to be seized and proceeded against *in rem*, according to the law for that purpose, and condemned. As what? As the property of traitors? No such thing. Condemned as 'enemies' property.' Does not that show that the Constitution has nothing to do with it on the question of treason? Here are a body of men in arms against the United States. This act of Congress, so far as it refers to seizures of property in fee, refers to them as seizures of the property of alien enemies, to be treated as such.

"Now, where is there a word about attainder of treason? That part of the act does not seize property as traitors' property at all. But the learned gentleman from Ohio (Mr. Spalding) has well said all that I intended to say with reference to attainder for treason. Attainder for treason is impossible under the laws of the United States as they now stand. Without an express act making a conviction and sentence and execution for treason an attainder of treason, there is no attainder of treason in the United States; and there is no such law here.

"It is, however, essential to ascertain what relation the seceded States bear to the United States, that we may know how to deal with them in reestablishing the national Government. There seems to be great confusion of ideas and diversity of opinion on that subject. Some think that those States are still in the Union and entitled to the protection of the Constitution and laws of the United States, and that, notwithstanding all they have done, they may at any time, without any legislation, come back, send Senators and Representatives to Congress, and enjoy all the privileges and immunities of loyal members of the United States. That whenever those 'wayward sisters' choose to abandon their frivolities and present themselves at the door of the Union and demand admission, we must receive them with open arms and throw over them the protecting shield of the Union, of which it is said they had never ceased to be members. Others hold that, having committed treason, renounced their allegiance to the Union, discarded its Constitution and laws, organized a distinct and hostile government, and by force of arms having risen from the condition of insurgents to the position of an independent Power *de facto*, and having been acknowledged as a belligerent both by foreign nations and our own Government, the Constitution and laws of the Union are abrogated so far as they are concerned, and that, as between the two belligerents, they are under the laws of war and the laws of na-

tions alone, and that whichever Power conquers may treat the vanquished as conquered provinces, and may impose upon them such conditions and laws as it may deem best.

"It is obvious that this question is of vast importance. If the first position should be established, then the rebel States, after having been conquered and reduced to utter helplessness through the expenditure of many billions of money and the shedding of oceans of loyal blood, may lay down their arms, which they can no longer wield, claim to be legitimate members of the Union, send Senators and Representatives to Congress, retain all their lands and possessions, and leave the loyal States burdened with an immense debt, with no indemnity for their sufferings and damages, and with no security for the future.

"If the latter proposition prevails, then Congress will readjust the Government on the firm basis of individual and public justice; will protect the innocent and pardon the least guilty; will punish the leading traitors; seize their lands and estates; sell them in fee-simple; pay the proceeds into the national Treasury to discharge the expenses and damages of the war, and provide a permanent fund for pensions to the widows and orphans and the maimed and mangled survivors of this infamous war; and, above all, will forever exclude the infernal cause of this rebellion—human bondage—from the continent of North America.

"In order rightly to determine this question we must inquire whether the "Confederate States" are to be considered as a hostile people, entitled to no other protection or privileges than are due to foreign nations at war with each other. Is the present contest to be regarded as a public war, and to be governed by the rules of civilized warfare, or only as a domestic insurrection, to be suppressed by criminal prosecutions before the courts of the country? If the latter, then the insurgents when proceeded against have a right to invoke the protection of the Constitution and municipal laws. If the former, then they are subject to the laws of war alone.

"Another important question is, is this war waged by States in their corporate capacity, or is it merely a treasonable outbreak by guilty individuals? Vattel, pp. 424, 425, says:

When in a republic the nation is divided into two opposite factions, and both sides take up arms, this is called a civil war. The sovereign indeed never fails to bestow the appellation of *rebels* on all such of his subjects as openly resist him; but when the latter have acquired sufficient strength to give him effectual opposition, and oblige him to carry on the war against them according to the established rules, he must necessarily submit to the use of the term "civil war."

On earth they have no common superior. They stand precisely in the same predicament as two nations who engage in a contest, and, being unable to come to an agreement, have recourse to arms.

"When an insurrection becomes sufficiently formidable to entitle the party to belligerent rights, it places the contending powers on pre-

cisely the same footing as foreign nations at war with each other. For all the consequences of war, of combat, and of conquest they are foreign nations. Judge Grier, in a most able, lucid, and conclusive opinion delivered in the prize cases, says:

The parties belligerent in a public war are independent nations.

"No one acquainted with the magnitude of this contest can deny to it the character of a civil war. For nearly three years the Confederate States have maintained their declaration of independence by force of arms. True, they have met with sad defeats. But success has not been all on one side. But what renders their position beyond controversy is, the great powers of Europe have acknowledged them as belligerents, entitled from foreign nations to equal rights with the parent Government. What is still more conclusive, we have acknowledged them as belligerents ourselves. With unfortunate haste we blockaded their ports. A blockade is declared only against a foreign nation. If they were still members of the Union we should repeal the laws granting ports of entry. A nation does not blockade itself. We have treated their captive soldiers as prisoners of war, not as rebels; we have exchanged prisoners; we have sent and received flags of truce. This is not the usage awarded to an unorganized banditti.

"What, then, is the effect of this public war between these belligerents, these foreign nations? Before this war the parties were bound together by a compact, by a treaty called a 'Constitution.' They acknowledged the validity of municipal laws mutually binding on each. This war has cut asunder all these ligaments, abrogated all these obligations.

The conventions, the treaties made with a nation, are broken or annulled by a war arising between the contending parties.—*Vattel*, Book 3, chap. 10, sec. 125.

"Phillimore says, p. 662:

It was at one time an international custom that the belligerents should, at the breaking out of the war, make a public and solemn proclamation that the obligation of treaties between them had ceased. That custom has become obsolete. In the place of it has arisen the general maxim that war, *ipso facto*, abrogates treaties between the belligerents.

"Chancellor Kent says:

As a general rule, the obligations of treaties are dissipated by hostility.—1 *Kent*, 175.

"Professor Lieber, the most learned of living publicists, in a communication to Major-General Halleck, containing instructions for the government of our armies, which were revised by a board of officers and approved of by the President, treats the rebel States as subject to martial law only, and not subject to the municipal laws of the United States or to the Constitution. On page 8 he says:

All municipal law of the ground on which the armies stand or of the countries to which they be-

long is silent and of no effect between armies in the field.

"Hence he declares the slaves free, and not to be reënslaved, *passim*.

"The Supreme Court of the United States (in *Hilton vs. Jones*, Dalt., 224) lays down the same doctrine. It decided that the revolted provinces of America, by the Declaration of Independence, the formation of a government, and supporting it by arms, became an independent foreign nation in 1776. Years before their independence was acknowledged by any other nation, courts applied the law of prize to them as to other foreign nations. Sergeant Wildman (page 8) says:

The primary effect of war is to extinguish all civil intercourse, and to place all the subjects of belligerents in the condition of enemies. This principle extends not only to the natural-born subjects, but to all persons domiciled in the enemy's territories; to all who come to reside there with knowledge of the war, and who having come to reside before the war, continued their residence after the commencement of hostilities for a longer time than is necessary for their convenient departure.

"But it is said that this must be considered a contest with rebel individuals only, as States in the Union cannot make war. That is true so long as they remain in the Union. But they claim to be out of the Union; and the very fact that we have admitted them to be in a state of war, to be belligerents, shows that they are no longer in the Union, and that they are waging war in their corporate capacity under the corporate name of the 'Confederate States,' and that such major corporation is composed of minor corporations called States, acting in their associated character. It is idle to say that townships and counties and parishes within such States are at peace while the States by acknowledged majorities have declared war. It is still more idle to say that individuals within the belligerent territory, because they were opposed to secession, and were loyal to the parent Government, are the State, though comprising but five per cent. of the people, and hence that the States are not at war. This is ignoring the fundamental principle of democratic republics, which is that majorities must rule, that the voice of the majority, however wicked and abandoned, is the law of the State. If the minority choose to stay within the misgoverned territory, they are its citizens and subject to its conditions. The innocence of individuals forms no protection (except in a personal point of view) to those residing in a hostile territory. *Vattel*, page 311, says:

When the sovereign or ruler of a State declares war against another sovereign, it is understood that the whole nation declares war against another nation. Hence the two nations are enemies, and all the subjects of the one are enemies of all the subjects of the other. Since women and children are subjects of the State and members of the nation, they are to be ranked in the class of enemies.

"Even the innocence of women and children does not screen them from the fate of their nation. True, in dealing with them personally,

great difference is made between the innocent and the guilty. But how can it be said that the States are not at war? Individuals do not make war. Individuals may take life, but they cannot make war. They cannot be recognized as belligerents. War is made by chartered or corporate communities, by nations or States.

"Phillimore, vol. 3, p. 101, sec. 69, says:

Nevertheless, as war is the conflict of societies, that is, of corporate bodies recognizing and governed by law in all their actions, &c.

"On page 100, sec. 68, he says:

A war between private individuals, who are members of a society, cannot exist. The use of force in such a case is a trespass or violation of municipal law, and not war.

"The Supreme Court of the United States, in the prize cases decided at its last session, says:

Hence, in organizing this rebellion, they have acted as States claiming to be sovereign over all persons and property within their respective limits, and asserting a right to absolve their citizens from their allegiance to the Federal Government."

Mr. Smith: "I do not exactly understand the position of the gentleman, nor do I know that the question which I propose to ask will cause any difference in the result at which the gentleman arrives; but from the remarks already made by him, I desire to ask him this question: whether he takes the ground that a State, and not the individuals of a State, commits the crime of treason against the Government of the United States?"

Mr. Stevens: "I take the ground, sir, that when you cannot punish them as traitors, you can make war with them as belligerents. It is not a question of punishing under the Constitution, but outside of it. These men are enemies, and we are treating them as enemies; and I have no doubt that, as States, they are at war with us."

Mr. Smith: "The question that I mean to put directly, if the gentleman will allow me, is this: whether the Government has power to punish a State in its corporate capacity, and not the citizens of a State as individuals?"

Mr. Stevens: "I mean to say that if a State, as a State, makes war upon the Government and becomes a belligerent power, we treat it as a foreign nation, and when we conquer it we treat it just as we do any other foreign nation. That is my position, very distinctly."

Mr. Smith: "I understand the rule of law to be that a corporation has neither body nor soul; and therefore I would like to ask the question whether we can punish a State which, as a corporation, has neither body nor soul?"

Mr. Stevens: "If the gentleman be right, how then could we punish Great Britain when we make war upon her? If she has no soul to be damned, she certainly has a body to be lost. When we conquer her we shall take good care, let me tell the gentleman, that she shall be properly punished, if we have any regard for our people at all."

Mr. Bliss: "I ask the gentleman from Pennsylvania, if the seceded States are foreign governments, what right we have to adjudicate upon their private property?"

Mr. Stevens: "When we seize it as the property of enemies during a war we have a right to take it."

Mr. Bliss: "And hold jurisdiction over the soil of a foreign country?"

Mr. Stevens: "That is what I should call amphibious action, which the gentleman will understand from my remarks."

All persons residing within this territory whose property may be used to increase the revenues of the hostile power, are in this contest liable to be treated as enemies, though not foreigners.

"This seems to me to settle the question. This may work a hardship on loyal men opposed to the war. But to escape the condition of enemies they must change their domicile—leave the hostile State; for I again repeat there can be no neutrals in a hostile State. As the United States are at war with an acknowledged belligerent, with a foreign nation, and as such war has abrogated all former compacts existing between them, neither the United States nor the Confederate States can, as against the other, claim the aid of the Constitution or the laws passed under it. If they still exist, the slaveholder of South Carolina might claim the aid of the fugitive slave law to regain his absconded slave. So Gen. Barksdale with others was murdered, because he was shot down without being tried and condemned according to the provisions of the Constitution."

"By the law of nations, the captain and crew of a vessel are supposed to be standing on the soil of the nation whose flag the ship bears, although in distant seas. Those armed vessels that belong to no nation and make war are pirates. The Alabama and its fellows are not treated as pirates, and must therefore belong to an acknowledged nation. That nation is the Confederate States. But if the territory of the Confederate States is our territory, then he who treads the decks of the Alabama or Florida stands on our soil, and plundering on the high seas, is a pirate. We do not so treat them until we have conquered the country held by the Confederate States. Covered by the confederate flag, it is a foreign country. When we do conquer it, it is a conquered country. Any other principle would render all our conduct inconsistent and anomalous."

"If the rebel States are still in the Union I see no reason why they should not elect the next President of the United States. Any number of them might meet and choose electors, who might cast their votes for President and Vice-President, and demand that they should be counted by Congress. Or if the rebels decline to vote, then a hundred loyal men, 'who are the State,' might meet and choose electors. The few loyal men around Fortress Monroe, or Norfolk, or Alexandria, and a few cleansed patches in Louisiana, being

one-thousandth part of the States, might choose electors for their whole States.

"The idea that the loyal citizens, though few, are the State, and in State municipalities may overrule and govern the disloyal millions, I have not been able to comprehend. If ten men fit to save Sodom can elect a governor and other State officers for and against the eleven hundred thousand Sodomites in Virginia, then the democratic doctrine that the majority shall rule is discarded and dangerously ignored. When the doctrine that the quality and not the number of voters is to decide the right to govern, then we have no longer a republic, but the worst form of despotism. The saints are the salt of the earth; but the 'salt of the earth' do not carry elections and make governors and presidents. Within the State of South Carolina a rebel's vote weighs just as much as a loyal voter's. We may conquer rebels and hold them in subjection, and legislate for them as a conquered people; but it is mere mockery to say that, according to any principle of popular government yet established, a tithe of the resident inhabitants of an organized State can change its form and carry on government because they are more holy or more loyal than the others.

"From all this the legitimate conclusion is, that all the people and all the territory within the limits of the organized States which, by a legitimate majority of their citizens, renounced the Constitution, took their States out of the Union, and made war upon the Government, are, so far as they are concerned, subject to the laws of the State; and, so far as the United States Government is concerned, subject to the laws of war and of nations, both while the war continues and when it shall be ended.

"If the United States succeed, how may she treat the vanquished belligerent? Must she treat her precisely as if she had always been at peace? If so, then this war on the part of the United States has been not only a foolish but a very wicked one. But there is no such absurd principle to restrain the hands of the injured victor.

"By the laws of war the conqueror may seize and convert to his own use every thing that belongs to the enemy. This may be done while the war is raging to weaken the enemy, and when it is ended the things seized may be retained to pay the expenses of the war and the damages caused by it. Towns, cities, and provinces may be held as a punishment for an unjust war, and as security against future aggressions. The property thus taken is not confiscated under the Constitution after conviction for treason, but is held by virtue of the laws of war. No individual crime need be proved against the owners. The fact of being a belligerent enemy carries the forfeiture with it.

"To my mind there can be no doubt as to what we have a right to do if, as I will not permit myself to doubt, we should finally conquer the Confederate States. What it will be

policy to do may be more difficult to determine. My mind is fixed. The rebels have waged the most unjust, cruel, and causeless war that was ever prosecuted by ruthless murderers and pirates. They have compelled the Government in self-defence to expend billions of money. Every inch of the soil of the guilty portion of this usurping power should be held responsible to reimburse all the costs of the war; to pay all the damages to private property of loyal men; and to create an ample fund to pay pensions to wounded soldiers and to the bereaved friends of the slain. Who will object to this? Who will consent that his constituents and their posterity shall be burdened with an immense load caused by these bloody traitors? Their lands if sold in fee would produce enough for all these purposes, and leave a large surplus. Such confiscation of course would spare the property of those who took no part in the war, and of the common soldiers, who were compelled by the laws of their States to enter the army.

"All this done, and yet the half would be left undone. Oppressive as would be the debt and grievous the loss of our loyal citizens, yet if an honorable and safe peace were made our free and prosperous people would bear it without a murmur. But if a disgraceful peace were made, leaving the cause of this rebellion, and the fruitful cause of future wars, untouched and living, its authors would be the objects of the deepest execration and of the blackest infamy. While the Constitution protected the institution of slavery, very few desired to disturb it in the States. There were not three thousand abolitionists, properly so called, in the United States. But since those States have voluntarily thrown off that protection, and placed themselves under the law of nations alone, it is not only our right but our duty to knock off every shackle from every limb."

Mr. Broomall, of Pennsylvania, expressed his views as follows: "There are two positions taken by very opposite parties upon the status of those engaged in the rebellion. One is that they are for all purposes public enemies, and to be treated as such; the other is that for all purposes they are our fellow-citizens, and entitled to the benefits of the Constitution and laws of the United States. I think both these positions erroneous. I think the true theory is this: the rebels are in the wrong by their own voluntary act; they are therefore not entitled to any of the advantages of their position, but are subject to all the disadvantages of it. Against the Government they cannot claim to be either public enemies or subjects, but the Government at its election may treat them in either capacity, sometimes and for some purposes in one, and sometimes and for other purposes in the other. When subjects revolt, the sovereign, if they are few, applies the civil law, and hangs them or pardons them. In theory he may do so without regard to the number of the revolting subjects. But in practice, as the

number increases, the difficulty and the cruelty of enforcing civil law increase, and the more humane laws of war gradually step in. Captives, instead of being hanged for treason, are treated as prisoners of war. Other nations interfere in defence of their subjects. Aiding and abetting traitors is treason; supplying traitors with food and arms is aiding and abetting them. To prevent the consequences of this, other nations require the granting of belligerent rights to insurgents. Thus the laws of war take the place of the civil law. But as between the sovereign and the revolted subjects the right to enforce civil law is not changed. The laws of war are only superadded, to be exercised at the option of the sovereign, subject to the rights of other nations and of humanity. Subject to these rights it is for the sovereign to elect, in every particular case, under which code of laws he will treat those in revolt. The Government therefore may seize and confiscate the property of traitors absolutely, under the laws of war; or it may fine and forfeit absolutely under the civil law; but it cannot extend the effects of attainder for treason beyond the life of the person attainted."

Mr. Wadsworth, of Kentucky, followed, saying: "I am astonished how any gentleman can refer us to the laws of nations in support of this act which the bill now before us proposes to amend, in the support of the amendment or in support of the position taken by the gentleman from Pennsylvania (Mr. Stevens) and those who agree with him.

"Why, sir, the usages of nations in modern times forbid the very means which the gentleman would employ, and the whole policy which he advocates. The laws of nations recognize the right of conquest between the parties to a public war, but do not authorize the seizure and confiscation of private property on land only in excepted cases; they do not authorize the conquest of individual property. On the contrary, they forbid it.

"I am not going into a lengthy citation of authorities. They have been quoted freely in the discussions upon this bill. They were cited fully and pertinently the other day by the honorable gentleman from Ohio (Mr. Finck), and I content myself now, in the main, with a mere reference to them. I rely upon all writers upon the public law who state the rule among civilized nations in modern times. Their testimony is uniform and explicit, uttering a united voice of condemnation upon the policy which the honorable gentleman from Pennsylvania (Mr. Stevens) demands. I rely upon the principles declared by all the civilized nations of the world in modern times, French, British, and American, in State papers, treaties, and diplomatic assemblies, to support the declaration of the elementary writers, that by the usages of the civilized nations of modern times, private property upon land is exempt from the spoiliations of war, exempt from seizure and confiscation, except in certain specified cases.

Wheaton states the rule in clear and precise terms:

But by the modern usages of nations, which has now acquired the force of law, temples of religion, public edifices devoted to civil purposes only, monuments of art, and repositories of science, are exempted from the general operations of war. Private property on land is also exempt from confiscation, with the exception of such as may become booty in special cases, when taken from enemies in the field or in besieged towns, and of military contributions levied upon the inhabitants of the hostile territory. This exemption extends even to the case of an absolute and unqualified conquest of the enemy's country.—*Elements, &c.*, p. 421.

"This doctrine is supported by all writers who state the usages of modern nations. I forbear to quote them again to the House. But I call attention to the language of Chief Justice Marshall in *United States vs. Percheman*, 7 Peters, 86:

It is very unusual, even in cases of conquest, for the conqueror to do more than to displace the sovereign and assume dominion over the country. The modern usage of nations, which has become law, would be violated; that sense of justice and of right which is acknowledged and felt by the whole civilized world would be outraged, if private property should be generally confiscated, and private rights annulled. The people change their allegiance; their relation to their ancient sovereign is dissolved; but their relations to each other and their rights of property remain undisturbed.

"In another part of the opinion he speaks of the attempt on the part of the new sovereign to confiscate the private property of the inhabitants occupying the acquired territory as 'a wrong to individuals condemned by the practice of the whole civilized world.' Again, speaking of the eighth article of the treaty by which we acquired Florida, Chief Justice Marshall says:

This article is apparently introduced on the part of Spain, and must be intended to stipulate expressly for that security to private property which the laws and usages of nations would, without express stipulation, have conferred.—Page 88.

"I cite also the letter of a former American Secretary of State of distinguished reputation to the French minister, written in the course of that discussion which grew out of the Paris declarations of 1856. By the laws of nations as previously existing, private property on land was exempt from seizure and spoliation in time of war; and it was proposed by the Paris conference to abolish privateering, and to that extent accord the same immunity to private property on the ocean. This Government was asked to assent to that principle being embodied in the laws of nations. The then Secretary of State (Mr. Marcy) replied very properly in behalf of this Government, that this Government would not assent to the proposition unless the nations represented in the Paris congress would also agree to abolish the right to seize private property on the seas by public armed vessels, placing all private property on the high seas in the same position as private property on land. Mr. Marcy in that letter gives the weight of his

sanction to the principle I now contend for, and I quote a part of it to establish the fact.

The prevalence of Christianity and the progress of civilization have greatly mitigated the severity of the ancient mode of prosecuting hostilities. It is a generally-received rule of modern warfare, so far at least as operations on land are concerned, that the persons and effects of non-combatants are to be respected. The wanton pillage or uncompensated appropriation of individual property by an army even in possession of an enemy's country is against the usage of modern times. Such a proceeding at this day would be condemned by the enlightened judgment of the world, unless warranted by particular circumstances. Every consideration which upholds this conduct in regard to a war on land favors the application of the same rule to the persons and property of citizens of the belligerents found upon the ocean.—*Mr. Marcy to the Count de Sartiges, July 28, 1856.*

"The proposition of this Government to extend the principle recognized as prevailing on land to the sea was declined. On the whole I am inclined to doubt the propriety of the proposed extension so far as we are concerned. I do not know how blockades are to be made effective if private property of the enemy on the high seas is to be exempt from capture; nor does it seem wise to exempt commerce, the parent of so many wars, from its principal dangers.

"Yet the present Secretary of State, by direction of the President, has offered to accede to the Paris declaration, so great regard has the present Administration for the sanctity of private property not only on land but on the sea also.

"John Quincy Adams, in his correspondence both with the British minister and the American Secretary of State, affirmed the inviolability of private property on land, even in the case of slaves. I call the attention of the House to this great authority. In a letter to the American Secretary of State, August 22, 1815, he says:

Our object is the restoration of all the property, including slaves, which by the usages of war among civilized nations ought not to have been taken. All private property on shore was of that description. It was entitled by the laws of war from capture.

"Again, to Lord Castlereagh, Feb. 17, 1816:

But as by the same usages of civilized nations private property is not the subject of lawful capture in war upon the land, it is perfectly clear that in every stipulation private property shall be respected, or that upon the restoration of places taken during the war it shall not be carried away—4 *American State Papers*, 116, 117, 122, 123.

"Mr. Adams contended that the British Government had violated the usages of civilized nations in taking away after the war was over, or in capturing during the war, slaves, because they were property upon land. It is known, sir, that by the treaty of 1814 indemnity was accorded by Great Britain for this very violation of the laws of war.

"But it has been said, and there is a case—Brown's case—8th Cranch, referred to often to maintain the position that a nation has a right to do these things which the laws of nations

forbid; that a sovereign accepts the laws of nations as addressed to his reason and justice and morality, but that if he chooses to disregard them he may do so. But, sir, my own opinion on that subject has been so well expressed by a distinguished judge—I mean Judge Hoffman—and concurred in by two of the judges upon the supreme bench in the New Almaden mine case (2 Black.), that I beg the attention of the House while I read a short extract from it:

But, if it be admitted that humanity, Christianity, and the usages and rules observed by all civilized nations (which constitute public law), forbid even in war the use of certain means, the discussion whether such rights abstractly exist, would seem to be a disputation savoring rather of the subtlety of the schools, than of that practical sense which seeks to discover and establish the actual rules by which nations in a state of war are governed. That the rights of war, as deduced by Bynkershoek, from a consideration of its abstract nature, are mitigated by the laws of war as established by the general consent of nations, with respect to the effects of conquest as well as to the mode of warfare, is proved by the general recognition of the principle that, on the conquest of an enemy's territory, private rights of property are to be protected.

But, if "a nation which has injured another is to be considered as confiscated, with all that belongs to it, to the nation that has received the injury," this confiscation must extend to private as well as public property.—*Judge Hoffman, with concurrence of Catron and Wayne, 2 Black, United States vs. Castillero, p. 368.*

"I can add nothing to the force of these observations. Let it be remembered that it does not matter how much power or how little the Constitution gives Congress to seize and confiscate private property on land, the laws of nations and of war stamp the exercise of such power as inhuman, immoral, infamous.

"I consider, sir, the maxims of Christian nations in modern times on that subject too well established to detain the House with further reference to them. They deny the right in this Congress, in the exercise of its war powers, or its belligerent powers, to attack temples of religion, to spoil works of art, or in general to seize and confiscate private property upon land, and when we do it we do it in the face of the indignant and protesting Christian world. We are then outside of the pale of Christian nations. We boldly spurn their maxims, and despise and trample under foot their morality; and unless Christian nations reverse the judgments of the best and most enlightened men and multitudes and times, we must stand condemned and disgraced.

"The honorable gentleman takes the position that the eleven States now and formerly subject to the rebel power are out of the Union, and that we may make a conquest of them. Suppose I were to grant it. Shall we then put aside that law of nations which protects private property—a law sanctified by the self-interest of the conqueror, all the dictates of humanity, and the public opinion of the world? No; even conceding, which I do not, his right

of conquest, no right to seize and confiscate private property upon land in general would be conceded.

"But, sir, touching this contest carried on within the State, right of conquest and all other sovereignty rights admitted by the laws of nations are limited and definitely bounded by our Constitution. I must recur to the distinction I have endeavored to establish, or which at all events I have stated—and I cannot do much more than state my position upon this occasion—that we do not look to the law of nations, or the laws of war, for a definition of our rights either in a public or civil war, for that matter. War is the remedy for a violated or obstructed right. We prosecute our right by force; that is, make war. We look to the laws of nations for the rules which are to govern the conduct of the war, but not for the objects for which we may lawfully wage it, or the manner in which we may realize its acquisitions, or the extent of our sovereign rights. Where are our rights declared? Whence do they come? Our rights for which we wield the sword—where do we get them? From the laws of nations? If we get them from the laws of nations one of two things follows: either the laws of nations carry over the conquered country the qualified and limited sovereignty of the United States, or it gives them an unlimited sovereignty.

"I undertake to say that the laws of nations recognize in the conqueror an unlimited sovereignty. In a conquered province the laws of nations consent that you may set up a monarch, found orders of nobility, erect churches dependent upon the State, pass *ex post facto* laws, strike out equal State representation in the Federal Senate—you may do every thing and any thing you choose to do by your sovereign power. The laws of nations favor this. The laws of nations have no objections to kings, emperors, nobles, bishops. The protest against this infringement of the rights of man comes from America. Almost solitary and alone in the family of nations we are found to protest against the State with a king united to a church with a bishop. Yet, if it is there that we get our right of conquest and our sovereign right to rule the conquest, if it is there we go for a definition of our sovereign rights against a foreign and a domestic foe, and to interpret the manner in which we may enjoy the rights of conquest won either from foreign or domestic foes, to these conclusions must we come at last, or we come to the other, that by the laws of nations the conqueror does not conquer the sovereignty of a hostile Power, but merely substitutes his own sovereignty in place of that which has been expelled.

When Russia conquers Poland she strikes down elective monarchy and substitutes hereditary despotism in its place. If Turkey conquers a Christian province, the crescent is substituted for the cross. England makes a conquest, and by the omnipotence of unlimited

power Parliament governs it according to its will. But if the Republic of America acquires territory, the exercise of sovereign right in that territory depends, not upon the laws of Congress, of nations, of war, but upon the will of the sovereign people of America as expressed in the Constitution.

"I understood the gentleman from Pennsylvania (Mr. Stevens) to inquire where is the sovereignty of this country. The sovereignty of Russia is in the emperor. The sovereignty of Great Britain is in Parliament. Both are unlimited. The sovereignty of the United States is in the President and the army. But should it be there? I deny it. It is in the sovereign American mass, in the people. There is no sovereign but the people. The people of America have delegated a portion of their sovereignty to the States, and another portion they have delegated to the Federal Government, our glorious, and I trust, imperishable Union. The rest they have reserved to themselves. Consult that tenth article of the Amendments, which I believe this House did not quite lay upon the table when I had the honor to move it the other day; consult that and see 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.' That sovereignty which in America can do no wrong like the sovereignty of Europe, at least no wrong for which it is criminally responsible, has delegated a portion only of that mighty sovereignty to the Federal Government. And in whom does it rest? In Congress, and not in the President and his army. Conquests made by this country, foreign or domestic—if you admit such a monstrosity as a domestic conquest—are to be appropriated and settled and enjoyed and governed according to the laws of Congress, and by Congress admitted to the equal fellowship of States.

"The war powers, whatever they may be, are vested in Congress, and not in the Executive; and if the gentleman from Pennsylvania (Mr. Stevens) is as logical in action as in argument, the Executive of the United States must meet with his determined opposition. I understand him, indeed, in the very speech to which I have directed my attention, to sneer at the pretence that the Executive of the United States is vested with the Federal or State sovereignty at all. He denies the right of ten men to govern a hundred by the aid of the army and navy. I deny it, too, and it is an error which will die in the midst of its worshippers sooner or later, unless the central idea of American civilization is a falsehood, and the Declaration of Independence a cheat and delusion.

"If I am correct in the position I have stated, that the sovereignty was in the mass of the American people, and that they delegated a part to the States, and a part to the Federal Government, how then, admitting the principle of

the gentleman from Pennsylvania of the right of conquest, does the successful conquest of eleven States vest the President with sovereign power in the States?"

Mr. Stevens: "I will interrupt the gentleman one moment to correct him. My position was, that the sovereignty was vested in Congress."

Mr. Wadsworth: "That was the position I assumed. I said there was no sovereignty in this country but in the sovereign mass, and that they had vested a portion of that in the States, and a portion in the United States, to be exercised by Congress. We seem, then, to agree. I was only inveighing against the presidential plan, and contended that the gentleman himself should lend his weighty support to overthrowing that plan, and all who plant their feet upon the neck of popular sovereignty. By his own principle Congress should undertake to settle the fate of eleven States. I prefer that Congress should do it. Woe worth the day when the American people consent that that portion of the sovereignty which they delegated to the States shall, by the accidents of fortune, or the malice of men, be vested in one man, and he the holder of the sword and the purse. But it is plain to any man who recurs to first principles, that none of these consequences follow. These States are in the Union, and there is no power short of successful revolution that can drive them out of it; and, Mr. Speaker, it is no longer worth while for men of intellect and courage to deny the fact—rebellion, double damned as it is, has been met on our part and confronted with revolution; a revolution of the Federal Government against the States, of the rulers against the people, the sword against privilege, of power against liberty.

"Sir, this is a much larger business, developing by the logic of events, than African slavery. We have got far beyond that. In this very act which you propose to amend, there are the seeds of ruin that stretch beyond all questions of African slavery. You have heard it proclaimed that it rests upon the right of conquest, the obliteration of eleven—therefore of thirty-four—States. What, then, is in truth the real issue before the country? It is a question whether revolution shall go on, or whether the American people shall arrest it. What a spectacle does it present in this the nineteenth century! A revolution of power against the people, of the ruler against the masses, of the Executive and the army, if I am to believe its representatives on this floor, against the people. Shall the Executive of the United States have these vast powers confided to him? Shall we consent that by the conquest of Louisiana and ten other States he has become lord paramount in that country, the sovereignty of this people vested in him to be parceled out to his sworn adherents, and we to furnish our blood and money to support the ten men against the ninety?"

On motion of Mr. Wilson, the words "except

during his life" were stricken out, and the words "contrary to the Constitution of the United States" inserted in their place in the resolution. On the 5th of February it passed the House by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blow, Boutwell, Boyd, Brandegree, Broomall, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Deming, Donnelly, Driggs, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Grinnell, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Longyear, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smithers, Spalding, Stevens, Thayer, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Williams, Wilson, Windom, and Woodbridge—83.

NAYS—Messrs. James C. Allen, Ancona, Bailey, Augustus C. Baldwin, Jacob B. Blair, Bliss, Brooks, James S. Brown, William G. Brown, Chanler, Clay, Coffroth, Cox, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, Finck, Ganson, Grider, Harding, Harrington, Benjamin G. Harris, Herrick, Holman, Hutchins, William Johnson, Kalbfleisch, Kernan, King, Knapp, Law, Lazear, Le Blond, Long, Mallory, Marcy, McDowell, McKinney, Middleton, William H. Miller, James R. Morris, Morrison, Nelson, Noble, Odell, John O'Neill, Pendleton, Pruyn, Radford, Samuel J. Randall, William H. Randall, Robinson, Rogers, James S. Rollins, Ross, Scott, John B. Steele, William G. Steele, Strouse, Stuart, Thomas, Voorhees, Wadsworth, Webster, Whaley, Wheeler, Chilton A. White, Joseph W. White, Winfield, Fernando Wood, and Yeaman—74.

The following is the resolution:

That the last clause of a "joint resolution explanatory of 'An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes,'" approved July 17, 1862, be, and the same hereby is, so amended as to read: "nor shall any punishment or proceeding under said act be so construed as to work a forfeiture of the estate of the offender contrary to the Constitution of the United States: *Provided*, That no other public warning or proclamation under the act of July 17, 1862, chapter ninety-five, section six, is or shall be required than the proclamation of the President made and published by him on the 25th day of July, 1862, which proclamation so made shall be received and held sufficient in all cases now pending, or which may hereafter arise under said act."

In the Senate on February 17th, Mr. Johnson, of Maryland, from the committee on the judiciary reported back the joint resolution of the House, with a recommendation that it do not pass.

On June 27th Mr. Trumbull, of Illinois, offered the following as an additional section to the bill to establish a Freedman's Bureau:

And be it further enacted, That the last clause of a joint resolution explanatory of an act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes, approved July 17, 1862, be, and the same is hereby, repealed.

Mr. Trumbull said: "The object of the amend-

ment is to repeal the last clause of the joint resolution which was passed after the passage of the confiscation act. The Senator from Indiana may remember that a joint resolution was passed explanatory of the confiscation act, the last clause of which was as follows:

Nor shall any punishment or proceedings under said act be so construed as to work a forfeiture of the real estate of the offender beyond his natural life.

"My amendment proposes to repeal those words, and leave the confiscation to extend to life or to be absolute as the Constitution may be decided to provide. I propose to leave it where the Constitution has left it."

Mr. McDougall, of California, said: "I desire to ask the Senator from Illinois how he can reconcile his position with the provisions of the Constitution?"

Mr. Trumbull replied: "I reconcile it with the Constitution in the same way that I reconcile with it the right to shoot a traitor, to destroy him, to destroy his property and every thing that he has for the purpose of putting down this wicked rebellion. When we are engaged in war we have a right to do whatever is necessary to accomplish the just ends and objects and purposes for which the war is waged, and in order to put down this rebellion we may take the lives of men, their property, and every thing else."

Mr. McDougall again said: "Then I understand that although the Senator has often taken the oath to support the Constitution of the United States and the laws made under it, and although he took that oath upon entering his present office, and although his right to his present place in the Senate is dependent upon that oath, nevertheless he thinks himself justified in trampling upon a plain provision of the Constitution."

Mr. Trumbull again replied: "I say no such thing. I say it is as constitutional to take the rebel's property as his life; and does the Senator from California sit there and pretend that we may not take the life of the rebel without going to a court? What sort of a war would that be which should be prosecuted by jury trials and constables, when your armies are opposing each other, and when hundreds of thousands of men are arrayed against the Government? I am not to be put in any such position as that of advocating an unconstitutional measure. It is clearly and palpably constitutional, and as clearly and palpably right, in my opinion, as it is to exert the power of this Government in any other way to suppress this wicked rebellion."

Mr. McDougall: Mr. President, the provision of the Constitution to which I have called the attention of the Senate was adopted by men who were just out of the struggles of the Revolution, where for a time they occupied the position of rebels against English authority, subject to the laws of attainder and confiscation as they existed under English rule. With the lessons learned in the struggles of the Rev-

olution, they said then for themselves and for the persons that were to come after them, that the law confiscating the property of persons in arms, guilty of treason, if you please, or rebellion, is an oppressive and unjust law. In affirming this opinion they but repeated the expressed judgment of the great teachers of moral, social, and governmental ethics. They laid down the constitutional rule of law with exact reference to questions such as the one now pending, and made it part of the fundamental law of the Republic. It is so plain that he who runs may read it. It cannot be misunderstood; it cannot be misconstrued."

Mr. Carlile, of Virginia, followed, saying: "I confess, Mr. President, that I was not prepared for the proposition submitted by the Senator from Illinois, because, if my recollection is not at fault, that Senator, in his discussion of this subject when it was before this body at the last Congress, maintained the ground that real estate could not be confiscated beyond the life of the owner. That is my recollection of the discussion of this subject when it was before the Senate. The Senator will correct me if I am wrong."

Mr. Trumbull, in reply, said: "The Senator from Virginia is wrong so far as the confiscation of property in the rebel districts of country where there are no courts, is concerned. I always maintained that the clause in the Constitution limiting the effect of a conviction for treason, had nothing in the world to do with the waging of war in a district of country governed by the military power, and where there were no civil tribunals. I agree now, that if in any of the loyal States an individual were arrested and tried for treason, convicted, and hung, that would be a sufficient punishment; and his real estate, if he had any, might go to his descendants. But I always insisted that the provision of the Constitution applied only to trials in courts of law, and had nothing to do with the prosecution of war where there were no courts of law, and nothing to do with the estates of persons who were not brought to trial in courts of law and could not be. I always insisted that a traitor who escaped from the country, like Slidell or Mason, and left real estate behind, could not therefore escape the punishment of the confiscation of his property because he was beyond our reach to be tried for treason."

Mr. Carlile: "Mr. President, I should like to know from the Senator where he gets his authority to confiscate the property of traitors or anybody else, unless he derives it from the Constitution."

Mr. Trumbull: "I do get it from the Constitution."

Mr. Carlile: "The proposition is now by law, not by armies, not by virtue of the military power of this Government, but under the forms of law to deprive not the traitor, not the rebel, of his property, because the Constitution gives you the power to do that but it is to

take from the innocent child that he may have left, or from the injured wife of his bosom, the means of support which the framers of the Constitution designed should be left to them. They were too familiar with proceedings of this sort; they themselves had just before the formation of that instrument been rebels; success made them patriots. It is only from the Constitution that the Senate derives any power on this subject. The Senate can in conjunction with the other House declare war, and they can make rules and regulations for the Government of the land and naval forces; but they have no power through the forms of law and by virtue of their legislative character, to transcend the limits of the Constitution, which expressly forbids the confiscation of the estate of any one guilty of treason beyond the traitor's life. There is no exception in favor of the suspension of that provision of the Constitution in time of war. No department of this Government is ever relieved from its obligations to maintain the Constitution, which it solemnly swears to do before it enters on the discharge of its duties. The Executive is as much governed by the Constitution in time of war as he is in time of peace. So is the Congress of the United States. The oath that members of Congress take to support the Constitution, has in it no exception that it shall not be obligatory in time of war; but, wisely looking forward to what those men knew must occur in the history of the Government that they were forming, they declared in the instrument itself the powers that this Government should exercise in war as well as in peace.

"The Senator speaks of his right under the Constitution to shoot down a rebel. Sir, I deny him such right. He cannot go out in the street to-day and shoot down a rebel without being guilty of murder. Not in his capacity of Senator is he justified in shooting down even a rebel. Were he in the armies of the country, then it would become his duty to do so.

"This amendment proposes to repeal a part of a resolution which Congress adopted in order to obtain the signature of the President to the confiscation bill. It was made known to Congress, if I am not mistaken in the history of that resolution, and if I am the Senator will correct me—it was made known to Congress that that bill could not receive the approval of the President, and could only become a law by the passage of this very joint resolution, a portion of which is now proposed to be repealed, and that portion, too, which the President required should be adopted before he would approve it.

"Now, sir, what is the position in which you will place your Executive? Well may the Senator from Massachusetts, who feels a deep interest in the passage of this scheme, ask the Senator from Illinois not to load his bill with this proposition. Unless the President has reread his constitutional duties, unless he understands now differently his constitutional

oath from what he did when he affixed his signature to that resolution, he never can sign this bill with this proposition in it. There might have been some excuse for such a proposition at that time. Then it was urged on Congress as an auxiliary in the suppression of the rebellion. Now it cannot be urged for any such purpose.

"I do not intend to prolong this discussion; I regret that I have felt it my duty to say what I have said; but my object was to call the attention of Senators to it, for I cannot believe, until I see it by a vote, that the Senate has changed its position within the last two years, and that gentlemen read their constitutional powers now differently than they did two years ago."

Mr. Cowan, of Pennsylvania, opposed the resolution, saying: "The Constitution provides that 'No attainder of treason shall work corruption of blood or forfeiture [of estate], except during the life of the person attained.' The true question is, whether by any law we can make here, the estates of traitors can be forfeited absolutely and for the fee. Because to repeal the joint resolution of 17th July, 1862, would give the act it qualifies that operation; if it did not, the repeal would be useless and inoperative.

"Now I propose to show that from the very nature and necessity of the matter, Congress cannot enact laws of war; to attempt it would be an absurdity. Under ordinary circumstances, it would be enough to say to reasonable men, that one nation or one belligerent could not make laws of war, because the laws of war must bind both belligerents; and it is manifestly absurd to suppose that if one belligerent were to lay down the law to govern the struggle, the other would be bound to obey it. It could only be the law when both agreed to be bound by it; if they did not, then it would be mere idle proclamation, or, as lawyers say, *brutum fulmen*.

"Again, even if a foreign nation or nations were to join with the United States in establishing new rules or laws to be added to the international code, Congress would have nothing whatever to do with the matter.

"This can be illustrated in a very simple manner. I have said that the Constitution adopted the international code ready made, by conferring power upon Congress to affix a proper punishment for its violation in certain cases, such as piracy, &c., to declare war, grant letters of marque and reprisal, and to make rules concerning captures on land and water (that is, what disposition shall be made of prizes of war, and not what shall be prize of war as has been argued). Here the power of Congress ends and the power of the President and Senate begins. The President appoints, and the Senate confirms ambassadors to foreign courts; they also make treaties; and lastly, the courts decide all cases arising under the laws of nations, especially prize cases.

"Now, it is well known that the great Powers of Europe, in congress assembled in Paris, in 1856, proposed certain ameliorations in the laws of nations regulating war, as follows: first, to abolish privateering; second, enemy cargo (except contraband of war) to be covered by neutral flags; third, neutral goods (except contraband of war) not seizable under enemy flags.

"The United States were invited to agree to those changes, and the Federal Government was willing to do so, provided another change was made, namely, 'that private property of enemies should not be prize of war at sea any more than on land.'

"Now, allow me to ask, suppose our Government had agreed, by what agency under our Constitution could that result have been brought about? Surely no one will say it would be Congress; but every one must know that the President, through his ministers abroad, would have entered into treaty with the Powers proposing; that we would have been called on to ratify it in this Senate; and that, so far from the House of Representatives having any thing to do with it, we would have been bound not to let them know any thing about it until our action had been taken.

"Here we see, beyond dispute, that to the President and the Senate is intrusted the power of proposing and agreeing to alterations and amendments to the laws of nations.

"Now, I wish to say further in this connection, that in pursuance of the doctrine I have advanced, we have established courts to decide cases arising under the laws of nations, and that in deciding those cases an act of Congress would have no binding force whatever, because if it contravened the well-settled principles of public law, the court would be bound to disregard it."

"I do not know whether the honorable Senator from Illinois is aware of it or not, but I assert here that he is trying to make a law to seize the real estate of belligerents as such, to condemn and confiscate it as prize of war, and to do all that I call adding a new provision to the laws of nations and of war. If you take an enemy's private ship at sea it may be condemned as prize by the laws of nations, but if you take an enemy's private plantation, it cannot be forfeited as prize under those laws. They are defective in that respect; indeed they say expressly it cannot be done, and that the title is the same after the conquest as before. This is the difficulty the honorable Senator is trying to remove, and in doing so if he succeeds he must repeal (or violate) the laws of nations and enact a new and different rule here. He says himself that he claims the right to do this on the same grounds precisely that he has a right to shoot a rebel on the field of battle; that is, that it is a war right. Now war rights are regulated by the laws of war, which, as he has well said, are the 'laws of nations in reference to war.' The truth is he is trying to do that

which is forbidden by the laws of war and by the Constitution also if it were attempted as municipal law. Nothing can be clearer than this, and he may just as well submit to these limitations first as last. Let him read the latter if he wants to know what he may rightly inflict upon rebels as citizens for violating their allegiance, and let him read the laws of war for what he may do to them as public enemies. At present I am for confining myself to these latter strictly. I think we are bound to make war according to the rules they furnish us, and I would as soon think of transcending them or violating them as I would think of trampling a statute under foot. The crime is the same in both cases, for both are laws of the land.

"The true question is, can we make prize of war of the real and personal estates of those who have been engaged in this rebellion, and can we forfeit their real estates absolutely? We have seen that we cannot do this by due process of municipal law; can we do it by virtue of the laws of war as settled by civilized and Christian nations? I answer that we cannot; that there is to-day no conflict of authority whatever on the question; there is not a book that treats of it or a chapter devoted to it which does not lay down the rule that we cannot—all for the best reason in the world, namely, that we can make war far more successfully by not being able to exercise any such power.

"Mr. President, I have sometimes doubted whether we could be serious when we expect any good results to come from such measures as this, which not only exposes us to ridicule but does harm to our cause. What was wanting in this crisis of our history with new criminal legislation, when the code was complete before? We had a statute punishing treason with death, a just and proper punishment, one well according with the magnitude of the crime as well as with the majesty of the law which inflicted it. For all those who conspired the dismemberment of the Republic, who used the means and perverted the State governments to bring it, this is the fitting punishment, because it is the highest, and falls upon the guilty alone, where it ought. I would have had no additional laws; in war they are not needed. I would have contemplated no reforms within the area of the rebellion; they cannot be made at such a time. What we wanted was men and money; these granted, the true function of Congress was over until peace was restored and all parties again represented. But above all things I would not have played into the hands of the enemy; I would not have done that which the rebels most desired to have done, because I have no doubt that this and all kindred schemes have been the very ones which they most wanted us to adopt. I do not know that Jefferson Davis ever prays; but if he does, I have no doubt he would pray—"

Mr. Wade: "Pray for just such an advocate."

Mr. Cowan: "Pray for just such a statesman as the honorable Senator from Ohio, the most effective ally he ever had or could have.

"He would have prayed for measures on our part which were obnoxious to all people of the South, loyal and disloyal, Union and disunion. He would have prayed that we should outrage all their common prejudices and cherished beliefs; that we should do these things by giving ourselves over to the guidance of men whom it was part of their religion to hate; to hate personally and by name, with an intensity rarely witnessed in the world before. He would have prayed for confiscation general and indiscriminate; threatening as well the victims of the usurpation as the usurpers themselves; as well those we were bound to rescue as those we were bound to punish. Fervently he would have prayed for our emancipation laws and proclamations as means to fire the southern heart more potent than all others; they would rally the angry population to his standard of revolt as if each had a personal quarrel. He would then have a united South; while as the result of the same measures a distracted and divided North.

"That is the way I think he would have prayed and would pray now. Is any man so stupid as not to know that the great desire on the part of every rebel is to embark in revolt with him the whole people of the disaffected districts? Is not and has not that been considered enough to insure success to him? And where does history show the failure of any united people, numbering five or six millions, when they engaged in revolution? Nowhere; there is no such case.

"What did we do to bring this unity about in the South? We forgot our first resolve in July, 1861, to restore the Union alone, and we went further and gave out that we would also abolish slavery. Now that was just exactly the point upon which all southern men were most tender, and at which they were most prone to be alarmed and offended. That was of all things the one best calculated to make them of one mind against us; there was no other measure, indeed, which could have lost to the Union cause so many of them. It is not a question, either, as to whether they were right or wrong—that was matter for their consideration, not ours—for if we were so desirous of a union with them we ought not to have expected them to give up their most cherished institutions in order to effect it. Unions are made by people taking one another as they are, and I think it has never yet occurred to any man who was anxious to form a partnership with another that he should first attempt to force that other either to change his religion or his politics. Is not the answer obvious; would not the other say to him, 'If you do not like my principles why do you wish to be partner with me?' Have I not as good a right to ask you to change yours as a condition precedent?"

"So it was with the southern people; they were all in favor of slavery, but one-half of them were still for union with us as before, because they did not believe we were abolitionists. The other half were in open rebellion because they did believe it. Now, can any one conceive of greater folly on our part than that we should destroy the faith of our friends and verify that of our enemies? Could not anybody have foretold we would have lost one-half by that, and then we would have no one left to form a union with? We drove that half over to the rebels and thereby increased their strength a thousand-fold.

"Is not all this history now? The great fact is staring us full in the face to-day; we are contending with a united people desperately in earnest to resist us. Our most powerful armies most skilfully led have heretofore failed to conquer them, and I think will fail as long as we pursue this fatal policy.

"Now, Mr. President, I appeal to Senators whether it is not time to pause and inquire whether that policy which has certainly united the southern people in their cause and which quite as certainly has divided the northern people in their support of ours, ought not to be abandoned at once. Why persist in it longer? Can we do nothing to retrieve our fortune by retracing our steps? Can we not divide the rebels and unite the loyal men of the loyal States by going back to the single idea of war for the Union; or is it now too late? Have we lost irrevocably our hold on the affections of our countrymen who were for the Union in 1861—even in 1862? Is there no way by which we could satisfy them that we yet mean union, and not conquest and subjugation? And what a difference in the meaning of those two phrases! The first offers the hand of a brother, the second threatens the yoke of a master. Or are we obliged now to exchange the hopes we had of southern Union men for that other and miserable hope in the negro? Is he all that is left of loyalty in the South, and the only ally we can rely upon to aid us in restoring the Union? Ye gods! what have we come to at last? Either to yield to an unholy rebellion, to dismember an empire, or to go into national companionship with the negro. Is this the alternative to which our madness has brought us?

"Mr. President, these things are enough to drive a sane man mad. After all our pretension, all our boasting, how absurd will we appear in the eyes of all other nations if we fail in this struggle? Especially as almost all the measures about which we have occupied ourselves for the last three years have been based upon our success already assumed as a fixed fact. We provided for confiscating the estates of rebels before we got possession; we emancipated slaves before we got them from their masters, and we provided for the disposition of conquests we have not made; we have disposed of the skin of the bear and the bear itself is yet

uncaught. All this we have put upon the record; the statute-book will bear witness against us in all coming time; and we cannot escape the consequences if we fail."

Mr. Wilson, of Massachusetts, followed, saying: "I desire to say a single word to the Senator from Pennsylvania. I was sorry to hear him say here to-night what is said so often without the semblance of being sustained by the facts before the country, that the emancipation policy of this Government had united the South and divided the North. There is not the shade of a shadow of truth about it. The South is more divided to-day than it was three years ago, and everybody knows it. How was it in Delaware three years ago to-day? It was doubtful if the loyal men had the State at all. How was it in Maryland? She was held by twenty or thirty thousand men, held only by the military power of this nation, and all her leading influences were in favor of the rebellion; and to-day Maryland is for the country and for the Government, a free State of this Union. How was it with West Virginia? West Virginia was then divided and struggling in civil war; now she is a free State, and for the country. How was it in Kentucky? Kentucky three years ago was under the control of men who were talking about armed neutrality, and rolling back the armies of the Union and the armies of the rebellion, and dictating a peace when both parties were exhausted by war. Kentucky is more united to-day than she was three years ago for the country. How is it in Missouri? She is almost as united for the Government to-day as any free State in the Union, and three years ago she was overrun and held by rebel influences. How is it in Tennessee? How is it in Arkansas? How is it in Louisiana? How is it even in North Carolina? There is not a slave State in this Union to-day that is not more divided and where we have not more real supporters of the Government of the United States than we had two or three years ago. This is God's truth, and every man knows it; and yet men get up here and tell us that our policy is uniting the South and dividing the North! Why, sir, the loyal men of the South are stronger for the Government to-day than ever before, and they are for emancipation. I do not know a man for slavery in this country who is really for this Government. I have yet to see one.

"How is it with the North? I know that when the firing took place upon Sumter, when the people rose in their majesty, there were men in the country who bowed to the storm, bowed to the current; but, sir, at the first opportunity, and even before your confiscation bill or your emancipation proclamation, they were everywhere in their party lines, under their party flags; and when the emancipation proclamation was issued to the country these very men had taken almost all the States of the North under their control. That emancipation proclamation had hardly gone to the country

before the people began to comprehend it and to understand it. They rose in their majesty, and they hold to-day the control of almost every free State of this Union. They are stronger to-day for this policy in every State of the Union; and I say here now there is not a loyal State in this Union where naked, raw abolitionism is not stronger than any political party in that State. The Republican party or the Union party in no portion of the country is so strong to-day as is the anti-slavery party; and the men who march square up to that policy are the men who will guide, direct, and control, and be supported by the people."

Mr. Hale, of New Hampshire, said: "My friend from Pennsylvania is a man, whatever may be said of his politics, of remarkably clear intellect; and where he has not suffered his intellect to be led away by the absurdities of black-letter English law, I have no doubt is a good lawyer; but, sir, there is a natural delusion upon this subject. We are in more absolute dependence to-day upon Great Britain than we were before the Revolution of 1776. We have got all the offensive and odious provisions of her constitution fastened upon us. This idea of the independence of the judiciary, and that there must be a life-tenure to our judicial officers, is an inheritance from England that we cannot get rid of; and the same is true—it is not declared in express terms, but is practically so—making a life-tenure in our officers in the army and the navy. That is another of those sad inheritances that come down to us from the original sin of our ancestors being born under the monarch of Great Britain. Notwithstanding our fathers gave utterance to some of the sublimest truths that ever fell from human lips in the Declaration of Independence, we have not begun to act upon the first principles, the first elements of the doctrines which they enunciated.

"My friend from Pennsylvania has confounded two things that are as different as it is possible for two things to be. The one is, what the sovereign power of the United States may do, and the other is what it has delegated to its courts to declare. The Constitution of the United States does not undertake to limit, nor measure, nor control in the slightest degree what the sovereign power of the nation may do, but it simply declares what the sovereign power has delegated to its courts to do, and it says that 'no attainder of treason,' that is, an attainder of treason judicially declared, 'shall work corruption of blood, or forfeiture, except during the life of the person attainted.' Instead of that measuring the sovereignty, it measures what the sovereignty has delegated to the courts; and yet the American mind has got so befogged by English precedents that it does not construe that right either. There was a great struggle in England on this subject, where the Government was oppressive, and convictions of treason were easily obtained, and for very trifles. The humanity

of the English heart, working through acts of Parliament, was constantly ameliorating that, and introducing provisions tending to restrain the ferocity of such judges as Jeffries.

"This doctrine that we cannot take the estates of rebels, that we cannot confiscate them, would result in this absurdity: take for instance these handsome estates in Newport, R. I.; their owners are fighting against us, taking their rents to arm armies to destroy the nation, overthrow our liberties, and ruin the country; and according to this doctrine we must preserve their estates, see that the tenants do not commit waste upon them, hold them safe, not touch them, and if by and by the rebellion should happen to be over and the country should be saved, we must institute a commission to roam anywhere and everywhere to find out where are the descendants of these traitors, that they may come and take this property and hold and enjoy it, and we must not exercise this power because there is no such case as this exactly put down in the Constitution. That is what this doctrine would lead to.

"Mr. President, the Constitution never contemplated such a time, such an occasion, such circumstances as we are now living in. Instead of consulting the precedents of a dead past for wisdom to guide us in contingencies which they never thought of, we ought to be making precedents to guide our children in coming generations for just such a time as this if it should ever come again. We ought to see, to meet, to understand and appreciate our condition, and when an emergency occurs consult common sense clear and plain, instead of hunting in the musty folios of the dead past to gather wisdom for a state of things that the dead past never dreamed of."

The amendment was then agreed to, as follows:

YEAS—Messrs. Anthony, Brown, Chandler, Conness, Foot, Grimes, Hale, Harlan, Harris, Howe, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Sherman, Sprague, Sumner, Trumbull, Van Winkle, Wade, Wilkinson, and Wilson—23.

NAYS—Messrs. Carlile, Clark, Collamer, Cowan, Davis, Doolittle, Hendricks, Hendricks, Hicks, McDougall, Powell, Riddle, Saulsbury, Ten Eyck, and Willey—15.

ABSENT—Messrs. Buckalew, Dixon, Fessenden, Foster, Harding, Howard, Johnson, Nesmith, Ramsey, Richardson, and Wright—11.

Subsequently, on the same day, Mr. Hendricks, of Indiana, moved to strike out this section; which was disagreed to by the following vote:

YEAS—Messrs. Buckalew, Carlile, Clark, Cowan, Davis, Doolittle, Hendricks, McDougall, Powell, Riddle, Ten Eyck, Van Winkle, and Willey—13.

NAYS—Messrs. Anthony, Chandler, Conness, Foot, Harlan, Howe, Lane of Indiana, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Trumbull, Wilkinson, and Wilson—16.

ABSENT—Messrs. Brown, Collamer, Dixon, Fessenden, Foster, Grimes, Hale, Harding, Harris, Henderson, Hicks, Howard, Johnson, Lane of Kansas, Nesmith, Richardson, Saulsbury, Sherman, Wade, and Wright—20.

The bill to establish a Bureau of Freedmen then passed—yeas, 21; nays, 9.

In the House, on July 2d, the bill was considered with this amendment of the Senate, and postponed to Dec. 20th. By this postponement the proposition to repeal the joint resolution amendatory of the confiscation act failed to pass. Each House passed a repealing section, but neither passed the other's.

In the House, on Feb. 15th, Mr. Davis, of Maryland, from the Committee on Rebellious States, reported a bill to guarantee to certain States a Republican form of Government. It was read a first and second time, ordered to be printed, and recommitted to the committee.

On March 22d the motion to recommit the bill was reconsidered, and the bill came before the House, and the question was on ordering it to be engrossed and read a third time.

The bill authorized the President to appoint in each of the States declared in rebellion a Provisional Governor, with the pay and emoluments of a Brigadier, to be charged with the civil administration until a State government therein shall be recognized. As soon as the military resistance to the United States shall have been suppressed, and the people sufficiently returned to their obedience to the Constitution and laws, the Governor shall direct the Marshal of the United States to enroll all the white male citizens of the United States resident in the State, in their respective counties; and wherever a majority of them take the oath of allegiance, the loyal people of the State shall be entitled to elect delegates to a convention to act upon the reestablishment of a State Government—the proclamation to contain details prescribed. Qualified voters in the army may vote in their camps. No person who has held or exercised any civil, military, State, or Confederate office, under the rebel occupation, and who has voluntarily borne arms against the United States, shall vote or be eligible as a delegate. The convention is required to insert in the Constitution provisions—

1. No person who has held or exercised any civil or military office (except offices merely ministerial and military offices below a colonel), State or Confederate, under the usurping power, shall vote for, or be a member of the legislature or governor.

2. Involuntary servitude is forever prohibited, and the freedom of all persons guaranteed in said State.

3. No debt, State or Confederate, created by or under the sanction of the usurping power, shall be recognized or paid by the State.

Upon the adoption of the Constitution by the convention and its ratification by the electors of the State, the Provisional Government shall so certify to the President, who, after obtaining the assent of Congress, shall, by proclamation, recognize the government as established and none other, as the constitutional government of the State; and from the date of such recognition, and not before, Senators and Representatives and electors for President and Vice-

President may be elected in such State. Until reorganization, the Provisional Governor shall enforce the laws of the Union, and of the State before rebellion.

The remaining sections are as follows:

SEC. 12. That all persons held to involuntary servitude or labor in the States aforesaid are hereby emancipated and discharged therefrom, and they and their posterity shall be forever free. And if any such person or their posterity shall be restrained of liberty, under pretence of any claim to such service or labor, the courts of the United States shall on habeas corpus discharge them.

SEC. 13. That if any person declared free by this act, or any law of the United States, or any proclamation of the President, be restrained of liberty, with intent to be held in, or restored to involuntary labor, the person convicted before a court of competent jurisdiction of such act shall be punished by fine of not less than \$1,500 and be imprisoned not less than five nor more than twenty years.

SEC. 14. That every person who shall hereafter hold or exercise any office civil or military except offices merely ministerial and military offices below the grade of colonel, in the rebel service, State, or Confederate, is hereby declared not to be a citizen of the United States.

Mr. Davis, of Maryland, said: "Mr. Speaker, the bill which I am directed by the Committee on the rebellious States to report is one which provides for the restoration of civil government in States whose governments have been overthrown. It prescribes such conditions as will secure not merely civil government to the people of the rebellious States, but will also secure to the people of the United States permanent peace after the suppression of the rebellion. The bill challenges the support of all who consider slavery the cause of the rebellion, and that in it the embers of rebellion will always smolder; of those who think that freedom and permanent peace are inseparable, and who are determined, so far as their constitutional authority will allow them, to secure these fruits by adequate legislation. The vote of gentlemen upon this measure will be regarded by the country with no ordinary interest. Their vote will be taken to express their opinion on the necessity of ending slavery with the rebellion, and their willingness to assume the responsibility of adopting the legislative measures without which that result cannot be assured, and may wholly fail of accomplishment. Their vote will be held to show whether they think the measure now proposed, or any which may be moved as a substitute, is an adequate and proper measure to accomplish that purpose. It is entitled to the support of all gentlemen upon this side of the House, whatever their views may be of the nature of the rebellion, and the relation in which it has placed the people and States in rebellion toward the United States; not less of those who think that the rebellion has placed the citizens of the rebel States beyond the protection of the Constitution, and that Congress, therefore, has supreme power over them as conquered enemies, than of that other class who think that they have not ceased to be citizens and States of the United States, though incapa-

ble of exercising political privileges under the Constitution, but that Congress is charged with a high political power by the Constitution to guaranty republican governments in the States, and that this is the proper time and the proper mode of exercising it. It is also entitled to the favorable consideration of gentlemen upon the other side of the House who honestly and deliberately express their judgment that slavery is dead. To them it puts the question whether it is not advisable to bury it out of sight that its ghost may no longer stalk abroad to frighten us from our propriety.

"What is the nature of this case with which we have to deal—the evil we must remedy, the danger we must avert? In other words, what is that monster of political wrong which is called secession? It is not, Mr. Speaker, domestic violence, within the meaning of that clause of the Constitution, for the violence was the act of the people of the States through their government, and was the offspring of their free and unforced will. It is not invasion, in the meaning of the Constitution, for no State has been invaded against the will of the government of the State by any Power except the United States marching to overthrow the usurpers of its territory. It is, therefore, the act of the people of the States, carrying with it all the consequences of such an act. And therefore it must be either a legal revolution which makes them independent, and makes of the United States a foreign country, or it is a usurpation against the authority of the United States, the erection of governments which do not recognize the Constitution of the United States, which the Constitution does not recognize, and, therefore, not republican governments of the States in rebellion. The latter is the view which all parties take of it. I do not understand that any gentleman on the other side of the House says that any rebel government which does not recognize the Constitution of the United States, and which is not recognized by Congress, is a State government within the meaning of the Constitution. Still less can it be said that there is a State government, republican or unrepugan, in the State of Tennessee, where there is no government of any kind, no civil authority, no organized form of administration except that represented by the flag of the United States, obeying the will and under the orders of the military officer in command. It is the language of the President of the United States in every proclamation, of Congress in every law on the statute-book, of both Houses in their forms of proceeding, and of the courts of the United States in their administration of the law. It is the result of every principle of law, of every suggestion of political philosophy, that there can be no republican government within the limits of the United States that does not recognize, but does repudiate, the Constitution, and which the President and the Congress of the United States do not, on their part, recognize.

Those that are here represented are the only governments existing within the limits of the United States. Those that are not here represented are not governments of the States, republican under the Constitution. And if they be not, then they are military usurpations, inaugurated as the permanent governments of the States, contrary to the supreme law of the land, arrayed in arms against the Government of the United States; and it is the duty, the first and highest duty, of the Government to suppress and expel them. Congress must either expel or recognize and support them. If it do not guarantee them it is bound to expel them; and they who are not ready to suppress them are bound to recognize them.

"We are now engaged in suppressing a military usurpation of the authority of the State government. When that shall have been accomplished, there will be no form of State authority in existence which Congress can recognize. Our success will be the overthrow of all semblance of government in the rebel States. The Government of the United States is then, in fact, the only Government existing in those States, and it is there charged to guarantee them republican governments.

"What jurisdiction does the duty of guaranteeing a republican government confer, under such circumstances, upon Congress? What right does it give? What laws may it pass? What objects may it accomplish? What conditions may it insist upon, and what judgment may it exercise in determining what it will do? The duty of guaranteeing carries with it the right to pass all laws necessary and proper to guarantee. The duty of guaranteeing means the duty to accomplish the result. It means that the republican government shall exist. It means that every opposition to republican government shall be put down. It means that every thing inconsistent with the permanent continuance of republican government shall be weeded out. It places in the hands of Congress the right to say what is and what is not, with all the light of experience and all the lessons of the past, inconsistent, in its judgment, with the permanent continuance of republican government; and if, in its judgment, any form of policy is radically and inherently inconsistent with the permanent and enduring peace of the country, with the permanent supremacy of republican government, and it have the manliness to say so, there is no power, judicial or executive, in the United States that can even question this judgment but the people; and they can do it only by sending other Representatives here to undo our work. The very language of the Constitution, and the necessary logic of the case, involves that consequence. The denial of the right of secession means that all the territory of the United States shall remain under the jurisdiction of the Constitution. If there can be no State government which does not recognize the Constitution, and which the authorities of the United States do not recog-

nize, then there are these alternatives, and these only. The rebel States must be governed by Congress till they submit and form a State government under the Constitution; or Congress must recognize State governments which do not recognize either Congress or the Constitution of the United States; or there must be an entire absence of all government in the rebel States; and that is anarchy. To recognize a government which does not recognize the Constitution is absurd, for a government is not a constitution; and the recognition of a State government means the acknowledgment of men as Governors and legislators and judges actually invested with power to make laws, to judge of crimes, to convict the citizens of other States, to demand the surrender of fugitives from justice, to arm and command the militia, to require the United States to repress all opposition to its authority, and to protect it from invasion—against our own armies; whose Senators and Representatives are entitled to seats in Congress, and whose electoral votes must be counted in the election of the President of a Government which they disown and defy! To accept the alternative of anarchy as the constitutional condition of a State, is to assert the failure of the Constitution, and the end of republican government. Until, therefore, Congress recognize a State government, organized under its auspices, there is no government in the rebel States except the authority of Congress. In the absence of all State government, the duty is imposed on Congress to provide by law to keep the peace, to administer justice, to watch over the transmission of decedents' estates, to sanction marriages; in a word, to administer civil government until the people shall, under its guidance, submit to the Constitution of the United States, and, under the laws which it shall impose, and on the conditions Congress may require, reorganize a republican government for themselves, and Congress shall recognize that government.

"There is no fact that we have learned from any one who has been in the South, and has come up from the darkness of that bottomless pit, which indicates such repentance. There is no fact that any one has stated on authority at all reliable, that any respectable proportion of the people of the Southern States now in rebellion are willing to accept any terms that even our opponents on the other side of the House are willing to offer them.

"It has been repeatedly asserted—Governor Seymour, of New York, in his message asserted—that peace could be had upon any reasonable terms. That was his guess; it was his wish; it was his fond, vain hope. In fact there is no ground for such hope, and to-day no man can stand before the American people and say that there is the least reason to suppose that any public man in the South has declared himself willing to consider peace on any conditions but that of independence.

"In my judgment it is not safe to confide

the vast authority of State Governments to the doubtful loyalty of the rebel States, until armed rebellion shall have been trampled into the dust, until every armed rebel shall have vanished from the State, until there shall be in the South no hope of independence and no fear of subjection, until the United States is bearded by no military power and the laws can be executed by courts and sheriffs without the ever-present menace of military authority. Until we have reached that point, this bill proposes that the President shall appoint a civil Governor to administer the Government under the laws of the United States, and the laws in force in the States respectively at the outbreak of the rebellion, subject, of course, to the necessities of military occupation.

"When military opposition shall have been suppressed, not merely paralyzed, driven into a corner, pushed back, but gone, the horrid vision of civil war vanished from the South, then call upon the people to reorganize in their own way, subject to the conditions that we think essential to our permanent peace, and to prevent the revival hereafter of the rebellion; a republican government in the form that the people of the United States can agree to.

"Now, for that purpose there are three modes indicated. One is to remove the cause of the war, by an alteration of the Constitution of the United States, prohibiting slavery everywhere within its limits. That, sir, goes to the root of the matter, and should consecrate the nation's triumph. But there are thirty-four States—three-fourths of them would be twenty-six. I believe there are twenty-five States represented in this Congress; so that we on that basis cannot change the Constitution. It is therefore a condition precedent in that view of the case that more States shall have governments organized within them. If it be assumed that the basis of calculation shall be three-fourths of the States now represented in Congress, I agree to that construction of the Constitution, which I understand to be that of the chairman of the Judiciary Committee, the gentleman from Pennsylvania (Mr. Stevens), and not without countenance in high judicial quarters. I think it was never contemplated that the supreme political power should pass away from the Government of the United States. But that view will probably encounter as much doubt as the bill before the House, besides involving serious delay; and under any circumstances, even upon that basis, it will be difficult to find three-fourths of the States, with New Jersey, or Kentucky, or Maryland, Delaware, or other States that might be mentioned, opposed to it under existing auspices, to adopt such a clause of the Constitution after we shall have agreed to it. If adopted, it still leaves the whole field of the civil administration of the States, prior to the recognition of State governments, all laws necessary to the ascertainment of the will of the people, and all restrictions on the return to power of the lead-

ers of the rebellion, wholly unprovided for. The amendment of the Constitution meets my hearty approval; but it is not a remedy for the evils we must deal with.

"The next plan is that inaugurated by the President of the United States in the proclamation of the 8th December, called the amnesty proclamation. That proposes no guardianship of the United States over the reorganization of the governments, no law to prescribe who shall vote, no civil functionaries to see that the law is faithfully executed, no supervising authority to control and judge of the election. But if, in any manner, by the toleration of martial law, lately proclaimed the fundamental law, under the dictation of any military authority, or under the prescriptions of a provost marshal, something in the form of a government shall be presented, represented to rest on the votes of one-tenth of the population, the President will recognize that, provided it does not contravene the proclamation of freedom and the laws of Congress; and, to secure that, an oath is exacted.

"Now you will observe that there is no guarantee of law to watch over the organization of that government. It may combine all the population of a State; it may combine one-tenth only; or ten governments may come competing for recognition at the door of the Executive mansion. The executive authority is pledged; Congress is not pledged. It may be recognized by the military power, and may not be recognized by the civil power, so that it would have a doubtful existence, half civil and half military, neither a temporary government by law of Congress, nor a State government; something as unknown to the Constitution as the rebel government that refuses to recognize it.

"But, Mr. Speaker, let us regard its operation on a great fundamental measure—the existence of slavery, the condition of future peace. How does it accomplish the final removal of slavery? How does it accomplish the reorganization of the government on the basis of universal freedom? The only prescription is, that the government shall not contravene the provisions of that proclamation. Sir, if that proclamation be valid, then we are relieved from all trouble on that score. But, if that proclamation be not valid, then the oath to support it is without legal sanction, for the President can ask no man to bind himself by an oath to support an unfounded proclamation, or an unconstitutional law, even for a moment, still less till it shall have been declared void by the Supreme Court of the United States. It is the paramount right of every American citizen to judge for himself, on his own responsibility, of his constitutional rights; and an oath does not bind him to submit to that which is illegal. If, therefore, he shall have taken the oath, he can, in good conscience as well as in good law, disregard it the next moment. So that, in point of fact, the law leaves us where the

proclamation does. It adds nothing to its legality, nothing to its force.

"By the bill we propose to preclude the judicial question by the solution of a political question. How so? By the paramount power of Congress to reorganize governments in those States, to impose such conditions as it thinks necessary to secure the permanence of republican government, to refuse to recognize any governments there which do not prohibit slavery forever. Ay, gentlemen take the responsibility to say, in the face of those who clamor for speedy recognition of governments tolerating slavery, that the safety of the people of the United States is the supreme law; that their will is the supreme rule of law, and that we are authorized to pronounce their will on this subject. Take the responsibility to say that we will revise the judgments of our ancestors; that we have experience written in blood which they had not; that we find now, what they darkly doubted, that slavery is really, radically inconsistent with the permanence of republican governments; and that being charged by the supreme law of the land on our conscience and judgment to guarantee, that is, to continue, maintain, and enforce, if it exists, to institute and restore when overthrown, republican governments throughout the broad limits of the Republic, we will weed out every element of their policy which we think incompatible with its permanence and endurance. The purpose of the bill is to preclude the *judicial* question of the validity and effect of the President's proclamation by the decision of the *political* authority in reorganizing the State governments. It makes the rule of decision the provisions of the State constitution, which, when recognized by Congress, can be questioned in no court; and it adds to the authority of the proclamation the sanction of Congress. If gentlemen say that the Constitution does not bear that construction, we will go before the people of the United States on that question, and by their judgment we will abide."

An extended debate ensued. Mr. Pendleton, of Ohio, on May 4th, opposed the bill, saying: "The gentleman maintains two propositions, which lie at the very basis of his views on this subject. He has explained them to the House, and enforced them on other occasions. He maintains that, by reason of their secession, the seceded States and their citizens 'have not ceased to be citizens and States of the United States, though incapable of exercising political privileges under the Constitution, but that Congress is charged with a high political power by the Constitution to guarantee republican government in the States, and that this is the proper time and the proper mode of exercising it.' This act of revolution on the part of the States has evoked the most extraordinary theories upon the relation of the States to the Federal Government. This theory of the gentleman is one of them. The ratification of the Constitution by Virginia estab-

lished the relation between herself and the Federal Government; it created the link between her and all the States; it announced her assumption of the duties, her title to the rights of the confederating States; it proclaimed her interest in, her power over, her obedience to the common agent of all the States. If Virginia had never ordained that ratification she would have been an independent State; the Constitution would have been as perfect and the union between the ratifying States would have been as complete as they now are. Virginia repeals that ordinance of ratification, annuls that bond of union, breaks that link of confederation. She repeals but a single law, repeals it by the action of a sovereign convention; leaves her constitution, her laws, her political and social polity untouched. And the gentleman from Maryland tells us that the effect of this repeal is not to destroy the vigor of that law, but is to subvert the State government, and to render the citizens 'incapable of exercising political privileges;' that the Union remains, but that one party to it has thereby lost its corporate existence, and the other has advanced to the control and government of it.

"Sir, this cannot be. Gentlemen must not palter in a double sense. These acts of secession are either valid or they are invalid. If they are valid, they separated the State from the Union. If they are invalid they are void; they have no effect; the State officers who act upon them are rebels to the Federal Government; the States are not destroyed; their constitutions are not abrogated; their officers are committing illegal acts, for which they are liable to punishment; the States have never left the Union, but so soon as their officers shall perform their duties or other officers shall assume their places, will again perform the duties imposed, and enjoy the privileges conferred by the Federal compact, and this not by virtue of a new ratification of the Constitution, nor a new admission by the Federal Government, but by virtue of the original ratification, and the constant, uninterrupted maintenance of position in the Federal Union since that date.

"Acts of secession are not invalid to destroy the Union, and valid to destroy the State governments and the political privileges of their citizens. We have heard much of the two-fold relation which citizens of the seceded States may hold to the Federal Government—that they may be at once belligerents and rebellious citizens. I believe there are some judicial decisions to that effect. Sir, it is impossible. The Federal Government may possibly have the right to elect in which relation it will deal with them; it cannot deal with them at one and the same time in inconsistent relations. Belligerents being captured are entitled to be treated as prisoners of war; rebellious citizens are liable to be hanged. The private property of belligerents, according to the rules of modern war, shall not be taken without compensa-

tion; the property of rebellious citizens is liable to confiscation. Belligerents are not amenable to the local criminal law, nor to the jurisdiction of courts which administer it; rebellious citizens are, and the officers are bound to enforce the law, and to exact the penalty of its infraction. The seceded States are either in the Union or out of it. If in the Union, their constitutions are untouched, their State governments are maintained; their citizens are entitled to all political rights, except so far as they may be deprived of them by the criminal law which they have infringed. This seems incomprehensible to the gentleman from Maryland. In his view the whole State government centres in the men who administer it; so that when they administer it unwisely, or put it in antagonism to the Federal Government, the State government is dissolved, the State constitution is abrogated, and the State is left, in fact and in form, *de jure* and *de facto*, in anarchy, except so far as the Federal Government may rightfully intervene. This seems to be substantially the view of the gentleman from Massachusetts (Mr. Boutwell). He enforces the same position, but he does not use the same language.

"I submit that these gentlemen do not see with their usual clearness of vision. If by a plague or other visitation of God every officer of a State government should at the same moment die, so that not a single person clothed with official power should remain, would the State government be destroyed? Not at all. For the moment it would not be administered, but as soon as officers were elected, and assumed their respective duties, it would be instantly in full force and vigor.

"If these States are out of the Union their State governments are still in force unless otherwise changed. And their citizens are to the Federal Government as foreigners, and it has in relation to them the same rights, and none other, as it had in relation to British subjects in the war of 1812, or to the Mexicans in 1846. Whatever may be the true relation of the seceded States, the Federal Government derives no power in relation to them or their citizens from the provision of the Constitution now under consideration, but in the one case derives all its power from the duty of enforcing the 'supreme law of the land,' and in the other from the power 'to declare war.'

"The second proposition of the gentleman from Maryland is this. I use his language:

That clause vests in the Congress of the United States a plenary, supreme, unlimited political jurisdiction, paramount over courts, subject only to the judgment of the people of the United States, embracing within its scope every legislative measure necessary and proper to make it effectual; and what is necessary and proper the Constitution refers in the first place to our judgment, subject to no revision but that of the people.

"The gentleman states his case too strongly. The duty imposed on Congress is doubtless important, but Congress has no right to use a

means of performing it forbidden by the Constitution, no matter how necessary or proper it might be thought to be. But, sir, this doctrine is monstrous. It has no foundation in the Constitution. It subjects all the States to the will of Congress; it places their institutions at the feet of Congress. It creates in Congress an absolute, unqualified despotism. It asserts the power of Congress in changing the State governments to be 'plenary, supreme, unlimited'—'subject only to revision by the people of the whole United States.' The rights of the people of the State are nothing; their will is nothing. Congress first decides; the people of the whole Union revise. My own State of Ohio is liable at any moment to be called in question for her constitution. She does not permit negroes to vote. If this doctrine be true, Congress may decide this exclusion is anti-republican, and by force of arms abrogate that constitution and set up another, permitting negroes to vote. From that decision of the Congress there is no appeal to the people of Ohio, but only to the people of Massachusetts, and New York, and Wisconsin, at the election of Representatives; and if a majority cannot be elected to reverse the decision, the people of Ohio must submit. Woe be to the day when that doctrine shall be established, for from its centralized despotism we will appeal to the sword!

"Sir, the rights of the States were the foundation corner of the Confederation. The Constitution recognized them, maintained them, provided for their perpetuation. Our fathers thought them the safeguard of our liberties. They have proved so. They have reconciled liberty with empire; they have reconciled the freedom of the individual with the increase of our magnificent domain. They are the test, the touchstone, the security of our liberties. This bill, the avowed doctrine of its supporters, sweeps them all instantly away. It substitutes despotism for self-government; despotism the more severe because vested in a numerous Congress elected by a people who may not feel the exercise of its power. It subverts the Government, destroys the Confederation, and erects a tyranny on the ruins of republican governments. It creates unity—it destroys liberty—it maintains integrity of territory, but destroys the rights of the citizen.

On the same day the bill was passed in the House by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blow, Boutwell, Broomall, Cole, Creswell, Henry Winter Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Eliot, Farnsworth, Fenton, Frank, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Julian, Kelley, Francis W. Kellogg, Orlando Kellogg, Littlejohn, Loan, Longyear, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smithers, Spalding, Thayer, Upson,

William B. Washburn, Williams, Wilder, Wilson, Windom, and Woodbridge—73.

NAYS—Messrs. William J. Allen, Ancona, Augustus C. Baldwin, Blair, Brooks, James S. Brown, William G. Brown, Chanler, Clay, Cox, Dawson, Dennison, Eden, Eldridge, Finck, Ganson, Grider, Hale, Hall, Harding, Benjamin G. Harris, Charles M. Harris, Herrick, Holman, Philip Johnson, William Johnson, Kernan, Knapp, Law, Lazear, Le Blond, Long, Marcy, McAllister, Middleton, Morrison, Noble, Odell, John O'Neill, Pendleton, Perry, Radford, Samuel J. Randall, William H. Randall, James S. Rollins, Ross, Scott, Smith, John B. Steele, William G. Steele, Stiles, Strouse, Stuart, Ward, Webster, Whaley, Wheeler, Chilton, A. White, and Yeaman—59.

In the Senate on July 1st, this bill was called up by Mr. Wade, of Ohio, when Mr. Brown, of Missouri, moved the following amendment:

That when the inhabitants of any State have been declared in a state of insurrection against the United States by proclamation of the President, by force and virtue of the act entitled "An act further to provide for the collection of duties on imports, and for other purposes," approved July 13, 1861, they shall be, and are hereby declared to be incapable of casting any vote for electors of President or Vice-President of the United States, or of electing Senators or Representatives in Congress, until said insurrection in said State is suppressed or abandoned, and said inhabitants have returned to their obedience to the Government of the United States, nor until such return to obedience shall be declared by proclamation of the President, issued by virtue of an act of Congress hereafter to be passed, authorizing the same.

"I desire to state that in offering this amendment I have been prompted chiefly by the fact that the session is drawing so near its close that we have not time to discuss a measure of this importance as it should be discussed. I, for one, am not sufficiently familiar with the details of this bill, and there are certain features of it that do not meet my approbation which I would like to amend, to alter, and to change; but it is very apparent as matters now stand it will be impossible to do so. The present amendment provides all the security which can be asked in regard to the exercise of electoral privileges in these districts. That is the necessity of the hour. I propose to provide for that necessity, and to leave the matter of reconstruction to a later day when events shall have perhaps altered some of the relations in which these districts now stand to us. I do not think, furthermore, that the attitude of the country to which this bill is proposed to apply, is sufficiently distinct and sufficiently developed to justify us at this hour in passing upon the work of reconstruction. I therefore move the amendment, which is to strike out all after the enacting clause and make the provision there recited."

Mr. Wade, of Ohio, followed, saying: "This great question is pending before the country; it will not lie still; the Administration will force it on our consideration frequently, and it will arise in a thousand ways before us as long as this war shall continue, and afterwards. The question will be asked of every man who goes out to canvass during the coming election,

'What do you propose to do with these seceded States in regard to their coming back?' Every one says that the Union must be reestablished in some form; but how? That question is in the mind of every man, woman, and child in the country. The Union is to be preserved; but upon what principle will you permit these people to come back into the Union? It is a very natural question; it arises every day to everybody that considers the subject at all, and we must be prepared to give an answer to it. Here Congress has been in session seven months; we are about to leave and go back among the people, and they will say, 'You have talked very much and very long and very loud about reconstruction; some of these States have sent their agents and demanded readmission into the Union; you have voted them out; you have refused to receive them; but have you declared on what principle you will permit them to come in?' Our political opponents will say to us, 'It is your deliberate purpose to subdue these people, to subjugate them, to tyrannize over them, and never to let them come back into the Union on equal terms with the other States; when they have in form made a free constitution and elected Senators according to the forms of law, and who as they believed were entitled to seats here, you have thrust them out, but you do not declare any principle on which you will admit them.' That would be wrong. We ought to be able to answer authoritatively everybody that demands to know upon what principle they shall be admitted.

"The amendment that is now offered to this bill will give the people no information upon that subject. It is a bare negative. It declares that they shall not come in until Congress shall provide some principle for their admission, and of course it leaves it entirely a blank how that shall be. This bill goes on to prescribe precisely on what principle we are willing to admit these people into the Union again, and that pressing question it seems to me should now be decided. I hold that there is nothing tyrannical or oppressive in this bill, but that it proceeds upon the most liberal grounds of equality. On the one hand it guards the Federal Government against the admission of dangerous persons who still adhere to the confederate notions, and it prescribes the principle on which all the loyal people of the States can come back, and it provides for them a just and equitable government during the period of their transition state while they remain outside of the Union as States. It guards their rights most sedulously; and it undertakes to deal most equitably with those that are not in a condition safely to be admitted into the Union again. It prescribes deliberately and plainly the principle of organization and when they can be permitted to come back, and the bill escapes many of those questions that have been agitated in debate both in this and the other House.

"What is the relation that these seceded States hold to the General Government now? Gentlemen differ widely on that subject. It is a most important question, however, to be ascertained and declared by Congress, for the Executive ought not to be permitted to handle this great question to his own liking. It does not belong, under the Constitution, to the President to prescribe the rule, and it is a base abandonment of our own powers and our own duties to cast this great principle upon the decision of the executive branch of the Government. It belongs to us; and the House of Representatives, in the performance of their duty, have in my judgment wisely performed this great function. I know very well that the President from the best motives undertook to fix a rule upon which he would admit these States back into the Union. It was not upon any principle of republicanism; it would not have guaranteed to the States a republican form of government, because he prescribed the rule to be that when one-tenth of the population would take a certain oath and agree to come back into the Union they might come in as States. When we consider that in the light of American principle, to say the least of it, it was absurd. The idea that a State shall take upon itself the great privilege of self-government when there are only one-tenth of the people that can stand by the principle, is most anti-republican, anomalous, and entirely subversive of the great principles that underlie all our State governments and the General Government. Majorities must rule, and until majorities can be found loyal and trustworthy for State government, they must be governed by a stronger hand. It is a necessity imposed upon the General Government by the Constitution itself.

"I have said that it is the duty of the Federal Government to guarantee to every State a republican form of government, and here, Senators, remember that the bill moving upon this great principle moves under the broad ægis of the Constitution of the United States. It sets up no fanciful principle of government outside of that instrument. It disposes of that grave question, what is the condition of these States and what is their relation to the General Government? It does not go outside of the Constitution of the United States itself. I say again, it leaves nothing to gentlemen's judgment or the different fancies that may spring up among different individuals.

"It has been contended in the House of Representatives, it has been contended upon this floor, that the States may lose their organization, may lose their rights as States, may lose their corporate capacity by rebellion. I utterly deny that doctrine. I hold that once a State of this Union, always a State; that you cannot by wrong and violence displace the rights of anybody or disorganize the State. It would be a most hazardous principle to assert that. No, sir; the framers of your Constitution intended

no such thing. They did not leave this great question untouched; and when we study that great instrument I can hardly help but stop and contemplate the all-embracing wisdom that seemed to actuate them, for you can find hardly an exigency that may arise in the complicated affairs of government that they did not anticipate and provide for. They did foresee that in the progress of the Government some of the States might go into rebellion, that they might undertake themselves to absolve their connection with the General Government and set up some hostile government of their own; and they expressly provided for just such a case; and how gentlemen with this principle of the Constitution staring them in the face can fancy that States can lose their rights because more or less of the people have gone off into rebellion, is marvellous to me. The principal of law everywhere is that no honest man shall lose a right by wrong or usurpation. The act of rebellion is void. It may have physical force for the moment to displace rights; but the law never yields to any such power as that. The law never anywhere acknowledges that right can be overthrown by wrongful action. They, then, who contend that the State governments are lost, obliterated, blotted out, are contending against the face and eyes of the Constitution. Has that said any such thing? No, sir. It has said that the Federal Government shall guarantee to every State a republican form of government; and if a portion of the people undertake to overthrow their Government and set up another, it is the manifest duty of the General Government immediately to interfere, and, if necessary, to interpose the strong arm of its power to prevent such a state of things. Precisely that state of things is upon us, and this bill proceeds upon that idea and discards absolutely the notion that States may lose their rights and that they may be abrogated and may be reduced to the condition of Territories. It denies any such thing as that. No sound principle can be adopted that warrants any such thing.

"Mr. President, the question is so large that when one gets into it he is tempted into details that I feel there is no time now to indulge in. The bill prescribes, as I have said, that there shall be a military governor in each of these States until he can ascertain that a majority are willing to return to it; and he is to ascertain just as soon as it can be done by the appointment of certain commissioners who are to go out and take a census of the people, and ascertain their wishes and desires on this subject, and ascertain whether there are really a majority of the people in the State that propose to come back, who are truly loyal and could maintain a government. The bill provides that the military governor shall do this; and the very moment it becomes certain that there are a majority able to do this, the military governor's power is to cease, and it is to be resigned into civil hands who are to go on and organize the State. Who

will say that is not right? Of course it is right. So the bill goes on to prescribe the form of proceeding; and I do not suppose that any man here will object to all that, and therefore I leave it.

"The latter part of the bill goes on to define the principles which shall be adopted in the new constitution that they shall frame, and that, I suppose, will be the portion of the bill which will receive more criticism than any other. The bill prescribes that each of these States shall have a republican form of government; and now the question is, how can you, with the light of our present experience, set up a republican form of government? I think that the great Union party of the country are altogether convinced that slavery mixed up in a Government is so unsafe, so liable to overthrow, that it cannot be admitted as an element in a State government. The sad experience of this terrible revolution has, as we Union men believe, grown out of the institution of slavery alone, and this war is the legitimate and natural fruit of that state of things. Would we then, in guaranteeing a republican form of government, suffer it to be mixed up with anomalous elements calculated to immediately destroy what we set up? In the light of our present experience, that, to say the least of it, would be folly. Therefore this bill has taken special pains to say that the new government shall, in its constitution, proclaim emancipation as a condition upon which it shall be permitted to come into the Union.

"There was a time when a precedent like this would have been deemed unconstitutional. I know it made a great controversy whether, when a State was about to come into the Union, we might prescribe any particular principle for its State constitution. We have done so, however, in every State that we have ever admitted, and yet perhaps it never was entirely settled. But in the light of our present experience I ask any man who is a lover of peace and who intends to make a constitution that shall live forever, saying nothing of the wrong, saying nothing of slavery in any other than a political point of view, would it be safe, would it be wise for us in admitting States back into this Union to permit them to come with the very element that had carried them out, with the very seeds of destruction which had destroyed them already? No, sir, we would not do it. The framers of this bill have sedulously shut it out, and made it a condition on which the seceded States shall come back, that it shall be a fundamental principle of their constitution that slavery is excluded. If there is a Republican in the Senate who objects to that I am sorry for it.

"The amendment of the Senator from Missouri, as I said before, gives the whole question the go-by. It establishes nothing. It does not enlighten the people of the seceded States upon what principle they are to be admitted into this Union again. It barely postpones the settle-

ment. It does not answer the question which as I said has been and will be asked every day and every hour; and the people will ask, if we adopt it, how it happened that at this long session when the question was before us we gave it the go-by. Your political enemies will stand by saying it was because you dared not utter the objectionable sentiments that you intend to bind upon the South; that you have dodged the entire question when it was before you, because you dared not show your hand and give them a principle of equity, justice, and right to go upon. They will have a right to say it. We have no right to blink the question. It is a great question that is most anxiously looked to in all the seceded States by every loyal man. He is told by our political enemies, 'They will not let you back on any equitable terms; they intend to make you hewers of wood and drawers of water, to reduce you to servitude.' That is the cry."

Mr. Carlile, of Virginia, said: "If I supposed that the amendment offered by the Senator from Missouri could be adopted, I should not detain the Senate by a word of remark on this proposition; and now, until after a vote can be had to ascertain the sense of the Senate as to the proposed amendment, I will refrain from entering into any discussion of the bill further than to show, if I can, that all the bill proposes to do to remedy existing evils will be accomplished by the adoption of the amendment.

"A part of the Senator's argument was as able an argument as any Senator can make on this floor on this bill. He tells us that the Executive has no right to prescribe the rules upon which these States may be received back into the Union, and he tells us that we have no power to overthrow the State governments; once a State, with him always a State. I agree with him in that. He says that he does not maintain that the State governments are obliterated, and that he who does is contending against the Constitution. I agree fully with the Senator from Ohio in that, and the marvel with me is how the Senator can advocate this bill which does all this. This bill not only maintains that the State governments are overthrown, but so far as in its power lies, recognizes and assumes the right to overthrow the State governments if that work is not already accomplished. If there be a State where the rebel, the traitor to his country and his God, has failed in overthrowing the State government, this bill accomplishes that work which he, the traitor, began. If the President of the United States has no right to prescribe rules for the return of the rebellious States, will the Senator from Ohio, able as he is, be kind enough to enlighten one humble as myself by pointing out to me the provision of the Constitution authorizing him, as a Senator, to exercise any more power upon this subject than the President can exercise?"

Mr. Wade: "Congress."

Mr. Carlile: "Then as part of Congress or

as the whole of Congress, I challenge the Senator from Ohio to show me the authority in Congress to exercise this power. The truth is that the title of this bill is an insult to the understanding of every intelligent man in the nation, and the bill itself is one of the most revolutionary that ever was proposed in a deliberative body claiming to be the representatives of a free people. Unwilling as I am to trespass on the time of the Senate, anxious as I am for an early adjournment, refraining as I have done for the last six months from occupying fifteen minutes even of the time of this body, I am unwilling to allow such a measure as this to pass without giving to it such consideration and such discussion as I may be able to do.

"Mr. President, years back in our history, forty odd years ago, a question far beneath this in importance and significance was mooted in the Congress of the United States that gave such alarm to the author of the Declaration of Independence, that he said it fell upon his ear like the fire-bell at midnight; and what was that question compared to this? It was insignificant; it was but a grain of sand upon the sea-shore compared to the mountain. That was a proposition on the part of the United States to impose upon the then inhabitants of the Territories seeking admission into the Union, a restriction upon their right of self-government when they became a State; and after one of the most exhaustive and learned debates that is connected with our history or that ever graced the Capitol of the nation, that assumption for Congress was abandoned. It remained for the last Congress to revive it and to do what its predecessors would not do. It was permitted to rest as the settled law of the land that the Congress of the United States had no power to impose by law limitations affecting the right of the people of a State to regulate their own domestic affairs, even when sought to be applied to the inhabitants of a Territory seeking admission into the Union; and such was the settled action of Congress until reversed at its last session, when Congress assumed to create a State out of a portion of the territory of the State which I represent. I say 'assumed,' for it was but an assumption. The debate to which I have referred established the want of power in Congress, and so plain was it made that the advocates of the power sought to be exercised, abandoned the discussion and abandoned the assumption.

"No State can have a republican form of government, no State has a republican government, when that government, no matter what are its provisions, is prescribed to them by another outside of their limits. A republican form of government must emanate and emanate alone from the people that are to be governed. It belongs not to the Congress of the United States; it belongs not to thirty-three States of this Union to prescribe for the smallest State within its folds a constitution or form of gov-

ernment. If you have a right to impose a limitation upon this power as to one subject of domestic legislation, you have a right to impose it upon every subject. If you have the right to make one provision of a constitution for a people, you have the right to make the entire instrument itself."

Mr. Wade: "I should like to ask the Senator this question: Suppose a State should undertake to set up a monarchy in defiance of the General Government, what would be its duty?"

Mr. Carlile: "Its duty is as plain as the noonday sun in a clear and cloudless sky; its duty is prescribed in the instrument which we have sworn to support; and that is to guarantee to the people there a republican form of government which they had adopted for themselves, and which was in existence at the time the attempted monarchy was sought to be substituted for it. There is the answer to the Senator. The Senator would claim for the Congress of the United States sovereign powers, powers exercised alone by a despot and a tyrant, by governing through appointees of their own the sovereign States of this Union.

"Mr. President, the Senator from Ohio regards these States as States still, States in the Union. He regards an attempt at the overthrow of their governments, I take it from his argument, to be treason. He regards it his constitutional duty to prevent by all the means within the power of the Government that attempted overthrow. Now, I put this question to the Senator, and I hope he will answer it: Where does he as a member of the Congress of the United States derive the constitutional power to govern a State by a Federal appointee? Where does the Senator derive the power to appoint a Governor for a State, a State which he acknowledges to be in existence, a State government that he acknowledges to be in existence, a State government that he acknowledges it to be his duty to protect and maintain? By what provision of the Constitution does the Senator derive the authority to appoint for such a State an executive head?"

Mr. Wade: "Does the Senator want an answer now?"

Mr. Carlile: "Certainly."

Mr. Wade: "As I have frequently said, the Constitution of the United States provides that Congress shall guarantee to every State in the Union a republican form of government. When any State undertakes to set up a government in defiance of the Government of the United States, to establish an aristocracy or a monarchy, or any thing but a republican government, the Constitution gives the power to the General Government to guarantee a republican government, and when it has given the power to it, it has given the means necessary to perform it. Is not that good law?"

Mr. Carlile: "No, sir. Now, Mr. President, I will satisfy the Senator himself, I think; and really it is not necessary for me to attempt to satisfy him, for he is too good a lawyer not to

know the meaning of the word 'guarantee.' What is it? Does the authority to 'guarantee to each State in this Union a republican form of Government' authorize this Union to set up a government, to create a government, or to make a government? Is the maker of a note the man who guarantees its payment? There is no man in the Senate who knows better the definition and legal significance of the word 'guarantee' than the Senator from Ohio, and none, I am sure, is more familiar, too, with the power that was intended to be conferred by this provision of the Constitution."

Mr. Wade: "I want an argument square. I do not like this dodging."

Mr. Carlile: "There is no dodging with me. I am going to meet it squarely."

Mr. Wade: "Suppose a State of this Union undertakes to set up a monarchy, suppose it has elected its monarch, suppose he is on the throne, and sets up a government hostile to the United States, how shall the United States guarantee a republican government to the people of that State? They have got to do it. The Constitution says it shall be done. How? By keeping out of the boundary of the State? By this letting alone principle that we hear of? Is that it?"

Mr. Carlile: "The Senator is wandering entirely from the question. I answered the Senator awhile ago how he was to get rid of the monarchy. I told him it was his duty, made so by this provision of the Constitution, to bring to bear the power of this Government to relieve the people of the State from that monarchy, and maintain them in the possession and enjoyment of their State government, organized by themselves, and which existed before the attempted monarchy was forced upon them."

Mr. Wade: "Let us stop right there. Suppose now that we have conquered them and the people are still bent on their monarchy, shall we not guarantee a republican government to them by putting one over them?"

Mr. Carlile: "No, sir. If the Senator be right, Mr. Madison, the author of the Constitution, was wrong. I supposed that the Senator was familiar with the 'Federalist,' and the Senator ought to be familiar with the discussions of this very same provision when the Constitution came before the people of the several States to be ratified or rejected. The 'Federalist' is looked upon as a correct exposition of these very powers, and one of the objections by the many objectors at that day was, not that the provision conferred power to do what is proposed to be done by this bill, but that an unscrupulous Congress, unmindful of their constitutional obligations, unmindful of their duty as representatives, regardless of the rights and liberties of the people, and of the rights of their States that they were created for the purpose of protecting, might use as a pretext this provision to assert the very power the Senator proposes in this bill, and what is

the reply? I read from the forty-third number of the 'Federalist:'

6. "To guarantee to every State in the Union a republican form of government; to protect each of them against invasion; and on application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic violence."

In a confederacy founded on republican principles, and composed of republican members, the superintending government ought clearly to possess authority to defend the system against aristocratic or monarchical innovations.

"The very case put by the Senator; and how it is to be done is stated:

The more intimate the nature of such an Union may be, the greater interest have the members in the political institutions of each other; and the greater right to insist that the forms of government under which the compact was entered into should be *substantially maintained*.

It may possibly be asked, what need there could be of such a precaution, and whether it may not become a pretext for alterations in the State governments without the concurrence of the States themselves. These questions admit of ready answers. If the interposition of the General Government should not be needed, the provision for such an event will be a harmless superfluity only in the Constitution. But who can say what experiments may be produced by the caprice of particular States, by the ambition of enterprising leaders, or by the intrigues and influence of foreign Powers? To the second question it may be answered that if the General Government should interpose by virtue of this constitutional authority, it will be of course bound to pursue the authority. But the authority extends no further than to a *guarantee* of a republican form of government, which supposes a *preexisting government* of the form which is to be guaranteed.

"Now, sir, is the Senator answered? The people of the State, whether there is an attempt to overthrow the State government, or whether it has been a successful attempt as against the State itself, are to be relieved by the action of this Government in pursuance of the authority therein granted. It is not claimed or pretended, I suppose, by the Senator from Ohio or by any advocate of this bill, that under any other provision of the Constitution can a pretext be afforded for the assertion of such a power as this bill proposes to assert."

Mr. Wilkinson: "Suppose the people of the State of South Carolina have determined that they will not have a republican form of government in that State, what would the Senator have the Government of the United States do under such circumstances?"

Mr. Carlile: "I would have the Government of the United States do nothing that it has not the power under the Constitution to do, because I believe that the Government of the United States is a Government of limited powers. I believe it to be its duty under the grant of power in the Constitution, to guarantee the existence of a preëxisting republican government. That government existed in South Carolina; the people have not determined, at least before this war they had not determined, to have any other than a republican form of government. We had recognized that govern-

ment as a republican form of government by the recognition of the State in all its departments and the admission of all its national representatives. It is made the duty of the Government of the United States, not of Congress; and I desire to call the attention of the Senator to that, because it bears upon his assumption for Congress of power which does not belong to the Executive. It is not alone the duty of Congress to guarantee a republican form of government to the people of the several States; the extent of that guarantee is not limited alone to the means which Congress may employ; but the words of the Constitution are 'the United States shall guarantee.' Hence every department of the Government is equally bound; and Congress being the legislative branch, of course participates to a greater extent in the discharge of that duty."

Mr. Clark: "I do not wish to interrupt the Senator to ask any question not entirely agreeable to him, but I desire to ask of him whether if the Government be overthrown in any one State by the people of that State, it is not the duty of the Government of the United States to restore that to its republican form even if a majority of the people in that State are opposed to the republican form."

Mr. Carlile: "The fact of my being here, I think, should be an answer to the Senator's question. The people of each State of this Union have, by becoming parties to the Constitution, bound themselves by that compact; and they have not the right to overthrow the State government which recognizes that obligation by any power short of that which results in success; but if they are able to prevent the United States through its power, from enforcing this provision of the Constitution, then I suppose they can do it, but otherwise not."

Mr. Clark: "That does not quite meet the question. They have not the right to overthrow, that is very clear; but suppose they actually have done it, have overthrown, then the question I desire to put is whether it is not the duty of this Government to restore it."

Mr. Carlile: "How, though? By pursuing the authority conferred upon the United States, not by creating a new government, not by restricting them in the exercise of any one prerogative that belongs to them, not by separating one of their local limbs of sovereignty that belonged to them and bringing them into the Union amputated, with the badge of inequality and degradation placed upon them, as you placed upon the so-called State of West Virginia."

Mr. Clark: "Then will the Senator allow me to inquire, if it becomes necessary, in order to restore that government, to set up within that State a provisional government, is not the power clearly given to Congress or the United States Government to set it up? Does he not recognize the decision of the Supreme Court that when a power is given all the requisites

to its exercise are given, if not absolutely prohibited by the Constitution?"

Mr. Carlile: "It is not essential to this argument for me to answer the Senator from New Hampshire; not that I am not disposed to do it—"

Mr. Clark: "I do not desire an answer particularly."

Mr. Carlile: "Or that I cannot do so; but the Senator from New Hampshire will bear in mind that what I called his attention to in the opening of this argument, was the second section of this bill which does propose a provisional government as a war measure, and to last only while the rebellion remains; but it does not propose to exercise any governmental power except what is exercised through its appointee as governor, until after military resistance shall have been suppressed."

Mr. Clark: "I understand that entirely. I understand that the people are to be held by this provisional governor until the rebellion is subdued, and this is to be the provisional means of bringing back the old form of government."

Mr. Carlile: "I should like to ask the Senator from New Hampshire to tell me how one Federal appointee, called a governor, is to hold a State which your armies have as yet been unable to hold."

Mr. Clark: "He is to hold it by means of the army until the rebellion is entirely done, the same as we have held Tennessee."

Mr. Carlile: "You have no authority to appoint a governor or any civil officer in that State, unless you are compelled to resort to military power to carry out your constitutional obligations and to remove the obstacles which are in the way of the exercise of civil authority through the agents of the people themselves, which they have established by virtue of their existing government. No such power is given under any provision of the Constitution; none could have been given without your entirely changing the whole character of this Government, which is based upon the fundamental principle that the military power shall always be subordinate to the civil. One of the brightest spots in the character of the Father of his Country, is the fact, that during our revolutionary struggle, he ever maintained the supremacy of the civil power; and so highly was that estimated by the Congress that received from him his resignation as Commander-in-Chief of the armies, that the President, Thomas Mifflin, who was instructed to make the address, alluded to it in the most flattering and complimentary terms:

Called upon by your country to defend its invaded rights, you accepted the sacred charge before it had formed alliances, and while it was without funds or a Government to support you. You have conducted the great military contest with wisdom and fortitude, invariably regarding the rights of the civil power through all disasters and changes.

"I regret, sir, that truth compels me to say that such a speech could not be made now to

those who have conducted the military power of this country in this war. But, sir, the Senator from Ohio says the Union is to be preserved. So say I. Upon what principle are these States to come back into the Union? The people, says the Senator from Ohio, will meet you with that inquiry. Sir, when was ever such an inquiry suggested to the brain of any loyal man in this Union? When was such an inquiry ever put? Never until after a policy different from that which characterized the commencement of this struggle was entered upon by the party in power. All said the Union was to be restored; all accepted the struggle as the use of the military power of the Government in the restoration of the Union. What Union? The Union of the Constitution. The Union into which new States are to be admitted. It is not into "a Union," but into "this Union" that the States are admitted. What Union? The Union of the Constitution, none other; and he who seeks to preserve the Union, can only do it by an observance of the Constitution and the use of the constitutional means to restore it, not reconstruct it.

"Where do you derive the power to reconstruct this Union? What Union are you the representatives of? What is the Union which has given to you your seats? It is the Union as it has existed from 1789; it is the Union of which the Constitution of the United States is the only bond; it is a Union of limited and delegated powers, bounded, as Mr. Adams said, on one hand by the right of the States to internal legislation, and on the other by the laws and usages of nations. In this Union, created by this Constitution, of limited and delegated powers, all prescribed and written in the instrument, you propose to exercise your legislative power by usurping the rights and liberties of the people, a power which all the people you represent could not use or could not exert without the destruction of the Union which the Constitution formed. There is no power in this Government, there is no power in the parties to this Government, there is no power in all the States of this Union to prescribe a constitution for the little State of Rhode Island. If every other State in the Union, the adhering as well as the rebellious States, if every man, woman, and child in them were to meet and prescribe a constitution for the people of Rhode Island, they would have no power or authority to do so under the Union; and tell me where the people's representatives derive the power to do that which all the people in their collective capacity, save the small minority that constitutes that State, cannot do?

"When I heard the learned Senator from Wisconsin, now occupying the chair (Mr. Doolittle), a few days ago on this floor say that after this war we were to have a better Union than we have ever had, the expression of the sentiment not only astonished me, but it sunk into my heart and impressed itself upon my memory never to be effaced. Where do you derive the

power or the authority to give us any other Union than that which the Constitution created? Who is willing to intrust, even to Senators of this day, the right of forming a Union which it is to be supposed will be superior and above the Union that the patriots of the Revolution formed?

"The Senator from Ohio, in the remarks which he has submitted upon this bill, has said that he did not wish to subjugate these people, and he denied our right to subjugate them. He was not for subjugating them, and not for letting them into the Union upon equal terms with the other States. I put it to the Senator from Ohio, if this bill itself is not a subjugation of the people upon whom it is proposed to operate. You provide that after the suppression of this rebellion, this provisional governor may summon a convention to form a constitution, not to amend the existing constitution, but to form a constitution and to prescribe—"

Mr. Wade: "I presume they can take the one they have if they like it better in that shape."

Mr. Carlile: "Let the Senator wait a bit and I will get his attention to this section of the bill. That convention is to meet a convention composed of delegates alone, who have sworn allegiance to the Constitution of the United States, who have taken upon themselves the solemn obligation which the last Congress provided should be taken by all holding office under the Government of the United States in the act of July 2, 1862; I believe, that convention to be selected alone, by electors who have taken the oath of allegiance to the United States; and yet if that convention does not impose the restrictions which this bill seeks to impose upon these States, it is to be dissolved. That convention is not to be allowed, under this bill to adopt if it chooses, a constitution, republican in form, but it must adopt certain provisions prescribed in this bill; and if they, in the exercise of the rights that belong to an unsubjugated people, refuse to adopt these provisions, they are to be dissolved and dispersed, and the privilege of erecting a government for themselves denied to them, and they are to go out into the country, after military resistance has ceased, after there is no obstruction to the execution of the laws, after all the various machinery of this Government is working smoothly and quietly, and remain until the President shall become satisfied that another convention composed of subjugated delegates, will do what this bill declares they shall do before they can ever resume the right of self-government and have the benefit of the civil administration of the laws under that government which they have formed for themselves. If I understand the word 'subjugate,' no exertion of power that can be conceived of by the autocrat of Russia, or by any tyrant that ever sat upon a throne, more completely subjugates a free people than this provision of this bill.

"There is another feature in connection with

this subject which the gentleman from Ohio and the advocates of this bill seem to me to have entirely overlooked. The existence of the institution of slavery in a State or any other domestic institution, does not make the government republican or anti-republican in form. It is not a governmental power that recognizes the existence of any particular institution in a State. It is derived from the legislative power, from the law-making power.

"Mr. President, the Senate will bear in mind that the bill now under consideration, in those provisions to which I have already invited the attention of the body, is not and cannot be claimed to be a war measure. I think it important that this fact shall be kept in view in order to confine the discussion, if we can, to those propositions and considerations that naturally arise upon these particular provisions of the bill. Indeed, its title would indicate that its authors did not predicate any claim for support upon any such ground. It is not claimed that the bill is to aid the Government of the United States in the existing struggle. It is not pretended that it will contribute in the slightest degree to the success of our arms and the assertion of Federal authority within the States named; but it is, as I have before remarked, purely a revolutionary measure, and just as much as our power is greater than the power of the rebellion, to that extent does it more successfully accomplish the same end which the rebellion was inaugurated to accomplish, to wit, the overthrow of the State governments.

"Now, sir, it is a fact familiar to every one at all acquainted with our history, that this Government, the Government of the United States, in the name of which it is sought to perpetrate this injustice upon the States, emanated itself from the States. The States existed prior to the Government of the United States. The Government of the United States is the creature of the States, emanating directly from them, and the greatest good expected to be accomplished by the States in the formation of this Government was to protect them in the enjoyment and possession of their own rights of self-government within their respective limits. That was the chief object for the formation of the Government. Then how can it be supposed that this Government, emanating, as I have said before, from the States, can send down to the States a governor for them and prescribe for them their form of government? This assumption of power alone, if there were no other considerations involved in the measure, is sufficient, it seems to me, to stamp the absurdity of the proposition.

"But, sir, it goes further. It is a declaration to these States that they are never to be received into the Union, that all the benefits of the Union which they aided in creating and forming are to be denied them, their State governments are permitted to be overthrown, the only question being whether they shall be over-

thrown by traitors in arms or whether they shall be overthrown by a Government of their own creation which they formed for the purpose of protecting them in the enjoyment of their own State governments and the right of self-government. Thus, sir, it declares to the people of these States, that are admitted to be States by the chairman of the committee that reported the bill, and who advocated it to-day; it says to them in the form of law and to the extent that this Congress has the power to commit the loyal people of the adhering States, commits the loyal people of the United States to the declaration that the States now in the power of those who inaugurated this rebellion are never to enjoy Federal rights without a surrender of their local sovereignty.

"It does more, Mr. President; it is a declaration as plain as you can make it to the people of this country and to the civilized world that, so far as the powers of the Government of the United States can be wielded by those to whom its administration is at the present time intrusted, the Union that the Constitution formed shall never again be enjoyed by the people. It is a declaration that the effort for the restoration of the Union is to be abandoned, that the time has now arrived when it becomes us to give up the 'old Union,' as some gentlemen have styled it, and to enter upon the new work of reconstruction. If that be so, how can you attempt to maintain your consistency, by the military power of this Government to compel a minority of the States of the Union containing a minority of the population of the Union to submit to the reconstruction of the Union? To do this we must discard all the obligations of the Constitution. It cannot be disguised that such will be the effect of this bill."

The amendment was adopted—yeas, 17; nays, 16.

Mr. Sumner, of Massachusetts, then offered the following amendment:

And be it further enacted, That the proclamation of emancipation issued by the President of the United States on the 1st day of January, 1863, so far as the same declares that the slaves in certain designated States and portions of States thenceforward should be free, is hereby adopted and enacted as a statute of the United States, and as a rule and article for the government of the military and naval forces thereof.

It was lost by the following vote:

YEAS—Messrs. Chandler, Conness, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sumner, Wade, Wilkinson, and Wilson—11.

NAYS—Messrs. Brown, Carlile, Davis, Doolittle, Grimes, Hale, Harris, Henderson, Hendricks, Johnson, Lane of Indiana, McDougall, Powell, Richardson, Riddle, Saulsbury, Sherman, Sprague, Ten Eyck, Trumbull, and Van Winkle—21.

ABSENT—Messrs. Anthony, Buckalew, Clark, Colamer, Cowan, Dixon, Fessenden, Foot, Foster, Harding, Harlan, Hicks, Howard, Howe, Nesmith, Willey, and Wright—17.

The bill passed by the following vote:

YEAS—Messrs. Brown, Chandler, Conness, Doolittle, Grimes, Hale, Harlan, Harris, Henderson, Johnson, Lane of Indiana, Lane of Kansas, McDougall, Morgan, Pomeroy, Ramsey, Riddle, Sherman,

Sprague, Sumner, Ten Eyck, Trumbull, Van Winkle, Wade, Wilkinson, and Wilson—23.

YAYS—Messrs. Davis, Powell, and Saulsbury—3.

ABSENT—Messrs. Anthony, Buckalew, Carlile, Clark, Collamer, Cowan, Dixon, Fessenden, Foot, Foster, Harding, Hendricks, Hicks, Howard, Howe, Morrill, Nesmith, Richardson, Willey, and Wright—20.

The House non-concurred in the amendment of the Senate, and asked a Committee of Conference, when the Senate receded from its amendment—yeas, 18; nays, 14.

The bill then went to the President for his approval. On July 9th he issued the following proclamation relative to it:

Whereas, At the late session, Congress passed a bill to guarantee to certain States whose Governments have been usurped or overthrown a republican form of government, a copy of which is hereunto annexed;

And whereas, The said bill was presented to the President of the United States for his approval less than one hour before the *sine die* adjournment of said session, and was not signed by him;

And whereas, The said bill contains, among other things, a plan for restoring the States in rebellion to their proper practical relation in the Union, which plan expressed the sense of Congress upon that subject, and which plan it is now thought fit to lay before the people for their consideration;

Now, therefore, I, Abraham Lincoln, President of the United States, do proclaim, declare, and make known that while I am—as I was in December last, when by proclamation I propounded a plan for restoration—unprepared by a formal approval of this bill to be inflexibly committed to any single plan of restoration; and while I am also unprepared to declare that the free-State Constitutions and Governments, already adopted and installed in Arkansas and Louisiana shall be set aside and held for naught, thereby repelling and discouraging the loyal citizens who have set up the same as to further effort, or to declare a Constitutional competency in Congress to abolish slavery in the States, but am at the same time sincerely hoping and expecting that a Constitutional amendment abolishing slavery throughout the nation may be adopted;

Nevertheless, I am fully satisfied with the system for restoration contained in the bill as one very proper for the loyal people of any State choosing to adopt it; and that I am, and at all times shall be, prepared to give the executive aid and assistance to any such people, so soon as military resistance to the United States shall have been suppressed in any such State, and the people thereof shall have sufficiently returned to their obedience to the Constitution and the Laws of the United States—in which cases Military Governors will be appointed, with directions to proceed according to the bill.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington, this 8th day of July, in the year of our Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth.

[L. s.] ABRAHAM LINCOLN.*

By the President.

WILLIAM H. SEWARD, Secretary of State.

* PROTEST OF SENATOR WADE AND H. WINTER DAVIS, M.C. To the supporters of the Government:

We have read without surprise, but not without indignation, the proclamation of the President of the 8th of July, 1864.

The supporters of the Administration are responsible to the country for its conduct; and it is their right and duty to check the encroachments of the Executive on the authority of Congress, and to require it to confine itself to its proper sphere.

In the House, on the 16th of February, Mr. Dawes, of Massachusetts, called up the case of James M. Johnson, claiming to be a Representative from Arkansas, and stated the facts to be as follows: "The gentleman himself, his brother, and brother-in-law, the present Provisional Governor of Arkansas under the new constitution lately adopted, were residents of the same town and congressional district, and in the first month of the war, in 1861, they were driven from the State and from their homes by the rebels because of the course they took at the threshold against the rebellion. From that moment they entered into the Union armies. This gentleman has served in those armies, and in many battles of the Southwest he has had the honor, as a colonel of one of the Union regiments of Arkansas, to distinguish himself. He holds a commission in that capacity at this moment. While he was absent in the army, never being able to set his foot in his own State except at the head of the forces of the Union, the loyal people of the State of Arkansas met in convention and adopted a State constitution, and sent him here as the bearer of the constitution of a free State, the first unwilling fruit which this rebellion has borne. In his absence, and without his knowledge, the voters of the second congressional district of Arkansas, numbering four or five thousand, elected himself as their Representative upon this floor. He offers his credentials through the ordinary channels of the House, and though he has had the honor of bearing here the first free-State constitution out of the fire and smoke of this war, and though he comes here covered with honorable scars won in defence of the flag of his country, with a commission as a Representative elect to this House, he is denied so much as a hearing.

"The State of Arkansas was districted according to the law of the United States before the rebellion broke out; and it was divided into three congressional districts according to the number assigned by the last census.

"I know not whether upon an investigation by the Committee of Elections there will be sufficient law or sufficient facts to justify the admission of this gentleman to a seat upon the floor as a Representative from Arkansas. It is because I want to know whether there is law or constituency enough to justify us in admitting him here that I move that these credentials be referred to the Committee of Elections."

Mr. Davis, of Maryland, said: "I made this motion to lay on the table because, as I supposed, as now it turns out to be the fact, that it is not a mere question of election law which

It is impossible to pass in silence this proclamation without neglecting that duty; and, having taken as much responsibility as any others in supporting the Administration, we are not disposed to fail in the other duty of asserting the rights of Congress.

The President did not sign the bill "to guarantee to certain States whose government have been usurped, a Republican form of government"—passed by the supporters of his Administration in both Houses of Congress after mature deliberation.

would be involved, but a question of the recognition, or the refusal to recognize the organization of a State government in Arkansas. That question I am not willing to have passed upon

The bill did not therefore become a law; and it is, therefore, nothing.

The proclamation is neither an approval nor a veto of the bill; it is, therefore, a document unknown to the laws and Constitution of the United States.

So far as it contains an apology for not signing the bill, it is a political manifesto against the friends of the Government.

So far as it proposes to execute the bill which is not a law, it is a grave Executive usurpation.

It is fitting that the facts necessary to enable the friends of the Administration to appreciate the apology and the usurpation be spread before them.

The proclamation says:

"And whereas the said bill was presented to the President of the United States for his approval less than one hour before the *sine die* adjournment of said session, and was not signed by him—"

If that be accurate, still this bill was presented with other bills which were signed.

Within that hour the time for the *sine die* adjournment was three times postponed by the votes of both Houses; and the least intimation of a desire for more time by the President to consider this bill would have secured a further postponement.

Yet the committee sent to ascertain if the President had any further communication for the House of Representatives reported that he had none; and the friends of the bill, who had anxiously waited on him to ascertain its fate, had already been informed that the President had resolved not to sign it.

The time of presentation, therefore, had nothing to do with his failure to approve it.

The bill has been discussed and considered for more than a month in the House of Representatives, which it passed on the 4th of May. It was reported to the Senate on the 27th of May, without material amendment, and passed the Senate absolutely as it came from the House on the 2d of July.

Ignorance of its contents is out of the question.

Indeed, at his request, a draft of a bill substantially the same in material points, and identical in the points objected to by the proclamation, had been laid before him for his consideration in the winter of 1862-1863.

There is, therefore, no reason to suppose the provisions of the bill took the President by surprise.

On the contrary, we have reason to believe them to have been so well known that this method of preventing the bill from becoming a law without the constitutional responsibility of a veto, had been resolved on long before the bill passed the Senate.

We are informed by a gentleman entitled to entire confidence, that before the 22d of June, in New Orleans, it was stated by a member of General Banks's staff, in the presence of other gentlemen in official position, that Senator Doolittle had written a letter to the department that the House Reconstruction bill would be staved off in the Senate to a period too late in the session to require the President to veto it in order to defeat it, and that Mr. Lincoln would retain the bill, if necessary, and thereby defeat it.

The experience of Senator Wade, in his various efforts to get the bill considered in the Senate, was quite in accordance with that plan; and the fate of the bill was accurately predicted by letters received from New Orleans before it had passed the Senate.

Had the proclamation stopped there, it would have been only one other defeat of the will of the people by the Executive perversion of the Constitution.

But it goes further. The President says:

"And whereas the said bill contains, among other things, a plan for restoring the States in rebellion to their proper practical relation in the Union, which plan expresses the sense of Congress upon that subject, and which plan it is now thought fit to lay before the people for their consideration—"

By what authority of the Constitution? In what forms? The result to be declared by whom? With what effect when ascertained?

Is it to be a law by the approval of the people, without the approval of Congress, at the will of the President?

Will the President, on his opinion of the popular approval, execute it as a law?

Or is this merely a device to avoid the serious responsibility of defeating a law on which so many loyal hearts reposed for security?

But the reasons now assigned for not approving the bill are full of ominous significance.

The President proceeds:

on the collateral matter of the investigation of the right of a gentleman to a seat on this floor."

Mr. Mallory, of Kentucky, said: "Does the

"Now, therefore, I, Abraham Lincoln, President of the United States, do proclaim, declare, and make known that, while I am (as I was in December last, when by proclamation I propounded a plan for restoration) unprepared by a formal approval of this bill to be inflexibly committed to any single plan of restoration."

That is to say, the President is resolved that people shall not by law take any securities from the rebel States against a renewal of the rebellion, before restoring their power to govern us.

His wisdom and prudence are to be our sufficient guarantees! He further says:

"And while I am also unprepared to declare that the free-State constitutions and governments already adopted and installed in Arkansas and Louisiana shall be set aside and held for naught, thereby repelling and discouraging the loyal citizens who have set up the same as to further effort—"

That is to say, the President persists in recognizing those shadows of governments in Arkansas and Louisiana which Congress formally declared should not be recognized—whose representatives and senators were repelled by formal votes of both Houses of Congress—which it was declared formally should have no electoral vote for President and Vice-President.

They are mere creatures of his will. They are mere oligarchies, imposed on the people by military orders under the form of election, at which generals, provost marshals, soldiers and camp-followers were the chief actors, assisted by a handful of resident citizens, and urged on to premature action by private letters from the President.

In neither Louisiana nor Arkansas, before Banks's defeat, did the United States control half the territory or half the population. In Louisiana General Banks's proclamation candidly declared: "The fundamental law of the State is martial law."

On that foundation of freedom he erected what the President calls "the free constitution and Government of Louisiana."

But of this State, whose fundamental law was martial law, only sixteen parishes out of forty-eight parishes were held by the United States; and in five of the sixteen we held only our camps.

The eleven parishes we substantially held had 233,185 inhabitants; the residue of the State not held by us, 575,617.

At the farce called an election the officers of General Banks returned that 11,346 ballots were cast; but whether any or by whom the people of the United States have no legal assurance; but it is probable that 4,000 were cast by soldiers or employés of the United States, military or municipal, but none according to any law, State or national, and 7,000 ballots represent the State of Louisiana.

Such is the free constitution and Government of Louisiana; and like it is that of Arkansas. Nothing but the failure of a military expedition deprived us of a like one in the swamps of Florida; and before the Presidential election like ones may be organized in every rebel State where the United States have a camp.

The President, by preventing this bill from becoming a law, holds the electoral votes of the rebel States at the dictation of his personal ambition.

If those votes turn the balance in his favor, is it to be supposed that his competitor, defeated by such means, will acquiesce?

If the rebel majority assert their supremacy in those States, and send votes which elect an enemy of the Government, will we not repel his claims?

And is not that civil war for the Presidency inaugurated by the votes of rebel States?

Seriously impressed with these dangers Congress, "the proper constitutional authority," formally declared that there are no State governments in the rebel States, and provided for their erection at a proper time; and both the Senate and the House of Representatives rejected the senators and representatives chosen under the authority of what the President calls the free constitution and government of Arkansas.

The President's proclamation "holds for naught" this judgment, and discards the authority of the Supreme Court, and strides headlong toward the anarchy his proclamation of the 8th of December inaugurated.

If electors for President be allowed to be chosen in either of those States, a sinister light will be cast on the motives which induced the President to "hold for naught" the will of Congress rather than his government in Louisiana and Arkansas.

That judgment of Congress which the President defies was the exercise of an authority exclusively vested in Congress

gentleman from Maryland assert, in his opinion, that the State government is destroyed in Arkansas; that she is obliterated as a State; that she is no longer one of the States of the Union;

and that she must come back into the family of States upon application, just as a State comes in from a Territory?"

Mr. Davis replied: "A State should exist

by the constitution, to determine what is the established government in a State, and in its own nature and by the highest judicial authority binding on all other departments of the Government.

The Supreme Court has formally declared that, under the 4th section of the IVth article of the Constitution, requiring the United States to guarantee to every State a republican form of government, "it rests with Congress to decide what government is the established one in a State;" and "when senators and representatives of a State are admitted into the councils of the Union, the authority of the Government under which they are appointed, as well as its republican character, is recognized by the proper constitutional authority, and its decision is binding on every other department of the Government, and could not be questioned in a judicial tribunal. It is true that the contest in this case did not last long enough to bring the matter to this issue; and as no senators or representatives were elected under the authority of the Government of which Mr. Dorr was the head, Congress was not called upon to decide the controversy. Yet the right to decide is placed there."

Even the President's proclamation of the 5th of December formally declares that "whether members sent to Congress from any State shall be admitted to seats constitutionally rests exclusively with the respective houses, and not to any extent with the Executive."

And that is not the less true because wholly inconsistent with the President's assumption in that proclamation of a right to institute and recognize state governments in the rebel States, nor because the President is unable to perceive that his recognition is a nullity if it be not conclusive on Congress.

Under the Constitution, the right to senators and representatives is inseparable from a State Government.

If there be a State Government the right is absolute.

If there be no State Government there can be no senators or representatives chosen.

The two Houses of Congress are expressly declared to be the sole judges of their own members.

When, therefore, senators and representatives are admitted, the State Government under whose authority they were chosen is conclusively established; when they are rejected, its existence is as conclusively rejected and denied; and to this judgment the President is bound to submit.

The President proceeds to express his unwillingness "to declare a constitutional competency in Congress to abolish slavery in States" as another reason for not signing the bill.

But the bill nowhere proposes to abolish slavery in States.

The bill did provide that all *slaves* in the rebel States should be *manumitted*.

But as the President had already signed three bills manumitting several classes of slaves in States, it is not conceived possible that he entertained any scruples touching that provision of the bill respecting which he is silent.

He had already himself assumed a right by proclamation to free much the larger number of slaves in the rebel States, under the authority given him by Congress to use military power to suppress the rebellion; and it is quite inconceivable that the President should think Congress could vest in him a discretion it could not exercise itself.

It is the more unintelligible from the fact that except in respect to a small part of Virginia and Louisiana, the bill covered only what the proclamation covered—added a Congressional title and judicial remedies by law to the disputed title under the proclamation, and perfected the work the President professed to be so anxious to accomplish.

Slavery as an institution can be abolished only by a change of the Constitution of the United States, or of the law of the States; and this is the principle of the bill.

It required the new constitution of the State to provide for that prohibition; and the President, in the face of his own proclamation, does not venture to object to insisting on that condition. Nor will the country tolerate its abandonment—yet he defeated the only provision imposing it.

But when he describes himself, in spite of this great blow at emancipation, as "sincerely hoping and expecting that a constitutional amendment abolishing slavery throughout the nation may be adopted," we curiously inquire on what his expectation rests, after the vote of the House of Representatives at the recent session, and in the face of the political complexion of more than enough of the States to prevent the possibility of its adoption within any reasonable time; and why he did not indulge his sincere hopes with so large an instalment of the blessing as his approval of the bill would have secured?

After this assignment of his reasons for preventing the bill

from becoming a law, the President proceeds to declare his purpose to execute it as a law by his plenary dictatorial power.

He says: "Nevertheless, I am fully satisfied with the system for restoration contained in the bill as one very proper plan for the loyal people of any State choosing to adopt it; and that I am, and at all times shall be, prepared to give the Executive aid and assistance to any such people as soon as the military resistance to the United States shall have been suppressed in any such State, and the people thereof shall have sufficiently returned to their obedience to the Constitution and the laws of the United States—in which cases military governors will be appointed, with directions to proceed according to the bill."

A more studied outrage on the legislative authority of the people has never been perpetrated.

Congress passed a bill; the President refused to approve it, and then by proclamation puts as much of it in force as he sees fit, and proposes to execute those parts by officers unknown to the laws of the United States, and not subject to the confirmation of the Senate.

The bill directed the appointment of provisional governors by and with the advice and consent of the Senate.

The President, after defeating the law, proposes to appoint, without law and without the advice and consent of the Senate, military governors for the rebel States!

He has already exercised this dictatorial usurpation in Louisiana, and defeated the bill to prevent its limitation.

Henceforth we must regard the following precedent as the Presidential law of the rebel States:

"EXECUTIVE MANSION. }

WASHINGTON, March 15, 1864. }

"His Excellency Michael Hahn, Governor of Louisiana:

"Until further orders you are hereby invested with the powers exercised hitherto by the military governor of Louisiana. Yours, ABRAHAM LINCOLN."

This Michael Hahn is no officer of the United States; the President, without law, without the advice and consent of the Senate, by a private note not even countersigned by the Secretary of State, makes him dictator of Louisiana!

The bill provided for the civil administration of the laws of the State—but it should be in a fit temper to govern itself—repealing all laws recognizing slavery, and making all men equal before the law.

These beneficent provisions the President has annulled. People will die, and marry and transfer property, and buy and sell; and to these acts of civil life courts and officers of the law are necessary. Congress legislated for these necessary things, and the President deprives them of the protection of the law!

The President's purpose to instruct his military governors "to proceed according to the bill"—a makeshift to calm the disappointment its defeat has occasioned—is not merely a grave usurpation but a transparent delusion.

He cannot "proceed according to the bill" after preventing it from becoming a law.

Whatever is done will be at his will and pleasure, by persons responsible to no law, and more interested to secure the interests and execute the will of the President than of the people; and the will of Congress is to be "held for naught," "unless the loyal people of the rebel States choose to adopt it."

If they should graciously prefer the stringent bill to the easy proclamation, still the registration will be made under no legal sanction; it will give no assurance that a majority of the people of the States have taken the oath; if administered, it will be without legal authority and void; no indictment will lie for false swearing at the election, or for admitting bad or rejecting good votes; it will be the farce of Louisiana and Arkansas acted over again, under the forms of this bill, but not by authority of law.

But when we come to the guaranties of future peace which Congress meant to enact, the forms, as well as the substance of the bill, must yield to the President's will that none should be imposed.

It was the solemn resolve of Congress to protect the loyal men of the nation against three great dangers: (1) the return to power of the guilty leaders of the rebellion; (2) the continuance of slavery; and (3) the burden of the rebel debt.

Congress required assent to those provisions by the convention of the State; and if refused, it was to be dissolved.

The President "holds for naught" that resolve of Congress, because he is unwilling "to be inflexibly committed to any one plan of restoration," and the people of the United States are not to be allowed to protect themselves unless their enemies agree to it.

with a government. The Constitution of the United States assumes that when it compels Congress to guarantee a government. The Supreme Court of the United States assumed that, when, in the case of Fisher and Walton, they said if a military government be established in a State it would be the duty of the United States to abrogate and remove it. The rebel government in Arkansas is a military government, and therefore not a republican government, and the United States is now engaged in removing it. When it is removed there will be no government in point of fact, as there is none in point of law. To-day the condition of Arkansas I take to be this: her political privileges depend upon her organization of a State government, and not upon the fact of her being a State. Without her Legislature there are no electors; there is nobody entitled under the Constitution of the United States to vote for members of Congress. She is in the condition where Tennessee was under the administration, I believe, of General Washington. Tennessee was admitted into the Union without the scratch of the pen of a constitution. It was a State without a State government. When Tennessee organized her State government, that was recognized by Congress. When Arkansas shall organize a State government, that will be recognized by Congress and the President. Until that condition precedent representation upon this floor does not exist."

The order to proceed according to the bill is therefore merely at the will of the rebel States; and they have the option to reject it, accept the proclamation of the 8th of December, and demand the President's recognition!

Mark the contrast! The bill requires a majority, the proclamation is satisfied with one-tenth; the bill requires one oath, the proclamation another; the bill ascertains voters by registering, the proclamation by guess; the bill exacts adherence to existing territorial limits, the proclamation admits of others; the bill governs the rebel States *by law*, equalizing all before it, the proclamation commits them to the lawless discretion of Military Governors and Provost Marshals; the bill forbids electors for President, the proclamation and defeat of the bill threaten us with civil war for the admission or exclusion of such votes; the bill exacted exclusion of dangerous enemies from power and the relief of the nation from the rebel debt, and the prohibition of slavery forever, so that the suppression of the rebellion will double our resources to bear or pay the national debt, free the masses from the old domination of the rebel leaders, and eradicate the cause of the war; the proclamation secures neither of these guaranties.

It is silent respecting the rebel debt and the political exclusion of rebel leaders; leaving slavery exactly where it was by law at the outbreak of the rebellion, and adds no guaranty even of the freedom of the slaves he undertook to manumit.

It is summed up in an illegal oath, without sanction, and therefore void.

The oath is to support all proclamations of the President, during the rebellion, having reference to slaves.

Any government is to be accepted at the hands of one-tenth of the people not contravening that oath.

Now that oath neither secures the abolition of slavery, nor adds any security to the freedom of the slaves the President declared free.

It does not secure the abolition of slavery; for the proclamation of freedom merely professed to free certain slaves while it recognized the institution.

Every constitution of the rebel States at the outbreak of the rebellion may be adopted without the change of a letter; for none of them contravene that proclamation; none of them establish slavery.

It adds no security to the freedom of the slaves; for their title is the proclamation of freedom.

If it be unconstitutional, an oath to support it is void. Whether constitutional or not, the oath is without authority of law, and therefore void.

Mr. Stevens, of Pennsylvania, said: "Arkansas is now under a military governor, and I want to know whether any State under the authority of a military governor and general can enact any civil laws which will be binding. And I refer in this connection to California, in reference to which it was decided by the Supreme Court that while the military law existed the military governor and general could authorize no civil law, and that therefore the law in reference to revenue was void."

Mr. Harding, of Kentucky, asked Mr. Davis "Whether, in his judgment, the State of Arkansas is in, or out of the Union?"

Mr. Davis replied: "I will say that, in my judgment, it is in the Union; in the Union so far that we are bound to see that nothing which has the form without the substance of a government shall control her citizens; so far in the Union that we are responsible that she shall be governed according to republican laws; so far in the Union that the loyal men of Arkansas cannot be governed by traitors who call themselves the Legislature of Arkansas. We are bound to protect them."

Mr. Boutwell, of Massachusetts, expressed his opinion in these words: "I wish to say that, understanding as I do from the remark of the gentleman from Maryland, that he intends by his motion only to lay these credentials upon the table until the great question as to the political condition of Arkansas is settled,

If it be valid and observed, it exacts no enactment by the State, either in law or constitution, to add a State guaranty to the proclamation title; and the right of a slave to freedom is an open question before the State courts on the relative authority of the State law and the proclamation.

If the oath binds the one-tenth who take it, it is not exacted of the other nine-tenths who succeed to the control of the State government, so that it is annulled instantly by the act of recognition.

What the State courts would say of the proclamation, who can doubt?

But the master would not go into court—he would seize his slaves.

What the Supreme Court would say, who can tell?

When and how is the question to get there?

No *habeas corpus* lies for him in a United States Court; and the President defeated with this bill the extension of that writ to his case.

Such are the fruits of this rash and fatal act of the President—a blow at the friends of his Administration, at the rights of humanity, and at the principles of Republican Government.

The President has greatly presumed on the forbearance which the supporters of his Administration have so long practised, in view of the arduous conflict in which we are engaged, and the reckless ferocity of our political opponents.

But he must understand that our support is of a cause and not of a man; that the authority of Congress is paramount and must be respected; that the whole body of the Union men of Congress will not submit to be impeached by him of rash and unconstitutional legislation; and if he wishes our support, he must confine himself to his Executive duties—to obey and execute, not make the laws—to suppress by arms armed rebellion, and leave political reorganization to Congress.

If the supporters of the Government fail to insist on this, they become responsible for the usurpations which they fail to rebuke, and are justly liable to the indignation of the people whose rights and security, committed to their keeping, they sacrifice.

Let them consider the remedy of these usurpations, and, having found it, fearlessly execute it.

B. F. WADE,

Chairman Senate Committee.

H. WINTER DAVIS,

Chairman Committee House of Representatives on the Rebellious States.

I concur entirely in the wisdom of his proposition. I think it would be a most unfortunate thing for this country, and of course most unwise, for this House, by its action upon an incidental matter, to settle the condition of the State of Arkansas, or of any other State. I have examined this matter as much as I was able, from the commencement of the contest till now, and I have the settled conviction that the State of Arkansas and the other ten coöperating States in this rebellion have no legal or constitutional existence as States of this Union."

The motion to lay on the table was lost, and the credentials were referred to the Committee on Elections.

In the Senate, on June 13th, a joint resolution for the recognition of the free-State Government of Arkansas was considered. A motion was made to refer the resolution and the credentials of Messrs. Fishback and Baxter to the Judiciary Committee.

Mr. Sumner, of Massachusetts, took the floor and said: "William M. Fishback, a citizen of Arkansas, appears before the Senate of the United States, and claims membership therein. He asserts that he has been duly chosen to fill the unexpired term of Senator Sebastian, who was expelled in 1861 for complicity with the rebellion; and he produces a certificate purporting to be signed by the Governor of Arkansas.

"Shall this claimant be admitted to a seat in the Senate? Such is the immediate question. But I have said that there are other questions, of the most far-reaching character, which must be considered now and here; for they all enter into the present case. If we now admit the present claimant, we must also now admit that other claimant who has presented himself with like credentials, as a colleague. The question is not, therefore, shall Arkansas have one vote in this Senate? but, shall it have two?

"But if Arkansas is now to be fully represented in this Senate, does it not follow that it is to be represented with equal fulness in the House of Representatives? If represented in that Chamber, such representation must be under the existing apportionment act, which assigns to Arkansas two Representatives, who are to be chosen by districts, without reference to the number of votes polled in either.

"One privilege will draw after it another. To him that hath shall be given. If Arkansas is admitted to an immediate representation in the national Government, this rebel State, which has overthrown the Constitution within its borders, and assumed the front of war, can participate in the approaching election of President and Vice-President, by organizing an electoral college; and in case the election of either of those great officers should devolve upon Congress, it can give a vote affecting the result as weighty as that given by Massachusetts, New York, or Illinois; for in such case, the vote in the Senate is *per capita*, and in the House it is by States.

"Therefore, sir, I repeat, the decision of the question now before us rules all the questions which can arise upon the representation of Arkansas in the Congress of the United States, and also the other question of the participation of Arkansas in the election of President and Vice-President for the term of four years next ensuing. The importance of such a subject cannot be exaggerated.

"There are, Mr. President, five distinct reasons, obvious to the most superficial observer, against the recognition of any representation at this time from Arkansas: first, because the representation is founded on a minority; secondly, because any such representation, unjust in itself, is especially unjust toward the loyal States; thirdly, because the *military occupation* of Arkansas and its exposed condition, are inconsistent with *civil government*; fourthly, because the present organization of Arkansas is without that legality of origin which is required by American institutions; and, fifthly, because it is absurd to admit a State to representation which is still, by solemn proclamation, shut out from commercial intercourse with the loyal States.

"True it is, that the President put forward a plan for reorganizing loyal State governments in the rebel territory, and he proffered a guaranty to these communities against domestic violence and rebel invasion; but he neither proposed nor promised any representation in Congress or in the electoral college. Nor would such a proposition or promise by him have possessed the slightest validity; because, by the Constitution, 'each House is to be the judge of the elections, returns, and qualifications of its own members.' This provision is inconsistent with any prerogative of the President over this question, even if this prerogative were not controlled by that other provision which reserves to Congress the power to admit 'new States into this Union.'

"Besides, the power of the President to institute this Government, is only as Commander-in-Chief of the Army. It is therefore military in its character. But what proceeds from this power is, from the nature of the case, provisional or temporary, until it has received the sanction of Congress. To a certain extent, and from the necessity of the hour, military governments may be constituted by the President; but permanent civil governments with—"

Mr. Collamer: "To last beyond the war."

Mr. Sumner: "As the Senator from Vermont happily suggests, to last beyond the war, with a right of representation in Congress and in the electoral college, cannot be constituted by the President. Such a power would be open to infinite abuse, and, in the hands of an ambitious President, might be employed for selfish purposes. The national safety, in harmony with republican principles, requires that it should be exercised by Congress, which must take the lead in calling the new government into being.

"Congress must have jurisdiction over every portion of the United States where there is no other government; but there can be no other government in the rebel States, so that the words of Chief Justice Marshall are as applicable to a State without a loyal State government as they were originally to a Territory:

Perhaps the power of governing a Territory belonging to the United States, which has not by becoming a State acquired the means of self-government, may result necessarily from the facts that it is not within the jurisdiction of any particular State, and is within the power and jurisdiction of the United States.—*American Insurance Company vs. Carter*, 1 *Peters*, 532.

"The three things which are here affirmed of a Territory, may all be affirmed of a rebel State:

"First. It has not the means of self-government.

"Secondly. It is not within the jurisdiction of any particular State.

"Thirdly. It is within the power and jurisdiction of the United States.

"From these again the necessity of congressional jurisdiction ensues.

"2. It would be unreasonable, if not absurd, for each Chamber to determine the question of representation for itself. Suppose, for instance, that the Senate admit claimants from Arkansas and the House reject them. Then we should witness the anomaly of a State admitted to one Chamber and excluded from the other. This would be a case of semi-admission into the Union. Part would be in and part out. The Senators and Representatives of the same State would be compelled to separate, as in Grecian mythology, when one of the inseparable twins, Castor and Pollux, was translated to Olympus, and the other was left upon earth. Surely the Constitution does not contemplate the repetition of any such fable. Arkansas must stay away until she can be received in both Houses and can be recognized as a unit and not as a fraction; but no power short of Congress can assure this equal reception in both Houses.

"3. Authority is in harmony with reason. This question seems to have been anticipated by the opinion of the Supreme Court of the United States, as pronounced by Chief Justice Taney in the case of *Luther vs. Borden* (7 Howard's Reports, 42). Here are the words:

The fourth section of the fourth article of the Constitution of the United States, provides that the United States shall guarantee to every State in the Union a republican form of government, and shall protect each of them against invasion, and, on the application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic violence.

Under this article of the Constitution, it rests with Congress to decide what government is the established one in a State. For as the United States guarantee to each State a republican government, Congress must necessarily decide what government is established in the State before it can determine whether it is republican or not. And when the Senators and Representatives of a State are admitted into the councils of the Union, the authority of the

government under which they are appointed, as well as its republican character, is recognized by the proper constitutional authority. And its decision is binding on every other department of the Government, and could not be questioned in a judicial tribunal.

"According to these positive words 'it rests with Congress to decide what government is the established one of a State.' But Congress can decide only through joint action.

"4. The Constitution also, by a positive text, seems to place the question beyond doubt. There are express words, as we have already seen, declaring that 'the United States shall guarantee to every State in this Union a republican form of government.' If these words stood alone, the case would be clear; but it becomes clearer still when we revert to the other clause by which it is provided that 'the Congress shall have power to make all laws which shall be necessary and proper for carrying into execution all powers vested by this Constitution in the Government of the United States.' Now, since the guaranty is vested in the Government of the United States, it follows that Congress has the power for carrying it into execution. In Arkansas a republican government has been overthrown by rebellion. Congress must see that such government is restored; and to this end it has all needful power. Congress, and not the President, must decide when the restoration has taken place.

"5. There is also the President's proclamation, which, by its very terms, necessarily implies the action of Congress in the restoration of a State to the Union. There is first the positive declaration that 'whether members sent to Congress from any State shall be admitted to seats constitutionally rests exclusively with the respective Houses, and not to any extent with the Executive.' But the language of the proclamation and of the accompanying message plainly assumes that the rebel States have lost their original character as States of the Union. Thus in one place the President says that 'loyal State governments have for a long time been subverted.' But if subverted, they are no longer States. In another place he proposes 'to reinaugurate loyal State governments.' But a proposition to reinaugurate implies a new start. In another place he proposes to 'reestablish a State government which shall be republican.' But we do not reestablish a government which continues to exist. In another place he proposes to 'set up' a State government in the mode prescribed. But whatever requires to be set up is evidently down. In another place he seeks to guarantee and protect a 'revived State government.' But we revive only what is dead, or at least faint. There is still another place, where the President evidently looks to the possibility of a change of name, boundary, subdivision, constitution, and general code of laws in the restored State. These are his identical words: 'And it is suggested as not improper that in constructing a loyal State government in a State, the name of the State, the boundary,

the subdivisions, the constitution, and the general code of laws, as before the rebellion, be maintained.' Thus the President does not insist that even the name and boundary of a State shall be preserved. He contents himself with suggesting that it will not be 'improper' to preserve them 'in constructing a loyal State government.' Of course this suggestion of what is not improper implies necessarily that in his opinion these great changes were within the discretion of the revived community.

"I have called especial attention to the language of the President, because it constantly assumes, in a succession of phrases, that the rebel States are in an abnormal condition, from which they are to be recovered or revived; and since such restoration or revival can be consummated only by the action of Congress, it is reasonable to infer that such was his expectation. At all events, the proclamation, by its repeated assumptions with regard to the rebel States, testifies to the necessity of congressional action.

"We have already seen that Andrew Johnson had declared the State of Tennessee 'vacated' by all local government which we were bound to respect; and Arkansas was in a similar situation. But this language obviously harmonizes with that of the President.

"Such are some of the arguments for the power of Congress over this question. Others might be adduced; but I have said enough. The necessity of the case—reason—the authority of the Supreme Court—the Constitution—and the President's proclamation, each and all tend to the same conclusion, even without resorting to those war powers which are all within the reach of Congress. But if we glance at the latter we shall find the power of Congress declared beyond question. There is nothing which the President may do as Commander-in-Chief which Congress may not direct and govern, according to the authoritative words of Chancellor Kent:

Though the Constitution vests the executive power in the President, and declares him Commander-in-Chief of the Army and Navy of the United States, these powers must necessarily be subordinate to the legislative power in Congress."—Kent's Commentaries, volume 1, 292, note 5.

"And these powers, vast as they may be when called into activity by the exigency of war or rebellion, become as constitutional as if specified precisely in a written text.

"Of course when within the confines of a State the rebellion is triumphantly subdued, and the great body of the people testifies an unmistakable loyalty; when local elections can be held according to the ordinary municipal forms; when the laws and not arms prevail; and when a government, republican in fact as in name, making slavery forever impossible, has been permanently established, then will Congress, by proper legislative action, rejoice to welcome the newly-constituted State to its equal share in the national Government. But

such welcome must not be precipitated. It can be offered only after a most careful inquiry into the actual condition of things and the assured conviction that the rebel State has been newly constituted in fact, as in name. And this caution is needed not only for the good of the Union but for the good of the newly-constituted State, which must be saved from premature responsibilities beyond the measure of its present powers.

"Sir, it is much to be a State in full fellowship and equality with other States represented in this Chamber and in the other Chamber, with a voice in the election of President and Vice-President, and with a star on the national flag. To be admitted into these prerogatives and privileges a State must be 'above suspicion,' and it must be able to use well all the great powers which belong to a State. But if a State is not yet 'above suspicion,' and if it is not strong enough to stand alone, even against domestic disturbers, it cannot expect immediate recognition. It must wait yet a little longer until, restored at last in character and in strength, it can do all the duties of a State, and with master hand grasp that Ulyssean bow which pretenders strive in vain to bend."

Mr. Johnson, of Maryland, replied: "Has the honorable member refreshed his recollection with the debates which resulted out of the admission of Missouri? Has he consulted the debates which from time to time since have occurred in either branch of Congress? If he has, he will find that however upon the first occasion doubts were entertained whether it was in the power of Congress to annex any such condition to a State as a condition upon which it is to be admitted, it was soon after conceded that it was not in the power of Congress to annex any such condition to the admission of a State, because such condition would produce inequality as between the States. He reads every thing that comes out that is worth reading, and he will pardon me for saying he sometimes reads what is not worth reading; and I am sure the honorable member must have read the speech that electrified this body, charmed an immense audience, placed his name high upon the roll of orators, made him for the time the observed of all observers, the speech that Pinckney delivered on that question in this Chamber. It is very imperfectly reported, but the argument is there, and the argument was so overwhelming that although the opposite view was taken by a man of eminent ability, and pure and spotless character, and burning patriotism (Rufus King was his opponent, and spoke in advance), he yielded to its masterly power, and stood, if I may be permitted to use what I have heard from those who were spectators of the debate, crest-fallen. And from that day to this (I speak what I know, Mr. President, for it has happened to be my duty particularly to examine this question professionally), with rare exceptions every jurist in either branch of Congress who has spoken on

the subject, until the last two or three years, has admitted that whether a State is to be received into the Union or not, one thing is certain, she can only come in as an equal; and as Massachusetts might establish slavery if she thought proper to do so, as she once recognized it, as she once, if there could be any enjoyment in such an institution, enjoyed it, as some of her citizens sold the slaves which went out to the South—as she could now establish African slavery within her own limits, it followed that if you prohibited it to Arkansas or to Tennessee, or to any other States, they would not be on an equal footing with Massachusetts. I trust in God the Union is destined to last forever; but it cannot last when once it is understood that each State in the Union is not the equal of every other, equal in every thing, equal not only in the power to do right but equal in the power to do wrong; I mean morally wrong. My friend is for blotting out all these State lines which were so valuable to us in the past, around which so many associations that cling round the heart of an American are to be found; associations the result of intercourse, the result of marriage, the result of blood relationship, the result of joint glories and joint trials in the field. He is for blotting them all out and considering these States merely as territory, to return to the United States as territorial acquisitions; or, if the honorable member refuses to admit that that word properly illustrates his own view, to get them back into the United States as Territories, stripped of State power and unprotected by the Constitution of the United States, except so far as that Constitution deals with and protects the Territories of the United States.

“The difference between the honorable member and myself is as wide as the poles. I consider the war now being carried on against the citizens of those States as being carried on against them individually; that each man is just as much a citizen of the United States in those States now as is each man in the loyal States; but as those men for the most part are now in arms against the United States, trying to destroy the United States, they are not to be represented in the electoral college because they are criminals, traitors, whom it is the duty of the United States to prosecute as such, and to punish as such. If the President thinks proper to pardon them all, and he has pardoned a great many, or if Congress should thing proper itself by some legislative act, with the consent of the President, to wipe out all their sins as against the United States, and they should organize their Government again, and come here, they have a right to come; but until they do that they are the enemies of the United States. But that is not the case made by the President.”

Mr. Howard, of Michigan, said: “Mr. President, I shall vote against the reference of this subject to any committee of the Senate. I shall vote against the reference of the joint

resolution which is the first in order, because I think the time has not yet come for us to take into consideration the propriety of setting aside the President's proclamation declaring certain States of the Union to be in insurrection; and I shall vote against it, because I think that, fairly and properly speaking, at the present time the State of Arkansas is in insurrection. It is not at peace. So far as the resolution relates to that State, I shall treat it as a State in insurrection.”

The joint resolution was adopted to refer the credentials to the Committee on the Judiciary, together with the following resolution offered by Mr. Sumner:

Resolved, That a State pretending to secede from the Union, and battling against the national Government, to maintain this pretension must be regarded as a rebel State, subject to military occupation, and without title to representation on this floor until it has been readmitted by a vote of both Houses of Congress; and the Senate will decline to entertain any application from any such rebel State until after such vote of both Houses of Congress.

The committee subsequently reported that the Senators were not entitled to seats. The report was approved.

In the House, on April 4th, Mr. Davis, of Maryland, received permission to report from the Committee on Foreign Affairs a joint resolution relative to Mexico. It declared that the Congress of the United States were unwilling by silence to leave the nations of the world under the impression that they were indifferent spectators to the deplorable events transpiring in the republic of Mexico, and that they therefore thought fit to declare that it did not accord with the policy of the United States to acknowledge any monarchical government erected on the ruins of any republican government in America under the auspices of any European power.

Mr. Brooks, of New York, asked: “What does the gentleman propose to do with the joint resolution?”

Mr. Davis replied: “I propose to put it upon its passage.”

Mr. Brooks said: “I have no objection to the joint resolution if it be not a mere paper fulmination. I do object, however, to paper thunder. If it means any thing I am in favor of the resolution; if not, I am opposed to it.”

Mr. Davis further added: “Mr. Speaker, whether it be a mere paper fulmination or not depends upon whether the Congress of the United States shall adopt it, and whether it represents, in adopting it, the opinions of the people of the United States. It is a declaration simply as to what our policy is to be respecting events which touch our interest very nearly. I take it that it is not a subject which anybody desires here to discuss; and I suspect that if there be a dissent in this House, it is about the only dissent that can be found in the United States on this subject.”

The vote on the resolution was—yeas, 109; nays, 0. No action was taken on the resolution in the Senate.

In the House, Dec. 22, 1863, Mr. Johnson, of Pennsylvania, offered the following resolution:

Whereas the supreme judicial tribunal of the State of Pennsylvania has solemnly decided that the act of Congress, approved March 3, 1863, commonly called the Conscription Act, is, in its provisions, contrary to and in violation of the Constitution of the United States, and therefore null and void; therefore,

Resolved, That it is the sworn duty of the executive department of the Government to either acquiesce in that decision within that State, or to bring the question involved before the Supreme Court of the United States for final adjudication, to the end that, if Congress shall deem such legislation necessary, a bill may be prepared which shall not be subject to constitutional objections.

It was laid upon the table by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, Bailey, John D. Baldwin, Beaman, Boutwell, Boyd, Brandegee, Broomall, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Creswell, Henry Winter Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, Farnsworth, Fenton, Frank, Ganson, Gooch, Grinnell, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Jenckes, Julian, Kasson, Longyear, Lovejoy, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Odell, Charles O'Neill, Orth, Pike, Price, William H. Randall, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smith, Smithers, Spaulding, Stevens, Thomas, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Williams, Wilder, Windom, and Winfield—80.

NAYS—Messrs. Ancona, Augustus C. Baldwin, Bliss, Brooks, Coffroth, Cox, Dawson, Dennison, Eden, Edgerton, Eldridge, Finck, Grider, Hall, Harding, Benjamin G. Harris, Charles M. Harris, Holman, Philip Johnson, William Johnson, Le Blond, Long, McDowell, McKinney, Middleton, Morrison, Nelson, Noble, John O'Neill, Pendleton, Perry, Rogers, Ross, Scott, John B. Steele, William G. Steele, Stiles, Strouse, Sweat, Wheeler, Chilton A. White, Joseph W. White, and Fernando Wood—43.

On February 1st, Mr. Eldridge, of Wisconsin, offered the following:

Whereas all conscription or other forced service of the citizen to the State is contrary to the genius and principles of republican government and opposed to the principles of self-government, which is the true basis of the American Republic; and whereas the laws for conscripting or drafting citizens into the military service of the United States have thus far proved, if not an entire failure, at least ineffectual for the supplying to the Government the necessary number of men requisite for the military service in putting down the rebellion; and whereas the principles of equity and justice require in a Government like ours, founded on the will of the majority, that the burdens of maintaining and preserving it should fall alike and equally upon all and every of the citizens, the rich as well as the poor, in proportion to their ability to bear the same; and whereas the military is a profession to which men are called as well from the inducements of personal gain and family advantage as from motives of patriotism and hopes of future fame; therefore,

Resolved, That the Committee on Military Affairs be, and they are hereby, instructed to examine and

inquire immediately into the propriety and expediency of repealing or suspending, so far as any future or further draft is concerned, all acts and parts of acts authorizing or empowering the conscripting or drafting of, or in any way forcing the citizen into the military service of the country, either in putting down rebellion or otherwise, and in lieu thereof providing by law for and authorizing the President of the United States from time to time, and as he may deem it expedient and necessary, to offer the payment of such sum or sums of money for volunteers in bounties or monthly payments, or otherwise, as may be best to induce enlistments and secure such moneys to the soldier and his family, and as will secure just so many and just such men as may be requisite or necessary to put down the rebellion and restore the supremacy of the Constitution; and that said committee do report by bill.

It was laid on the table—yeas, 84; nays, 42.

On the same day, Mr. Grinnell, of Iowa, offered the following:

Whereas the war policy of the Government having brought into the military service as soldiers and laborers free colored men and persons claimed to be held by rebels, who have rendered invaluable service to the army; and whereas the more extended employment and enlistment of colored persons will be a relief to our northern soldiers, unaccustomed and unused to manual labor, and lessen the number to be taken from their homes and from the industrial pursuits in the United States where there is now an unusual demand for labor; therefore,

Resolved, That a more vigorous policy to enlist at an early day and in larger numbers in our army persons of African descent, would meet the approbation of this House.

It was adopted by the following vote:

YEAS—Messrs. Allison, Ames, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Francis P. Blair, Jacob B. Blair, Blow, Boutwell, Boyd, Brandegee, Broomall, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Deming, Driggs, Eliot, Farnsworth, Fenton, Garfield, Grinnell, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Julian, Kelley, Francis W. Kellogg, Orlando Kellogg, Longyear, Marvin, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pomeroy, Price, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Schofield, Shannon, Sloan, Smith, Spaulding, Stevens, Thayer, Thomas, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Williams, Wilson, Windom, and Woodbridge—80.

NAYS—Messrs. James C. Allen, William J. Allen, Ancona, Clay, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, Finck, Grider, Hall, Harding, Harrington, Benjamin G. Harris, Holman, Kernan, King, Knapp, Law, Lazear, Long, Marcy, McAllister, McKinney, William H. Miller, Morrison, Noble, John O'Neill, Pendleton, Perry, Pruyn, Samuel J. Randall, Robinson, Rogers, Ross, Scott, John B. Steele, Stiles, Strouse, Stuart, Sweat, Wadsworth, Chilton A. White, and Yeaman—46.

In the Senate, on December 21st, a bill to increase the bounty to volunteers, and the pay of the army, was taken up. An amendment was under consideration to pay the same bounties to persons enlisting in the marine corps.

Mr. Sherman, of Ohio, said: "I think—and indeed I believe we all think—that the assumption by the authorities of the power to give

bounties was without law. It was probably the greatest stretch of power that has been exercised during this war. I do not know whether it was necessary or not. I think it was not necessary. I believe that if the authorities had in good faith, commencing last March, enforced the law which was provided for them according to the terms of the law, by the month of July they would have had the army filled up. There is no doubt of it, in my judgment. They seem to have delayed action, to have put it off from day to day, showing timidity, anxiety, fear of the people; deterred at one moment by the mob in New York, at another by threatened political movements in other parts of the country; and finally, in October last, they fell upon the measure of offering bounties without law.

"This section of the bill, if it passes, will, in my judgment, involve the expenditure of over one hundred million dollars. There are three hundred thousand soldiers called for. The bounty offered to veterans is \$400 each; to other persons \$300 each. Counting one hundred and fifty thousand, or one-half the number required, as veterans—Senators can figure it up for themselves—and it amounts to over one hundred million dollars—an immediate demand on the Treasury of the United States. This money has not been paid out; no portion of it has been raised except the \$12,000,000 paid in as commutation money."

Mr. Wilson, of Massachusetts, followed, saying: "Mr. President, I think the passage of the first section of this bill, with the limitation put upon it, that it is only to continue till the fifth day of January next, will save money to the Treasury of the United States. I agree with the Senator from Ohio that the offer of these bounties by the Government was made without authority of law. The Government had no authority to offer bounties for any persons to enlist beyond the extent of the amount already received as commutation. But, sir, there had been a great deal of misrepresentation in the country in regard to the enrolment act, or conscription act, as some choose to call it. Its results, as well as the act itself, had been misrepresented. It was said to be a failure. Sir, it was not a failure. If not a great and eminent success, it was no failure. The Government made a draft of about one-fifth of the persons enrolled between the ages of twenty and thirty-five years in some of the States. The Government undertook to raise a class of very perfect men. The Government said that in the volunteer service a great many men had been enlisted who had broken down after a few months' service, and that we ought to have nothing but perfect men. They made, I think, one hundred and twenty-four causes of exemption, and I undertake to say that any enrolling board could let off nearly every drafted man under these exemption clauses. About one-fourth of all the persons drafted throughout the United States were held to service.

About sixty thousand men were placed in the service, either as drafted men or as substitutes, and about forty thousand men paid the commutation, and the Government was authorized to offer bounties to that extent, which would raise forty thousand men, and no more.

"The Government then, instead of going on and making another draft, in which, beyond all doubt, in drawing the same number of men, they would have obtained at least twice the number of soldiers or twice the amount of money obtained by the previous draft, called, on the 17th of October, for three hundred thousand men, promising to pay veterans a bounty of \$400, and other persons \$300. Supposing they obtained the men, one-half from each class, here was a promise of \$105,000,000 as bounties. The Government had then about nine million dollars paid in as commutation; the Government has now about twelve millions. That was all the money the Government had to pay the bounties promised.

"Now, sir, the first section of this bill undertakes to legalize and to fulfil the pledge made by the Government to the people of the country and to the States. The proposition of the Government is limited to the 5th day of January next. The promise was that persons enlisting before that day, the 5th day of January, should have these bounties. We propose to accept the proposition and to fulfil the promise; but we propose to close it on that day and fall back upon the bounty of \$100 for persons who are drafted or who volunteer after that day, not allowing it, however, to substitutes. We require the man who is drafted to pay the whole sum himself to get a substitute.

"I agree with the Senator from Ohio that we ought to have great care in regard to our expenditures and to the condition of our treasury. From the first hour of this war I have felt that our great danger, if we had any danger at all, was in obtaining money and not in obtaining men, and I am more convinced of that to-day than ever. As long as our currency is sound, as long as we can meet our obligations promptly, as long as the general business of the country is prosperous, we can maintain and prosecute this war. Had the treasury failed, had the currency of the country broken down and interrupted the trade and productive industry of the country, then we should have had at once a strong opposition to the Government. The condition of the treasury of the Confederate States is full evidence to the whole world that they must go down, that they cannot succeed. They are weaker in that than in their armies. I agree, therefore, with the Senator from Ohio, that it is very important to be careful as to what sums, either for bounties or any thing else, we pay in carrying on the war. It is important that we should be careful to keep the credit of the Government sound, the treasury full, the currency solid, and the productive industry of the country prosperous."

Mr. Hendricks, of Indiana, said: "Mr. Presi-

dent, the debate which has sprung up does not really seem to me to be upon that amendment, but upon the question which has been raised between the Senator from Ohio and the chairman of the Committee on Military Affairs. Upon that question I desire to express the opinion that Congress ought to encourage volunteering, rather than to rely upon what, of necessity, must be an unpopular measure of the Government—the draft. I think we have had evidence enough in the country that the army can be supplied with men by volunteering; and although the Senator from Massachusetts will not admit that the draft has been a failure thus far, he will hardly claim that it has been a success. Out of 125,000 drafted men, there went into the service about 6,000; about 20,000 paid the \$300 commutation; and 37,394 were exempted for physical disability. The Senator says that the Department made a mistake in the number of causes of exemptions for physical disability. I am not prepared to discuss that question with the Senator. He is better informed on the subject, unquestionably, than I can be; but that is a very large exemption for physical causes. According to this report, there paid commutation money, 20,138; furnished substitutes, 10,402; failed to report, 17,940; exempted for other causes, about 32,319. Under the draft, therefore, in New England, Pennsylvania, and New York, up to the 1st day of November, the Government realized about 6,000 troops who were drafted; 10,000 substitutes; and perhaps 20,000 volunteers, who were induced to volunteer under the policy adopted by the Administration in paying \$300 bounty—the \$300 that were paid by those who were drafted. I think that cannot be claimed as a success.

“But, sir, from the commencement of this war every effort on the part of the Administration to secure troops by appeals to the patriotism of the people, by appeals to their desire to provide for their families before they enter the service by giving them bounties, has been a success. At least, prior to the issuance of a proclamation by the President, which I shall not now discuss, there was no failure in the volunteer system. I claim that it was a success; and I may venture to say an army of volunteers is a better army than an army of conscripted men. They go freely, cheerfully, and they serve freely and cheerfully.

“What then is the plain duty of Congress? With these facts before us, is it not our plain duty to undertake to fill up the army by volunteering rather than by a draft? I do not ask that the draft law be repealed, for I know that such a motion in this body would not prevail; but it were better that it were repealed, in my judgment, and that the Government should pay liberal bounties to the soldiers in advance of their going into the field, in order that they might well provide for their families during their absence.”

Mr. Fessenden, of Maine, was of a different

opinion. He said: “I believe there has been rather a mistake in the policy of the authorities with reference to this subject, and a mistake, too, on our part. I believe that the continued offer of bounties, and the continued increase of bounties—and they have been increasing almost geometrically from the beginning—instead of having a tendency to increase and promote the patriotism of the people, has had a tendency to diminish and destroy it. The effect has been, in my judgment, carried on at such a rate as it has been, especially in my section of country, to turn the attention of the people from the fact and the consideration that every man owed to the Government when necessary his personal service, which as a citizen he was bound to render, to the question, ‘How much can we make by holding off a little longer before we volunteer?’” And the system, as now proclaimed, going on as it does, must necessarily be one that increases and enlarges from day to day.

“The question then arises, do you mean to keep up that system and abandon your law? The law either ought to be enforced or abandoned. We ought to have a draft or else strike the law from our statute book. We adopted the policy. Why? Because we foresaw that after this war had continued so long the result would be that we should find it difficult to obtain men. With all the patriotism that exists in the community, when it comes to the individual case it is found hard to raise the number of men required. Now, will you abandon at once the idea, and say to the people that you have abandoned it; that there is no such thing in the United States of America as an obligation resting on every able-bodied citizen to serve his country, when his country needs his services? Sir, we cannot do so. It is the idea upon which that law was predicated, upon which it was passed, to give the Government the power to command the services of our citizens; and, in my judgment, it should be enforced. Spend the money you get from exemptions in bounties for the purpose of filling up the ranks; but, sir, there is no seeing how long the credit of this country can continue what it is if we are to go on recklessly and spend money as if we had a profusion of it and more than we knew what to do with.

“Now, sir, in my judgment, the failure of the draft, so far as it has been a failure, has been owing to the very clumsy manner in which the thing was attempted to be carried out, arising out of these exemptions for cause more than any thing else.”

Mr. Lane, of Kansas, said: “Mr. President, suppose we resort to a draft alone, and retain the \$300 exemption clause. I show you that we cannot, by any possibility, raise an army under any system of draft which retains that clause. We cannot fill our armies under any conscription law which retains the \$300 exemption clause. If we rely upon volunteering alone, we may, and perhaps will, fill our ar-

mies; but is it just, is it fair and honest to the whole people, that the loyal, the true, the patriotic, the Union-loving shall be called again and again to volunteer and to shed their blood in defence of the flag, and to find martyrs' graves upon the battle-field, while the disloyal, the traitorous, and the sympathizers with treason refuse to go into the army, and remain at home to denounce every measure of the Administration calculated to suppress the rebellion?"

Mr. Howe, of Wisconsin, followed, saying: "The Senator from Maine has announced a principle here which I welcome with my whole heart, as it is about the first distinct enunciation of it I have heard in the Senate of the United States since I have had the honor of a seat here. I was particularly gratified with it. It was this, that every citizen of this Republic owes to its Government the utmost of his ability for the maintenance of the Government during this war, whether of money or of personal service. It is not a matter of choice, but it is a matter of duty. It is a debt due, and it ought to be paid, and the Government, as the agent of the whole people, ought to insist on the payment of it. I am glad to hear that doctrine. It is a very late day to proclaim it.

"But now, sir, if this is a correct principle—and I do not think it will be controverted here when it is once stated as clearly and as forcibly as it has been by the Senator from Maine—this follows, that whether you want an army of five hundred thousand or five million of men, it is the duty of every man to contribute to the composition of that army equally in proportion to his ability. How shall that be done? The Senator from Indiana has argued that the most popular if not the most equitable (I think he said the most equitable) way of doing it was to leave it to the choice of every man whether he would become a soldier in that army or not. Now, I must differ from that proposition. I do not think it is the most equitable, and I do not think it is the most popular method of raising an army. We have seen both methods tried, and that has proved the most successful, I am very willing to admit, so far; but it has had the most thorough trial; the latter method has not had a thorough trial by any means, not even a fair one."

Mr. Collamer, of Vermont, expressed his views as follows: "Mr. President, it is not to be disguised that the burdens in this war upon the people of this country consist in two things: one is in rendering personal service, and the other is in paying money. Now it is attempted to separate these things altogether. The men who are of that age and ability to be subject to the performance of military duty and capable of it, owe their services to the Government; and as many of them as the Government needs should be called out, and they should render the service. All that is very well; I find no fault with it; but let us see how it works.

"Here you repeal all essential bounties; you say to the men between twenty and forty-five years of age, 'You owe duties to this Government by the way of service, and you shall render them;' and another thing you say, too, 'You shall render them without the rest of us who should pay money, paying much of any thing to you.' It will not do, say gentlemen, to go on giving bounties; it will be so expensive that we cannot do it. What is it, then? Essentially that we will put the whole duties upon the men between twenty and forty-five—the duties of rendering service without any compensation, without our contributing any thing. I do not like that. I prefer to bear my part of what shall be an honorable and fair bounty to these men. Almost any of them can earn infinitely more at home than we pay them. Can you expect that people are so patriotic that they are more willing to be shot at for twenty dollars a month than to stay at home and receive fifty dollars for common labor? Is it a reasonable request? Not at all. Now, I say that in the form of bounties, or in the form of pay (and it is not very material to me which, though I believe bounties will quickest fill the army), we should take measures to fill up the ranks. I am willing that the Government should fill the army by offering these bounties. I do not like the idea of saying, in this bill, 'You may continue the bounties to enable you to fill up your quota, but you shall not do it after the 5th of January.' What if the Executive finds that the army is being filled up rapidly, and will, under these laws, fill up rapidly, and he chooses to extend the time for the draft? Should he not have that privilege? Should not the influence of such a law be upon the people to enable them to fill up their quota? I think so."

The amendment of Mr. Grimes failed. Various other amendments to the bill were considered. Meantime a deficiency bill, appropriating \$20,000,000 for bounties already due, was passed in the House and sent to the Senate, where it was passed at once. While under consideration Mr. Wilson, of Massachusetts, said: "I tell you, sir, our conscription act has done more to raise and elevate the sentiment of this nation than any other act we have passed. When that act was passed, you had a wild, unreasoning prejudice against using a black man to fight the battles of our country. But when people who were filled with these prejudices saw that they must go themselves, and bare their bosoms to the shot and shell of the enemy, they learned that the black man's blood was no more sacred than their own, and that they would as soon have a black man stand up and fight the battles of the country as to do it themselves. The most popular thing to-day is to crowd black men into our armies. Sir, there would be a shout of joy throughout the nation in which our whole people would participate, if the intelligence should go out to them that we had a quarter of a million black men

organized and armed to fight the battles of our country."

Several sections of the bill relating to bounties, were thus disposed of, and the bill itself was laid on the table. Subsequently a joint resolution was passed to continue the bounties.

The Senate, on January 8th, proceeded to consider the bill to amend the "Act for enrolling and calling out the national forces." Several amendments were considered, one of which was the following, reported by the Committee on Military Affairs:

And be it further enacted, That so much of the act entitled "An act for enrolling and calling out the national forces and for other purposes," approved on the 3d day of March, 1863, as authorizes the discharge of persons drafted into the service of the United States under the authority of that act, upon the payment of a sum of money not exceeding \$300, be, and the same is hereby repealed.

Mr. Sumner, of Massachusetts, offered an amendment to this amendment, which he thus explained: "This proposition, as I have said, contains three different elements: first, that no person shall be allowed to furnish a substitute; secondly, fixing the minimum commutation absolutely at \$300; and, thirdly, adding to that commutation money of \$300 a ratable sum according to the income of the person drafted, yet the single object of the whole proposition is to establish a ratable contribution according to income, which every drafted man shall pay. That is not only the central idea of the proposition, but it is the single object of the proposition, to which all the other parts of it are subordinate.

"It will be observed that it will be practically impossible to require this ratable contribution, unless you declare that no person shall be allowed to furnish a substitute, and there will also be a practical difficulty in the way of it if you do not fix the standing sum at \$300, not leaving it to be varied in the discretion of the Secretary. I have, therefore, in preparing this proposition, introduced these two other elements as simply subordinate to the main proposition, the object being, in one word, to equalize the burden of this commutation where a person is drafted, that it may at least seem to be more equal even if it be not really more equal, and that, in one word, it may be popularized to the country.

"Some persons have said to me that I proposed to require a very large sum from certain persons who may be drafted, but I ask Senators whether any sum which is reasonable can be too large for a man of wealth to contribute if he should be drafted. Take, for instance, a man who has an income of \$5,000, or of \$10,000 if you will, what is the commutation money of \$300 to him? It is nothing. What is an additional sum of ten per cent., or twenty per cent., on that income? I say again, it is absolutely nothing as a commutation for the service which the country has a right to ex-

pect from him. He escapes from the hazard of wounds, of disease, and of death, and he also secures to himself the full employment of his time during the period of one, two, or three years for which he may be drafted. Is there any thing that he can reasonably pay which can be considered as too much?"

Mr. Clark, of New Hampshire, said: "I think the amendment of the Senator from Massachusetts goes upon a wrong theory. The Government asked for men, and we passed the enrolment law, and we inserted the commutation clause to relieve some people and enable them to get substitutes; but the idea was that the men should be furnished to the Government; that a man should either go himself or furnish a substitute, or give the Government money enough to obtain a substitute for him. The Senator's amendment strikes at all idea of a man's getting a substitute for himself, and puts it entirely into the hands of the Government. The idea of the bill was that a man should pay, not a percentage of his income, be he rich or be he poor, but should pay the Government enough to get a substitute, not exceeding \$300. The bill declares that the money is to be applied for the purpose of getting a substitute. If the Senator's amendment be adopted, you take from every individual the chance of getting a substitute for himself, and leave it entirely for the Government.

"The operation of the bill in my section of the country was that a great many men who were drafted felt an inclination to go, or to furnish somebody for the service where they could not well go themselves. They said, 'We will not pay this \$300; we do not want to shirk it; it is not the money we care for; but we will put something else to the \$300, and get a substitute, and put him into the army for us, so that the Government shall have a man.' The result was, in my State, that we furnished more men under the draft than any other State in the Union; we furnished fifty per cent. of the call."

Mr. Sumner subsequently modified his amendment so as to allow a drafted man to obtain a substitute.

Mr. Collamer, of Vermont, followed, saying: "I believe it was very generally understood in the Senate, that the great object of putting in that limitation for commutation was for the benefit of men of moderate circumstances, to enable them if they pleased to pay a sum of money for which we believed substitutes might be procured. Further, it was with a view to fix a limit to the price of substitutes in the market, that it should not go above that, because if the Government would take \$300 to procure substitutes with, nobody would give any more in the market, and the Government could give no more, but would get them for that. That was the object.

"Now it is suggested that that provision has in some measure defeated or prevented our obtaining by the draft the number of men

which it has been expected would be obtained. I do not think so. It is true the draft did not result in bringing into the field so many effective men as had been hoped for, but it is not attributable to this cause. Let me state some of the causes to which it is attributable.

"In the first place, somebody made out a schedule of infirmities for which a man was to be excluded as being an infirm man, not of sufficient physical ability. On reading it over it looked to me as if some one had undertaken to show what he knew of the most recent medical learning, by finding out all the probable infirmities to which the human frame could be subject, and especially all the most modernly invented diseases, or at any rate those for which new names had been invented. In short, very few men were to be found who could escape falling within some one or other of the various calls for infirmities, unless indeed it might be the man who could not find any thing else, and said at last that he was very much subject to measles and wanted to be excused.

"An unexpectedly large number were excused under that. In the next place, it was found that a very large proportion of our able-bodied young men were dependent on their parents for support; and, what was worse than that, it was ascertained that the parents were dependent upon them. Nobody had ever found it out before particularly; but there was a large part of these poor dependent young men dependent on their parents for support, and they showed somehow or other that their parents were dependent on them for support. That was worse yet. This was a very unexpected condition of things, and very large numbers got off on that plea. Between the infirmities of body and the infirmities of parents and children and their relative dependent condition, which came within the act, the number who were obtained under the act was comparatively few.

"I think the mode of administering the law tended very much to produce the effect that you did not get men readily with the \$300 which persons were permitted to pay in. If the people had been told plainly and directly in the beginning that paying the money or furnishing substitutes would be the same in effect, they would not have given any more, and the Government would not have given any more than \$300 for a substitute.

"Such, Mr. President, was the manner of the execution of this law, and I cannot but further say that I do not see why the law, even as it resulted in the draft, was any failure at all. What was the amount of the draft? They proposed to draft about one-fifth of those enrolled. The Senator from Indiana the other day gave us the numbers as they were returned. I do not remember the exact numbers; but that is not material. The general result is, that leaving out of view the exemptions, of which I have already spoken, the

Government got some twelve million dollars commutation money, and between forty and fifty thousand men. Why did they not go on, then, and draft another one-fifth, get forty thousand men more, and \$12,000,000 more; and, in the mean time, why did they not use the \$12,000,000 which they had got from persons who paid the \$300 each, for the purpose of procuring substitutes? Why did they not go on in this way? If it had been done, would it not have been effective? If it had been as effective as the first draft, the result would have been to bring all the men we wanted, and we should not have to go through the whole five drafts to obtain the number of men desired."

Mr. Lane, of Indiana, presented the following view: "What is our present legislation upon the subject? It is just this: that the able-bodied persons who are deemed subject to draft by the board of enrolment, shall either give personal service, hire themselves a substitute, or pay \$300 commutation in lieu of a substitute. By the provision of the bill reported by the Military Committee, that \$300 commutation exemption is proposed to be stricken out. Now, what is the effect of that \$300 exemption in view of the present legislation upon the subject? Under the provisions of that bill, thirty-five thousand men paid their commutation money, and received a certificate of entire exemption for three years; and the conscription law was enforced in but a small portion of the States. If it had been enforced in all the States, instead of thirty-five thousand men who have to-day in their pockets certificates of exemption for three years, we should have had seventy-five or one hundred thousand men who would have been exempted under the operations of that law from any draft for three years. That is the effect of it. If thirty-five thousand are now exempted and exempt for three years on the payment of \$300, if you enforce the conscription in all the loyal States, at each return of the draft one hundred thousand men may procure their exemption for three years. The report of the Provost Marshal General will show that we have less than half a million of men to draw from. Then, if we have continual drafts, and exempt at the end of every draft one hundred thousand men for three years, how long will you have any basis to draw from? You exempt these men for three years upon the payment of \$300. That is one of the effects of this system."

Mr. Wilson, of Massachusetts, followed, saying: "Mr. President, although my committee instructed me to report the amendment, I am opposed to the repeal of the \$300 commutation clause. I know that it was put into the act by Congress for the benefit of the people of the country, to make that law bear as lightly as possible upon the poor, toiling people. It has been demonstrated by experience so to operate. Nobody questions that now. Nobody rises in Congress now and denounces that provision as a

discrimination against the poor and in favor of the rich. I believe that the people of the country, by an uncounted majority, are against striking out that provision of the law. That is my conviction; and I believe we ought not at this time to do it. I do not see any necessity for doing it.

"Instead of striking out this \$300 provision, which was at one time so misunderstood and so misrepresented, but which in its practical workings has proved so favorable to the poor and toiling men of the country, so much so that it enabled forty-seven thousand of them to pay commutation—instead of repealing that clause, I would amend this bill and decrease the time of service from three years to eighteen months. I believe we ought to do it."

Mr. Cowan, of Pennsylvania, said: "I hope, sir, that the present pending amendment will not be adopted. I have become satisfied in my own mind from every thing I have seen and heard in relation to the draft, that the law is now in this respect just about as well as we can make it, and what is better, the people now understand it and its operation. That is a great deal in any law, if it is once understood and accepted by the people.

"I agree with the honorable Senator from Massachusetts, that the time for which the President calls for these men is too long. Three years is too long a term; and that was really the main objection on the part of the people to serve under the late draft. If it had been one year, or, if it had been eighteen months, I think the response would have been such a one as would have gratified the country; but to ask a man to serve for three years in the army is about equivalent to asking him to go for a lifetime; because, in three years the chances are very much against his returning safely in life and limb."

On the 12th, the bill coming before the Senate, Mr. Sumner again modified his amendment, saying:

"The single proposition upon which the Senate will now vote, will be whether they will make the rich man who is drafted, pay more than the poor man, or whether the two shall be treated on an equality."

Mr. Sherman, of Ohio, replied: "The amendment of the Senator from Massachusetts proposes to establish a new income tax, to be imposed only upon those who are drafted. In this view of the subject, it is an unjust and unequal tax, which makes the burden of the draft more severe than before. If the Senator desires to impose an income tax for the purpose of raising a special fund to hire substitutes, that tax ought to be imposed not only upon the man who is drafted, but upon all wealthy citizens.

"It is, Mr. President, impossible to mingle these two systems. Every man holds his property subject to the right of Congress to levy taxes; and the power of Congress extends to seizing the whole of all the property of all the

citizens. There is no doubt about that. Every man, also, who is able to render physical service, is bound to render that service whenever called upon by Congress. Congress has the unlimited power to raise armies, and Congress may by law prescribe that every man able to render service shall enter the Army of the United States. These are two distinct duties, one to render physical service, and the other to pay taxes. You cannot blend these two together. They operate upon different classes of individuals.

"There is no subject that ought to be more carefully considered by Congress before it is finally acted upon, than the amendment of the enrolment act. There are difficulties in the way. If you retain the commutation clause, you meet the objection made so ably by the Senator from Indiana. If you allow a man on paying \$300 to relieve himself for three years from the operation of the draft, you may leave yourself without the basis of future drafts; you may, by enforcing the conscription law, be able to raise one army of three hundred thousand men; but in doing so, you exhaust the basis of all future drafts and all future reinforcements. We dare not do that, we must not do it, because we do not know what the exigencies of the country may demand of us. It may be necessary for us to have a broader and more general levy. The argument of the Senator from Indiana satisfies me that the present commutation clause ought to be modified to some extent.

"But, on the other hand, if you make your draft arbitrary, and allow no man to be exempted, and require every one to render military service, you will incite resistance to the draft. You will not justify it, because nothing will justify resistance; but you may excite it. If you make your draft arbitrary, so that the citizen must in all cases be seized and forced into your ranks, compelled to hire substitutes or to render military service, you make the difficulties in the way of enforcing the draft very great."

Mr. Sherman then proposed an amendment, the effect of which, if adopted, he said would be "that every person drafted would have the right to hire a substitute. If he hired a substitute from among those not subject to draft, as unnaturalized foreigners, persons under twenty years of age, or men who, by having already served are exempt from the draft, in such case the substitute operates to exempt the drafted person from the entire draft for three years; but if the drafted person hires a man who is himself subject to draft, they then just change places, the drafted man again takes his place on the roll where his substitute stands, and the substitute renders military service to the Government. In this way the Government loses nothing. The number of persons enrolled and subject to military duty continues the same. There can be no exhausting the roll until every man has rendered military service. The person who has employed a substitute who is himself

subject to draft, would be liable to be called upon at the next draft. He would take his chance precisely as his substitute would have done, and that is the way it should be. On the other hand, the \$300 commutation clause is retained, so that a man whose business will not allow him to go, or who, for any reason, cannot go, may pay the \$300; but he is again to take his place on the roll, and be subject to future draft. With that \$300 a substitute may possibly be employed by the War Department; but if not, the War Department may go on and make another call, and the person should again be subject to military duty."

Mr. Collamer, of Vermont, replied: "I suggest to the Senator from Ohio, whether it would not better carry out the view which I cannot but think he entertains, to say that if a man is drafted and furnishes a substitute or pays his money, he shall not be subject to draft again until all the persons who are enrolled have been drafted. I would not take his name out. I would leave it in for the purpose of keeping up the whole number, so that the chances should be the same; but the provision I suggest is that such a man, if again drafted, shall not be subject to be called upon to perform duty under that draft until all the persons enrolled shall have been drafted. That might create something like equality and justice, and would not prevent the taking of such a man when the necessities of the country require it."

Mr. Sherman answered: "I think there is no injustice, and the Senator will see that there is no difficulty in enforcing my proposition, if he will allow me to illustrate my meaning by a supposable case. Suppose that he and I are subject to draft, and I am first drafted. It is not convenient for me to go, and he would go for \$300. I employ him to take my place and go into the service of the country, and pay him \$300; and I take his place on the enrolment, subject to future draft. We exchange places, precisely as if his name was drawn and mine remained. Is there any thing wrong in this? If by the turn of the wheel in a future draft my name should be drawn again, I only stand in his shoes; I take his place. I purchase a temporary and perhaps a permanent exemption for \$300, and the United States lose nothing."

Mr. Collamer said: "It is not that, but it is the other proposition I am talking about. I am talking about the taking a man's \$300 and subjecting him to be drafted again when you do not pay him back his money; and also about the drafting of a man who has furnished a substitute."

Mr. Cowan, of Pennsylvania, said: "The present law has been a good deal considered in my State by the legal profession, and that section which allowed a man to be exempted for the time for which he was drafted by furnishing a substitute, even though the substitute himself was liable to draft, was always thought to be unjust. But the fair construction of the commutation clause, as it is called, was that it

exempted the person paying it from any draft made to fill that call. The President, in the first place, calls for five hundred thousand men. The wheel is brought out and five hundred thousand men are drawn, or a certain number of men take their chance to be drawn, under that call. Those who are drawn and who do not go into the service pay their \$300. That exempts them from being drawn for that call. If it should become necessary the next year to raise five hundred thousand other men, they would still be liable to be drawn again, according to a fair construction of the law; and I may say this is based upon the construction given to the old law. Under the act of 1795, the act of 1813, and under our act of 1861, the person drawn, in order to escape actual service, if he desired it, was court-martialed and paid a fine. It was not that the Government offered to the drafted man to commute his service for money, but he was punished by a fine for refusing to appear, when drawn, at the place of rendezvous. By the payment of that fine he was exempted from any further drawing under that call. It was perfectly impossible, indeed, that he could be drawn, or that he could incur any risk of being drawn, under that call, because the call was filled before the court-martial imposed a fine upon him.

"It was a little unfortunate, perhaps, when we imposed this \$300, which is really a fine, and which ought to be considered in the nature of a fine for not appearing when drawn at the rendezvous, that it was also stated that it should be used to procure a substitute. I think that was unfortunate, because it introduced another and a different idea from that which pervaded the old law. It introduced the idea that you might commute your service for money. The old law repudiated that idea and called it a fine, penalty, punishment—punishment for not doing a duty which you are obliged to do, and which you and all men owe to the country. I think the idea of a fine or penalty should still be preserved, and therefore I am in favor of the amendment of the Senator from Ohio, if the word 'draft' in that amendment shall be changed into the word 'call,' or if it be understood as it used to be that 'draft' and 'call' are synonymous."

Mr. Collamer, of Vermont, followed in answer to Mr. Lane, of Indiana, saying: "When we have once taken that in as one of the elements of our argument, that the money is paid to procure a substitute and should be enough to do it, and we have said that \$300 properly managed would do it, then we take it that that is sufficient, that that will supply a man, and therefore amounts to the same thing as furnishing a substitute."

"Now, with the operation of that clause, the element of draft can never be exhausted. In the older States of the Union, and in the older States of Europe, the number of men subject to and capable of performing military duty is just about one-fifth of the population. Instead

of being twenty per cent. in some of our States, as appears by the enrolment, and as appears by the returns of the census, it is twenty-two and twenty-three per cent. But take it upon the average that the enrolment, if properly made, would include one-fifth of the population. What is our population? I take it it is considerably more than twenty millions. Then we should have four millions on the enrolment. Now, take the worst case that can possibly happen, that one-half of those men on the enrolment hire the other half for substitutes, and you would have two million men in the field. I merely state this as a matter of figures, as a matter of certainty, to show that the elements of the draft could not, by any possibility, ever be exhausted by allowing one man to hire another as a substitute."

Mr. Lane, of Indiana, replied: "There were in round numbers enrolled a little over three millions. The last draft was for three hundred thousand men. Of that number one-third were rejected as physically incompetent. That is not stricken out of the Senator's calculation. Another third, or almost another third, bought themselves off by exemption. That is not stricken out of the Senator's calculation. Now, how often will you repeat that draft before you exhaust the basis?"

Mr. Harris, of New York, followed: "It is true that out of the four hundred and fifty thousand men drafted one-third were exempted for physical and mental disability, and nearly one-third more as being aliens and non-residents, and already in the service, and excused on account of their social and domestic condition; so that really but about perhaps one hundred and fifty thousand of the four hundred and fifty thousand would be held; and of this number it is further true that about twenty per cent. did not appear, so that we did not get by the draft any thing like the three hundred thousand men who were called for. That is true; but it is still true that the call for three hundred thousand men may be repeated six times before this basis is exhausted. As I was about to say, I cannot contemplate, I will not contemplate, such a condition of things in our country as that we shall have occasion to repeat six times a draft for three hundred thousand men. All we have to do, in my judgment, is to carry on vigorously the efforts now being made to fill up our army by recruiting and by drafting, prepare for a vigorous and energetic campaign in the spring, and we shall never have occasion for another draft."

The amendment of Mr. Sumner was further discussed by himself and others and lost—yeas, 15; nays, 25.

The question now came up on the amendment reported by the Committee on Military Affairs, as follows:

And be it further enacted, That so much of the act entitled "An act for enrolling and calling out the national forces and for other purposes," approved on the 3d day of March, 1863, as authorizes the discharge

of persons drafted into the service of the United States under the authority of that act upon the payment of a sum of money not exceeding \$300, be, and the same is hereby, repealed.

To this Mr. Wilson, of Massachusetts, offered an amendment, providing for a commutation, more or less than \$300, according to the resources of the drafted man.

Mr. Grimes, of Iowa, said: "I should like to know from the chairman of the Committee on Military Affairs, before we have a vote on this question, what is the probable number of colored soldiers now in the service, or that are likely to be in the service under the attempted organizations which I understand are being made under the authority of the War Department. I should like to know whether or not any steps have been taken to enroll the colored men in what are known as the 'border States,' and if so, when those steps were inaugurated."

Mr. Wilson replied: "I understand that we have fifty thousand colored troops enlisted. It may be that we have increased that number considerably within the last two or three weeks; but it was understood about the time of the meeting of Congress, some four weeks ago, that we had about fifty thousand men. We are increasing them now at a more rapid rate than at any other period, for the reason that we can reach them better. We have for the last few weeks been doing well in Maryland. We are doing well in Eastern Virginia. General Butler told me the other day that since he had entered his department he had raised about three thousand. We are doing fairly in Missouri, but not so well as we ought to do there. We are raising colored men in Tennessee and in some other parts of the country. The Government has not pressed this matter of raising black troops with so much vigor as some of us think it ought to have done; but there has been great difficulty in reaching these people. They have been moved away and kept out of the reach of our armies as far as possible. They have now found their way in, and we are enlisting them. I think that as our armies advance we shall raise many more of them; and I am sure that the policy of the Government now being fixed, and the public sentiment demanding it, every effort will be made to enlist colored troops; for, sir, if there be any thing in the prosecution of this war that the people are in favor of, it is the raising of black troops to fight the battles of our country. Everybody now demands it.

"The Senator from Iowa (Mr. Grimes) put another question; and that is, whether the Government has enrolled the colored men in the border States. I understand that in Maryland they have done so; I believe they have done it in Kentucky; I speak now of the free-men, not the slaves. I am told that that is the case. I do not know certainly whether it be so or not. At any rate, there is no doubt that the Government has the power to do it. I am told that in the State of Maryland the Government

is enlisting slaves without asking the consent of their masters, and they have the same privilege in the State of Missouri; but I am told that this is not so in the State of Kentucky. The Government can go into any part of the country and take our sons and enlist them without asking our consent, but the Government of the United States cannot step into the great State of Kentucky and enlist a slave without asking the consent of his master. Sir, I would enlist him if I chose to do so, and ask no consent of the master anywhere. The Government can take your son or an apprentice belonging to you without your consent, but it must ask a slavemaster for his consent to enlist an able-bodied man into the service of the country. It is a thing which ought not to be submitted to a day, and it ought not to be acted upon a day longer."

Mr. Brown, of Missouri, asked under what authority the War Department paid the master of the slave where the latter enlisted?

Mr. Wilson replied that there was no express law for it; and that he could not answer unless it was, that they construed the law giving authority to use the money received from persons who had been drafted, to authorize its appropriation in that manner.

Mr. Sherman, of Ohio, said: "The Secretary of War has clearly the power to use that money in procuring substitutes, and the law makes no distinction between white and black."

Mr. Johnson, of Maryland, said: "The Senator from Missouri (Mr. Brown) asks what law there is to justify the Government in paying any thing to the masters of slaves who are taken into the service of the United States. It is true that although the term 'slave' is nowhere found in the Constitution, slaves are evidently considered as property within the meaning of the fugitive clause and within the meaning of the clause which prohibits to the people of the United States the authority to change the Constitution at all in that particular provision of it which limits the authority of Congress upon the subject of the foreign slave trade to the expiration of twenty years from the adoption of the Constitution. They were considered as property, and were intended as property to be protected by that clause; and they have been considered as property and are now considered as property in your tax laws. So far as the direct tax is concerned they are considered as property. They are considered as property by the laws of all the slave States. They are subjects of distribution; they are liable for the debts of the master; they are subjects of bequests, they are subjects of sale, and are in every respect upon the condition of property; but notwithstanding that, they are no doubt also to be considered as in the character of persons.

"I suppose no one will for a moment hesitate in admitting that although they stand in the relation of property in a certain sense they also stand in the relation of persons to the Govern-

ment, because I suppose every one will admit that they could be guilty of treason as against the United States. If the slaves in the United States were to do as the white men in the southern States have done—I do not mean all the southern States; thank God, I am not obliged to say so—if the slaves in the seceded States had without the consent of the white men risen in rebellion and resisted the laws of the United States by arms, or if they were now found aiding the traitors in the seceded States in their effort by force of arms to destroy the Government of the United States, they might be considered and treated as traitors. In other words, although slaves liable to all the relations growing out of that condition, they are persons owing allegiance to the United States and consequently bound to abstain from every thing which is a violation of allegiance; and if they were to go to the extent of levying war upon the United States or of giving aid and comfort to the enemies of the United States, they might be dealt with as traitors.

"But it by no means follows from that that they are not to be esteemed as property, and that the master is not to be paid for them as property. The practice in Maryland, as I get from sources of information that I know can be relied upon, is that the recruiting officers, white officers, go to the homesteads of the masters, and not only enlist the slave without the consent of the master, but without his own consent. The poor ignorant black man who knows not to what extent the evident power of the Government may be carried, is told that he must enlist, and he enlists under what may be considered and what actually is compulsion. Whether he would enlist (as I think he would in a majority of cases) voluntarily, under the influence of no threat, or under no fear, is a question not submitted to him at all. And not only is that done, but the enlisting officer informs all the slaves upon the plantation, whether able to do duty in the field or not, old men and children and women, that they are all free; and the result has been that the whole of that population which has been able to get off has gone off. That the State will be benefited by the effect of it in the end, I have no doubt; but at the same time it is due to my own convictions of what the Constitution is, and the rights which the people of Maryland have under that Constitution, to protest without meaning to find fault with the Government; to protest, not in any acrimonious sense, against this mode which they have adopted to get the slaves of Maryland in the armies of the United States."

Mr. Grimes, of Iowa, in response to the remarks of Mr. Wilson, followed, saying: "I am very glad, sir, that I addressed the inquiry that I did to the Senator from Massachusetts (Mr. Wilson). I am rejoiced at the response he has given to it, and I think the country will be glad to know that the Administration has established a policy in regard to the recruitment of colored persons. I have heard for the last twelve

months givings-out that such was to be the policy of the Administration, or indeed that it actually was; but the results which have been accomplished have never satisfied me that that was their real genuine intention, for I have always believed that if there had been the proper agencies used, if there had been the proper degree of practical sagacity exhibited by the agents who were selected by the Government to raise colored regiments, there could have been two hundred thousand colored men marshalled into the field to-day, and I believe it now. I believe that there might have been, and ought to have been, two hundred thousand colored men in the field at this moment, and that instead of our being compelled to pass a bill appropriating \$20,000,000 for bounties, as we have done to-day, and passing a bill to amend the enrolment act, we need not have required a single new white soldier to enter the army."

Mr. Wilson, of Massachusetts, again said: "Mr. President, in the State of Maryland we have raised a large number of men under the lead of General Birney, a son of James G. Birney, who inherits the principles of his father, and who is one of the most devoted and faithful officers we have in the service of the United States. He has officered those regiments from men who have passed before this board, and in my judgment, derived from the information given by him and by others, no regiments in the service have been better officered. In General Butler's department, he said to me the other day that he had raised since he went there, only a few weeks ago, three thousand colored men. They had some raised there before; General Wilde had raised a brigade in North Carolina. General Wilde belongs to that class of men who know what this war is about, and whose heart is in it. He believed in raising these troops, and he had them well officered. We are raising in the State of Tennessee a large number of men, because there we have the influence of Andrew Johnson, who is for raising these troops and for making Tennessee what she ought to be, a free State. Down in the department of the Gulf we have raised probably twenty thousand black men, and we have officered them as best we could; perhaps they are not so well officered there as the regiments nearer the city of Washington, whose officers have passed through an examination before this board. Still we are improving there; and everywhere in the country, with possibly the exception of the States of Missouri and Kentucky, the raising of colored troops is progressing finely.

"Little has been done in the State of Kentucky, for the reason that Kentucky to-day is the only State in the Union that maintains the cause of slavery or carries its flag. Delaware has taken her position; Maryland has taken hers; and so have West Virginia and Missouri. Tennessee, which was excepted from the proclamation of freedom, is taking her

position under the influence of Andrew Johnson and the patriotic men of the State. But, sir, Kentucky passed into the hands of a conservative class of politicians, who started in the first place to hold her in a neutral position, where she could dictate terms to the country. They undertook, then, to dictate to the President, but they failed, and now they are denouncing him. That class of politicians, however, is passing away, even in Kentucky. The people are ripening there as they are ripening everywhere else; and when the next opportunity comes for Kentucky to speak, I entertain not the shadow of a doubt that she will speak by an overwhelming majority, just as Missouri and Maryland and Delaware and West Virginia have spoken. I think the Government has dealt rather tenderly in not enlisting colored men in that State. If I had the power I would enlist every black free man who was willing to enlist and every slave who was willing to enlist, and ask no leave of Kentucky politicians or of slavemasters in Kentucky, but I would put them into the service at once.

"Now, sir, a word in regard to the board for the examination of officers. General Casey is chairman of the board, and I say to the Senator from Iowa what I know to be the fact, that a more true, loyal, faithful man does not bear the commission of the United States than General Casey. He is in favor of enlisting black troops, and was early in favor of it. He is in favor of giving them good officers, men qualified to command, men of personal character and individual honor. I do not entertain a doubt that the men who have passed that board are better fitted for their places than are the officers of the average white regiments of the country. I know that General Casey believes that the colored troops ought to have better officers than white troops, that they ought to have men whose sympathies are with them, who will treat them kindly, but firmly, men of intelligence and of character qualified for their positions, and I know that he has striven to give them such officers. I wish all the colored troops in the country were as well officered as the troops are whose officers have passed before the board."

The bill was again considered on Jan. 14th, when Mr. Wilson, of Massachusetts, withdrew his amendment, and the vote was taken on the amendment reported by the committee as follows:

SEC. 21. *And be it further enacted*, That so much of the act entitled "An act for enrolling and calling out the national forces and for other purposes," approved on the 3d day of March, 1863, as authorizes the discharge of persons drafted into the service of the United States under the authority of that act upon the payment of a sum of money not exceeding \$300, be, and the same is hereby, repealed.

YEAS—Messrs. Brown, Grimes, Harlan, Lane of Indiana, Morgan, Nesmith, Ramsey, Sprague, Ten Eyck, Trumbull, Wade, and Wilkinson—12.

NAYS—Messrs. Anthony, Buckalew, Carlile, Clark, Collamer, Conness, Cowan, Davis, Dixon, Doolittle, Fessenden, Foot, Foster, Hale, Harding, Harris,

Henderson, Hendricks, Howard, Howe, Johnson, Lane of Kansas, Pomeroy, Saulsbury, Sherman, Sumner, Van Winkle, and Wilson—28.

The bill, after numerous amendments in Committee, was reported to the Senate, and on the 16th it was considered.

Mr. Clark, of New Hampshire, offered the following amendment:

And be it further enacted, That the commutation money paid by persons drafted in any congressional district shall be applied by the War Department for the procurement of substitutes, which substitutes shall be credited to that district in filling its quota; and if the quota of such district shall not then be full, a further draft shall be made in said district according to the provisions of this act and the act to which it is an amendment, and like proceedings had until the quota of such district shall be filled.

Mr. Hendricks, of Indiana, said: "I recollect that the strongest objection made before the people to the law of last session was that by allowing a portion of the drafted men to pay money instead of rendering personal service, you but increased the liability to draft of those that did not pay the money; and that was answered somewhat successfully before the people by saying that the payment of the money discharged the obligation of the State to furnish the quota, and therefore the liability of those that could not pay the money was not increased. But this proposition is that when a man pays his money it shall not go to the credit of the State upon the demand made against her, but that the number of men shall remain the same, to be taken from the people. Then we have to raise the entire number of men from that class of the community that are too poor to pay the money at all.

"The principle of the legislation of the last Congress was that by the payment of the money the Government procured a substitute and the men were raised, and there was no increase of liability upon those who could not pay the money; they were precisely in the same position that they would have been in if there had been no commutation at all. But now, notwithstanding the Government receives the money, we throw upon the truly poor men the responsibility to furnish the men, and the money is but a revenue."

Mr. Clark, of New Hampshire, replied: "The amendment which I propose is that the War Department shall take the money paid by the men who are drafted and apply it, as far as it goes, to the procurement of substitutes. It may possibly, by the employment of Africans, get them for \$100, and then it would get four for the \$400, and credit that district with the four, and so relieve the poor men of the district very much."

Mr. Brown, of Missouri, said: "If I understand the bill, it provides that the amount of the commutation money shall be paid over to the Secretary of War, to be by him expended in the procurement of substitutes. Now, under the amendment of the Senator from New Hampshire, here is a district called upon to

furnish one thousand men. Five hundred pay the commutation money. That money goes into the hands of the Secretary of War. He is procuring substitutes generally. Now, how is the Secretary of War to assign the number of substitutes that he gets throughout the United States in various quarters? Is he going to assign some of them to this district and some of them to another, or are the substitutes to be recruited within that district?"

Mr. Clark replied: "I think I understand fully the Senator from Missouri, and I say to him that the design of the amendment is that the Secretary of War shall procure his substitutes anywhere, and we trust to his discretion to assign them rightfully to the districts according to the time for which they are raised."

Mr. Grimes, of Iowa, said: "Mr. President, I agree with the honorable Senator as to the necessity and propriety of calling these colored men into the service of the United States. I have been for that from the commencement of this war. No man has been ahead of me in that particular; but I want them called into the service of the United States as United States troops, and not as the substitutes for white soldiers from any State. That is the difference between the Senator and me. I would do any thing in my power to stimulate the recruitment of colored troops. I believe it is the most important thing, and more important than the passage of this bill, if we can devise some scheme by which we can stimulate the Administration to that course; but I am utterly opposed to the selection of these colored men as the representatives of the citizens of any State, I do not care whether it be mine or any other State, that has not filled up its quota."

Mr. Fessenden, of Maine, followed in reply: "Mr. President, the argument of the honorable Senator from Iowa is founded on a possibility. He thinks this amendment should not prevail because by possibility certain colored men may be procured to fill up the quotas of the States. Now, sir, the probability of it, in the first place, is not very strong; but what harm in it? Follow out the Senator's argument: he says, and says justly, that nobody has been more anxious than he has been to enlist colored troops, and to enlist a great many of them. For what purpose? Is it not to relieve the different States, if you please, or to relieve the country of the necessity of furnishing white men?"

An extended debate followed on recruiting in the border States, when Mr. Doolittle, of Wisconsin, offered the following amendment:

Provided, That colored troops enlisted and mustered into the service of the United States shall be credited upon the quota of the State within which they are enlisted, and not upon the quota of any other State.

This amendment to the amendment was adopted—yeas, 27; nays, 11, as follows:

YEAS—Messrs. Brown, Buckalew, Conness, Cowan,

Davis, Doolittle, Foot, Grimes, Hale, Harding, Harlan, Henderson, Hendricks, Howe, Johnson, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Nesmith, Pomeroy, Ramsey, Saulsbury, Sherman, Ten Eyck, Trumbull, and Wright—27.

YAYS—Messrs. Anthony, Clark, Dixon, Fessenden, Foster, Harris, Howard, Sprague, Sumner, Wilkinson, and Wilson—11.

The following words were subsequently added: "and the bounty, pay, or expense of said enlistments shall not be paid out of said commutation fund," and the amendment of Mr. Clark adopted. Other amendments were adopted, and the bill passed the Senate by the following vote:

YEAS—Messrs. Anthony, Clark, Collamer, Conness, Cowan, Davis, Dixon, Doolittle, Fessenden, Foot, Foster, Hale, Harding, Harlan, Harris, Howard, Johnson, Lane of Kansas, Morgan, Morrill, Nesmith, Pomeroy, Ramsey, Sprague, Sumner, Ten Eyck, Van Winkle, Wade, Willey, and Wilson—30.

NAYS—Messrs. Buckalew, Carlile, Grimes, Hendricks, Howe, Lane of Indiana, Powell, Saulsbury, Wilkinson, and Wright—10.

The bill came before the House, and various amendments were proposed. On the 10th of February Mr. Stevens, of Pennsylvania, moved to strike out the twentieth section, and insert the following:

All able-bodied male persons of African descent, between the ages of twenty and forty-five years, whether citizens or not, resident in the United States, shall be enrolled according to the provisions of the act to which this is a supplement, and form part of the national forces. And when a slave shall have been drafted and mustered into the service of the United States his master shall have a certificate thereof which shall entitle him to receive \$300 from the United States, and the drafted man shall be free.

He said: "I think that that class of persons ought to form a part of the national forces. I know that they are now taken, as in Maryland, for instance, and I suppose they will be in other places. I do not say that it is contrary to law, but I prefer that it should be done under a known law."

It was suggested to Mr. Stevens to modify his amendment "so as to pay loyal men only for their slaves." He further said: "I modify my amendment in that respect, by adding the words, 'provided that the slaves of loyal men only shall be paid for.' My amendment will not only make this class of persons bear their part of the fighting burden of the nation, but it will also tend finally to eradicate slavery from all the States; eradicate it under necessity, and with compensation to the masters. Although we are now doing it—I will not say against law, but I do not precisely know under what law—I think it right that it should be done according to law. Of course this refers only to the loyal States."

Mr. Clay, of Kentucky, followed, saying: "You have told us in the border States, when we have appealed to you, that you intended to respect the laws and constitutions of those States. The enemies of the Union, those in those States called secessionists, have charged against the northern people that it was their

intention to seize upon all of our slaves, with or without law; that they intended to seize the personal property and finally the real estate of the slaveholding States. These charges have been made in my State against the Government. We have denied them. We have stated that there was no such intention; that the northern people proposed to respect our constitutions and laws; and that we had no fear when the case was presented justice would be done to us."

Mr. Boutwell, of Massachusetts, replied: "I desire to say in reply to the gentleman from Kentucky, that in the laws of Kentucky, so far as I know, slaves were recognized as property but still recognized as persons; and I think that we have reached that emergency when men in the border States should understand, at least so far as I am concerned, that slaves as inhabitants of the country are to be used as other men are used, to put down this rebellion. No constitution or law of any State shall stand between me and what I believe to be my duty to my country."

Mr. Morris, of New York, said: "Mr. Chairman, as I understand existing laws, the Government, when it deems it to be necessary, may seize the property of any citizen and use it for the purpose of prosecuting this war. I see no difference between seizing the property of the northern States and that of the border States. I do not see why the property of the border States should be exempted."

Mr. Davis, of Maryland, moved to amend the amendment by striking out so much of it as provided for the payment of \$300 to the owner of the drafted slave. He said: "I do it on this ground: if the slaves are liable to military duty at all, they are liable to military duty on the same ground as every person is who owes obedience to the laws; on the same ground that the citizen of the country, the subjects of the country, the denizens of the country owing temporary allegiance to the Government are bound to defend it. If they owe military service, we owe the master nothing for taking what the slaves owe."

Mr. Mallory, of Kentucky, opposed it, saying: "I think, Mr. Chairman, that the question is narrowed down simply to this: if the Government of the United States have the right to take from me my property in the service and labor of my slave, it is restricted and limited by that provision of the Constitution which says that private property shall not be taken without just compensation. Then, I ask the gentleman from Maryland, how is just compensation ascertained? Is it done by a law of the Government fixing it, or by any *ex parte* proceedings of that kind? He knows it is not. He knows that that would be unjust and unconstitutional. If you propose to compensate the owner of a slave, you must ascertain the value of the property as you do the value of any other property that the Government chooses to take for its use. You must ascertain the value of that property as you

ascertain the value of land taken for a road, by a jury summoned under a writ of *ad quod damnum*. The amendment of the gentleman from Maryland ignores this right, violates it in a plain, distinct, and palpable manner, and is contrary to the Constitution of the United States."

The amendment proposed by Mr. Davis was now accepted by Mr. Stevens. Mr. Davis now further moved as an amendment, to add as follows:

The Secretary of War shall appoint a commission in each of the slave States represented in Congress, charged to award a just compensation to each loyal owner of any slave who may volunteer into the service of the United States, payable out of the commutation money.

He said: "Mr. Chairman, I submit that amendment for this reason: not because I think it is due at all to the owner of the slave, but because the President and the Secretary of War in executing the law of 1862, allowing the President to use and organize persons of African descent to suppress the rebellion, have seen fit to appoint a commission, which is now in session in Maryland, for the purpose of estimating the value of and awarding reasonable compensation to the loyal owners of slaves who may volunteer in the service of the United States under the law of 1862. That brings the volunteering of slaves into some sort of correspondence with the established policy of the Government in paying bounties to volunteers, the difference being that in the case of the slave the bounty is paid to the master instead on his freeing the slave, whereas the bounty in the case of the white volunteer of course goes to himself.

"But the difference between that proposition and the proposition to pay drafted men is this: the volunteer having offered his services to the Government, the Government is of course at liberty to alleviate the burden which may be thrown upon the slaveowner, as far as it sees fit. It is a very different thing to impose upon the Government when it is driven to draft men the necessity of paying to every slaveowner a compensation for any slave that may be drafted. It is unequal, and I am sure every gentleman will see that it is in a moment. The poor man whose son works for him on his ten acres receives no compensation for that son when he is drafted into the service, while the wealthy slaveholder, who has three or four hundred slaves alongside, is to receive a compensation of \$300 for every one of his slaves who may be drafted."

Mr. Webster, of Maryland, said: "Sir, the question before us is not the right to take slaves for military service, but the expediency of so doing. For myself, I am free to confess that in the earlier stages of the war, when it seemed probable that the rebellion would be crushed at no distant day, and without serious interference with the domestic institutions of the States, believing as I did and do in the superiority of the white man as a soldier, I was unwilling to arm the negro. But now, sir, when we approach

the end of the third year of this war, and it is still huge in its dimensions; when call for troops follows call in quick succession; when draft after draft is made, and the drain upon our people for soldiers is grievous to be borne, I am for using all the means known to the law in suppressing the rebellion. I would put arms in the hands of all men capable of bearing them. The experience of the last twelve months has shown that the negro, though not so efficient a soldier as the white man, will fight bravely, and can be made a valuable auxiliary in the prosecution of the war and the restoration of the Union. Sir, his aid is not to be rejected, at least I will not assist in its rejection."

Mr. Harris, of Maryland, opposed the amendment, saying: "If you could properly enlist slaves, I am opposed to the degradation which such an act would bring upon a nation situated as this is. What are you fighting? Five million white men. You claim to be twenty million white men, and yet with such odds in your favor, and with means of blockading southern ports and almost starving them into subjection, you come here and command that the flag of your country shall be intrusted to the poor slaves. I say it is a degradation of the United States flag, and no man who duly honors that flag has heretofore ever undertaken at such odds to deprave the country and tarnish its honor by such any proceeding."

Mr. Mallory, of Kentucky, also opposed the amendment, urging objections as follows: "I ask the gentleman from Pennsylvania, the gentleman from Iowa, and the gentlemen on that side of the House, what they have got to do with the matter? If we allow you to put your free negroes into the army—and I have no objection to your putting them upon your enrolment list—what right have you to insist that our slaves in Kentucky shall be placed upon our enrolment list? You demand from Kentucky a certain number of men for the army upon this call. We who live in Kentucky say that we have the right to decide who those men shall be. If you are in earnest, if you really desire to raise men to fill our armies, that is the course by which you will accomplish that object. But if you are not in earnest; if you have another and a different object to accomplish covertly, by the operation of the bill; if you wish to demoralize and destroy the institution of slavery in my State, then the amendment of the gentleman from Pennsylvania (Mr. Stevens) is a wise one for the accomplishment of that purpose. Sir, I know the gentleman from Pennsylvania, I know him to be a bold man, I know him to be a frank and candid man, and I know this to be his argument; I know that if his simple, sole object by this bill was to raise an army, he would admit that the course I have marked is the proper one to accomplish that object."

The amendment to the amendment was adopted—yeas, 84; nays, 71.

Mr. Harding, of Kentucky, said: "I move

to amend the proposed amendment by adding thereto the following proviso:

Provided, That the provisions of this section in regard to slaves, shall not apply to the State of Kentucky.

"I regret that it becomes necessary, on a matter of such vital importance as this, to plead and plead for even five minutes' time. As my colleague (Mr. Mallory) very properly remarked, what more do gentlemen desire than that Kentucky shall furnish her proper quota of men and contribute her proper amount of money? It is manifest to every man that this seeks to inaugurate a general scheme of emancipation in the loyal slaveholding States. That can no longer be disguised. Gentlemen are disposed to pass it by as if that was a clear constitutional right. Sir, it is an absolute violation of the constitutions both of Kentucky and of the United States. No man can meet that proposition in argument. From the foundation of the Government to the present time the right to slave property was secured by all the laws, and approved by the Constitution, as much as the right to land was secured. It is a constitutional right in the State of Kentucky to hold slaves; and there can be no system of general emancipation inaugurated under the pretence of raising soldiers except by a plain and palpable violation of the Constitution.

"Moreover, sir, slaves have never been regarded as forming part of the military force of the country. They are property. A man in Kentucky holds his slaves by the same title as he holds his land. I defy any man to draw a distinction between the two. The title is as clear to slaves in Kentucky as it is to a man's home and land; and that spirit which will run lawlessly over the one would need but little temptation to run as lawlessly over the other. I beg gentlemen of the Republican party to look back a few years to the Chicago platform, and see what its language was. It was, that the maintenance inviolate of the rights of the States, and especially of the right of each State to order and control its own domestic institutions according to its own judgment exclusively, was essential to that balance of power on which the perfection and endurance of our system depended. I embodied that same profession in a resolution which I offered a few days ago, and it was unceremoniously laid on the table; seventy-three members on the other side rising and voting to lay it on the table. I deny that there is any constitutional power to wrest a slave from his owner, either by taking the slave as a volunteer or as a conscript. You have no right to do it even though you allow compensation. You cannot inaugurate emancipation in that indirect way. The President has disclaimed, and the Republican party has again and again disclaimed, all power to do so. And yet now it is proposed to violate all these pledges, to trample under foot this platform, and with it the Constitution of the United States, in order to bring about emancipation by

a wholesale system of robbery. Do you propose to take the loyal man's slave at a fair valuation? No, you propose to take him by conscription, to take him by an arbitrary process, and to fix his price by the same power. It amounts to nothing but robbery. It is a mockery of justice. The highwayman might as well seize my horse and take him from me, and then offer me a pittance."

The amendment to the amendment was lost and the amendment was agreed to. Other amendments were made, when it was moved to strike out all after the first section of the bill and insert a substitute, which was carried, and the bill then passed by the following vote:

YEAS—Messrs. Alley, Allison, Anderson, Arnold, Ashley, Bailey, John D. Baldwin, Baxter, Beaman, Jacob B. Blair, Boutwell, Boyd, Brandegee, Broomall, William G. Brown, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Deming, Dixon, Driggs, Eckley, Eliot, Farnsworth, Frank, Garfield, Gooch, Grinnell, Griswold, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Hutchins, Jenckes, Julian, Kason, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Longyear, Marvin, McAllister, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Odell, Charles O'Neill, Orth, Perham, Pike, Pomeroy, William H. Randall, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smith, Smithers, Spalding, Starr, Stevens, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Wheeler, Williams, Wilder, Wilson, Windom, and Woodbridge—94.

NAYS—Messrs. James C. Allen, William J. Allen, Ancona, Augustus C. Baldwin, Bliss, Brooks, James S. Brown, Chanler, Coffroth, Cox, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, Finck, Ganson, Grider, Hall, Harding, Harrington, Benjamin G. Harris, Herrick, Holman, William Johnson, Kalbfleisch, Kernan, Knapp, Law, Lazear, Le Blond, Long, Mallory, Marcy, McDowell, McKinney, William H. Miller, James R. Morris, Morrison, Nelson, Noble, John O'Neill, Pendleton, Radford, Samuel J. Randall, Robinson, Rogers, Ross, Scott, John B. Steele, Stiles, Strouse, Stuart, Sweat, Voorhees, Wadsworth, Joseph W. White, Winfield, and Fernando Wood—60.

This resulted in striking out after the first section of the Senate bill, and substituting a House bill containing the amendments adopted and many provisions of the Senate bill.

A Committee of Conference between the two houses was appointed, and their report was made in the Senate on the 19th February. A debate ensued which resulted in the adoption of the report by the Senate—yeas, 26; nays, 16.

In the House, the report was adopted—yeas, 71; nays, 23.

This act changed the law of March 3d, 1863, by abolishing the two classes of enrolled men; authorizing the President to call for men whenever he deemed it necessary; making drafted men subject to the liabilities of their substitutes, and exempt only for the term for which the draft was made; abolishing all exemptions except for physical disability, service for two years, and being in the service. The other details were of less importance.

In the Senate, on the 8th of June, a new bill was reported from the Military Committee, and considered, the object of which was "to prohibit the discharge of persons from liability to military duty, by reason of the payment of money." The following message was also submitted from the President:

WASHINGTON, D. C., June 8, 1864.

To the Senate and House of Representatives:

I have the honor to submit for the consideration of Congress a letter and inclosure from the Secretary of War, with my concurrence in the recommendation therein made

ABRAHAM LINCOLN.

WAR DEPARTMENT, }
WASHINGTON CITY, June 7, 1864. }

SIR: I beg leave to submit to you a report made to me by the Provost Marshal General, showing the result of the draft now going on to fill the deficiency in the quotas of certain States, and recommending a repeal of the clause in the enrolment act commonly known as the \$300 clause. The recommendation of the Provost Marshal General is approved by this Department, and I trust that it will be recommended by you to Congress.

The recent successes that have attended our arms lead to the hope, that by maintaining our military strength, and giving it such an increase as the extended field of operations may require, an early termination of the war may be attained. But to accomplish this it is absolutely necessary that efficient means be taken, with vigor and promptness, to keep the army up to its strength, and supply deficiencies occasioned by the losses sustained by casualties in the field. To that end resort must be had to a draft, but ample experience has now shown that the pecuniary exemption from service frustrates the object of the enrolment law by furnishing money instead of men.

An additional reason for repealing the \$300 clause is, that it is contemplated to make the draft for a comparatively short term. The burden of military service will therefore be lightened, but its certainty of furnishing troops is an absolute essential to success.

I have the honor to be, your obedient servant,
EDWIN M. STANTON,
Secretary of War.

To the PRESIDENT.

WAR DEPARTMENT, }
PROVOST MARSHAL GENERAL'S OFFICE, }
WASHINGTON, D. C., June 6, 1864. }

SIR: In accordance with the amended enrolment act, approved February 24th, 1864, and your orders on the subject, I am now conducting a draft in various sub-districts for their respective deficiencies on quotas of troops heretofore assigned. The results of this draft, so far as shown by reports of this date, are worthy of attention. They are, briefly, as follows:

Number of drafted men examined,	14,741
Number exempted for physical disability, 4,374	
Number exempted for all other causes, . 2,632	

Total exempted,	7,016
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Number paid commutation money, . . . 5,050
Number who have furnished substitutes, 1,416
Number held for personal service, . . 1,259

(This last includes some who may yet pay commutation money.)

Total not exempted,	7,725
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These reports come from sub-districts in eight different States. I invite your attention to the small proportion of soldiers being obtained under the existing law. I see no reason to believe that the army

can be materially strengthened by draft so long as the \$300 clause is in force, nor do I think it safe to assume that the commutation paid by a drafted man will enable the Government to procure a volunteer or substitute in his place. I do not think that large bounties by the United States should be again resorted to for raising troops. I recommend that the \$300 clause, as it is known, be repealed.

I am, sir, very respectfully, your obedient servant,
JAMES B. FRY,

Provost Marshal General.

Hon. E. M. STANTON, Secretary of War.

A bill was subsequently introduced and passed which abolished the payment of \$300 as commutation, limited the service to one year, and allowed no exemption except for alienage, previous service of two years, and physical disability. (See ARMY U. S.)

It passed the Senate on June 30th, as follows:

YEAS—Messrs. Anthony, Chandler, Clark, Conness, Fessenden, Foot, Foster, Hale, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sumner, Van Winkle, Wade, Wilkinson, and Wilson—18.

NAYS—Messrs. Buckalew, Carlile, Davis, Doolittle, Harlan, Harris, Henderson, Hendricks, Howe, Lane of Indiana, McDougall, Powell, Riddle, Saulsbury, Sherman, Trumbull, and Willey—17.

ABSENT—Messrs. Brown, Collamer, Cowan, Dixon, Grimes, Harding, Hicks, Howard, Johnson, Nesmith, Richardson, Sprague, Ten Eyck, and Wright—14.

It passed the House by the adoption of a report of a Conference Committee, July 2d, by the following vote:

YEAS—Messrs. Allison, Ames, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blair, Boutwell, Boyd, Cobb, Cole, Creswell, Henry Winter Davis, Dawes, Deming, Dixon, Driggs, Eckley, Eliot, Farnsworth, Fenton, Garfield, Gooch, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Ingersoll, Jenckes, Julian, Kelley, Littlejohn, Loan, Longyear, McBride, McClurg, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, William H. Randall, John H. Rice, Schenck, Shannon, Sloan, Smith, Smithers, Spalding, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Williams, Wilder, Wilson, Windom, and Woodbridge—65.

NAYS—Messrs. William J. Allen, Alley, Ancona, Bailey, Blaine, Bliss, Chanler, Coffroth, Cox, Dawson, Dennison, Eden, Edgerton, Eldridge, English, Frank, Ganson, Griswold, Benjamin G. Harris, Charles M. Harris, Hutchins, Kernan, Knapp, Law, Le Blond, Long, Mallory, Marcy, Middleton, William H. Miller, James R. Morris, Noble, Odell, Patterson, Pendleton, Perham, Pruyn, Samuel J. Randall, Alexander H. Rice, Robinson, Edward H. Rollins, James S. Rollins, Ross, Scofield, John B. Steele, William G. Steele, Stevens, Stiles, Thomas, Wadsworth, Webster, Wheeler, and Winfield—53.

In the House, on December 14th, 1863, Mr. Finck, of Ohio, offered the following resolution relative to the object of the war:

Whereas, in the opinion of this House, the Federal Government is invested by the Constitution of the United States with all necessary power and authority to suppress any resistance to the due execution of the laws thereof, and to employ the Army and Navy in aid of the civil authority to disperse all armed resistance to the rightful power and jurisdiction of the United States; and whereas, in the judgment of this House, the Army and Navy cannot be rightfully used to subjugate and hold as conquered territory any of the States of this Union; therefore,

Be it resolved, That in this national emergency Congress will forego all feeling of mere passion or resentment, and will recollect only its duty to the country; that this war should not be waged on our part in any spirit of oppression, nor in any spirit of conquest or subjugation, nor for the purpose of overthrowing or interfering with the rights or established institutions of the States, but to defend and maintain the supremacy of the Constitution, and preserve the Union with all the dignity, equality, and rights of the several States unimpaired, and as soon as these objects are attained the war ought to cease.

On April 11th, the resolution was laid on the table by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, John D. Baldwin, Baxter, Beman, Blaine, Boutwell, Boyd, Broomall, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Henry Winter Davis, Thomas T. Davis, Deming, Driggs, Dumont, Eckley, Eliot, Farnsworth, Frank, Garfield, Gooch, Grinnell, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Marvin, McBride, McClurg, Samuel F. Miller, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Pike, Pomeroy, Price, William H. Randall, Alexander H. Rice, Edward H. Rollins, Schenck, Schofield, Shannon, Sloan, Smith, Smithers, Spaulding, Starr, Stevens, Thayer, Thomas, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—81.

NAYS—Messrs. James C. Allen, William J. Allen, Ancona, Augustus C. Baldwin, Francis P. Blair, Bliss, James S. Brown, Chanler, Clay, Coffroth, Cox, Cravens, Dawson, Dennison, Eden, Eldridge, English, Finck, Ganson, Grider, Hale, Harding, Harrington, Benjamin G. Harris, Herrick, Holman, Philip Johnson, William Johnson, Kernan, King, Knapp, Law, Lazear, Marcy, McAllister, McDowell, McKinney, Middleton, James R. Morris, Morrison, Nelson, Odell, Pendleton, Perry, Pruyn, Samuel J. Randall, Robinson, Rogers, James S. Rollins, Ross, Scott, John B. Steele, William G. Steele, Strouse, Stuart, Sweat, Voorhees, Webster, Wheeler, Chilton A. White, Joseph W. White, Winfield, and Fernando Wood—64.

On December 14th Mr. Holman, of Indiana, offered the following on the same subject:

Resolved, That the doctrine recently announced, that the States in which an armed insurrection has existed against the Federal Government have ceased to be States of the Union, and shall be held, on the ultimate defeat of that insurrection, as Territories or subjugated provinces, and governed as such by the absolute will of Congress and the Federal Executive, or restored to the Union on conditions unknown to the Constitution of the United States, ought to be rebuked and condemned as manifestly unjust to the loyal citizens of those States, tending to prolong the war and to confirm the treasonable theory of secession; and, if carried into effect, must greatly endanger the public liberty and the constitutional powers and rights of all the States, by centralizing and consolidating the powers of the Government, State and national, in the Federal Executive.

Resolved, That the only object of the war ought to be to subjugate the armed insurrection which, for the time being, suspends the proper relations of certain States with the Federal Government, and to reestablish the supremacy of the Constitution; and the loyal citizens of those States, and the masses of the people thereof, submitting to the authority of the Constitution, ought not to be hindered from restoring the proper relations of their respective States with the Federal Government, so far as the same is dependent on the voluntary act of the people, by any

condition, except unconditional submission to the Constitution and laws of the United States. In the language heretofore solemnly adopted by Congress, the war ought not to be waged on our part for any purpose of conquest or subjugation or purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union, with all the dignity, equality, and rights of the several States unimpaired, and as soon as those objects are accomplished the war ought to cease.

Resolved, That all necessary and proper appropriations of money ought to be promptly made by this Congress for the support of the military and naval forces of the Government, and all measures of legislation necessary to increase and promote the efficiency of the Army and Navy and to maintain the public credit, ought to be adopted, that, through a vigorous prosecution of the war, peace on the basis of the union of the States and the supremacy of the Constitution may be the more speedily obtained.

Mr. Stevens, of Pennsylvania, moved to lay the resolution on the table, which was ordered by the following vote:

YEAS—Messrs. Alley, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Blow, Boutwell, Boyd, Brandegee, Broomall, Ambrose W. Clark, Freeman Clarke, Clay, Cobb, Cole, Creswell, Henry Winter Davis, Dawes, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Grinnell, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Jenckes, Julian, Kasson, Francis W. Kellogg, Orlando Kellogg, Loan, Longyear, Lovejoy, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, William H. Randall, Alexander H. Rice, John H. Rice, Edward H. Rollins, James S. Rollins, Schenck, Schofield, Shannon, Sloan, Smithers, Spaulding, Stevens, Thayer, Thomas, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—88.

NAYS—Messrs. James C. Allen, William J. Allen, Ancona, Bailey, Augustus C. Baldwin, Jacob B. Blair, Bliss, Brooks, William G. Brown, Chanler, Coffroth, Cox, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, English Finck, Ganson, Grider, Griswold, Hall, Harding, Harrington, Benjamin G. Harris, Charles M. Harris, Herrick, Holman, William Johnson, Kernan, King, Knapp, Law, Lazear, Le Blond, Long, Mallory, Marcy, McDowell McKinney, William H. Miller, James R. Morris, Morrison, Nelson, Noble, Odell, John O'Neill, Pendleton, Robinson, Rogers, Ross, Scott, Smith, John B. Steele, Stuart, Voorhies, Wadsworth, Ward, Wheeler, Chilton A. White, Joseph W. White, Winfield, Fernando Wood, and Yeaman—66.

On the 16th, Mr. Rollins, of Missouri, offered the following resolution:

Resolved by the House of Representatives of the Congress of the United States, That, prompted by a just patriotism, we are in favor of an earnest and successful prosecution of the war, and that we will give a warm and hearty support to all those measures which will be most effective in speedily overcoming the rebellion, and in securing a restoration of peace, and which may not substantially infringe the Constitution, and tend to subvert the true theory and character of the Government; and we hereby reiterate that the present deplorable civil war has been forced upon the country by the disunionists now in revolt against the constitutional Government; that in the progress of this war, Congress, banishing all feeling

of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged on our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; that as soon as these objects are accomplished the war ought to cease.

A motion to lay it on the table was lost—yeas, 52; nays, 114. Under the rules it was laid over, and was not called up again.

On the 17th, Mr. Edgerton, of Indiana, offered the following resolution:

Whereas the proclamations of the President of January 1, 1863, and December 8, 1863, in relation to emancipation, impose conditions of pardons and amnesty to the persons who have participated in the existing rebellion, as well as conditions precedent to the establishment and recognition of State government in the States to which said proclamations apply, which, in the judgment of a large number of faithful citizens, have a tendency to give to the rebellion "the advantage of a changed issue," and "to reinvigorate the otherwise declining insurrection in the South," and to prolong the war; and whereas this House cannot but regard with anxiety the unprecedented and extraordinary claims and assumption of high prerogative by the President in said proclamations, especially in view of the fact that the President, in his inaugural address of the 4th day of March, 1861, declared, "I have no purpose directly or indirectly to interfere with the institution of slavery in the States where it exists; I believe I have no right to do so, and I have no inclination to do so; therefore,

Resolved, As the judgment of this House, that the maintenance inviolate of the constitutional powers of Congress, and the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric of Federal union depends; and we denounce, as among the gravest of crimes, the invasion or occupation, by armed force, of any State, under the pretext or for the purpose of coercing the people thereof to modify or abrogate any of their laws or domestic institutions that are consistent with the Constitution of the United States; and we affirm the principle declared in this resolution to be a law, alike to the President and the people of the United States.

It was laid on the table by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, John D. Baldwin, Beaman, Blaine, Blow, Boutwell, Boyd, Brandegee, Broomall, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Deming, Dixon, Driggs, Dumont, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Grinnell, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Longyear, Lovejoy, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, William H. Randall, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Sloan, Smith, Smithers, Spalding, Stevens, Thayer, Tracy, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—90.

NAYS—Messrs. James C. Allen, Ancona, Augustus C. Baldwin, Bliss, Brooks, James S. Brown, Cox, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, Finck, Ganson, Grider, Griswold, Hall, Harding, Harrington, Charles M. Harris, Herrick, Holman, William Johnson, Kernan, King, Knapp, Law, Lazear, Le Blond, Long, Mallory, Marcy, McDowell, McKinney, Middleton, William H. Miller, James R. Morris, Morrison, Nelson, Noble, John O'Neill, Pendleton, Perry, Radford, Samuel J. Randall, Robinson, Rogers, James S. Rollins, Ross, Scott, John B. Steele, William G. Steele, Stiles, Strouse, Stuart, Sweat, Voorhees, Wadsworth, Ward, Wheeler, Chilton A. White, Joseph W. White, Winfield, Fernando Wood, and Yeaman—66.

On the 17th of January, Mr. Rogers, of New Jersey, offered the following resolution on the prosecution of the war:

Resolved, That as our country and the existence of the old Union are imperilled by a rebellion against the wisest and best Government ever devised by man, we are for the most united, determined, and vigorous prosecution of the war for the purpose of enforcing the Constitution of the United States, and the laws made in pursuance thereof, in all parts of the United States; but at the same time we are for adding to force the power of conciliation and compromise so far as is consistent with an honorable and lasting peace, and founded solely upon a restoration of the Union under the Constitution, and in no event to agree to or countenance a dissolution of the Union; and that we believe the appointment of commissioners upon the part of the Federal Government, to meet commissioners similarly appointed by the insurgent States, to convene in some suitable place, for the purpose of considering whether any, and if any, what plan may be adopted consistent with the honor and dignity of the nation, and based upon a restoration of the whole Union, by which the present war may be brought to a close, and the lives, limbs, and health of the gallant officers and soldiers of the Union preserved, and the liberties of the people maintained, is not inconsistent with the honor and dignity of the Federal Government, but, as an indication of the spirit which animates the adhering States, would, in any event, tend to strengthen us in the opinion of other nations and the loyal people of the insurgent States; and hoping, as we sincerely do, that the people of the Southern States would reciprocate the peaceful indications thus evinced, and believing, as we do, that, under the blessings of God, great benefits would arise from such conference, we most earnestly recommend such conference to the consideration of the President and Senate of the United States, and request their coöperation therein, and hope that the President will appoint commissioners for that purpose.

Resolved, That the people of the several States now in rebellion against the Government of the United States, whenever they shall desire to return to the Union and obey the Constitution of the United States, and laws made in pursuance thereof, have a right under and by virtue of the said Constitution to reorganize their respective State governments with all their domestic institutions as they were before the war, and to elect Representatives to the Congress of the United States, and be represented in the Union with all the rights of the people of the several States, and without any conditions precedent except that of being liable to be punished according to the Constitution, and laws made in pursuance thereof, as their laws and acts of secession are unconstitutional and void.

They were laid on the table—yeas, 78; nays, 42.

Mr. Myers, of Pennsylvania, offered the following, which were referred to the Special Committee on Reconstruction:

Whereas, in the opinion of this House, the Federal Government is invested by the Constitution of the United States with all necessary power and authority to suppress any resistance, whether armed or unarmed, to the rightful power and jurisdiction of the United States; therefore,

Be it resolved, That in this national emergency Congress will forego all feeling of mere passion, except that which loyalty dictates, all resentment except such as is due to treason; and that this war of national self-defence against armed rebels, insurrectionary traitors, and sympathizing abettors, should be waged on our part until such rebels and traitors are conquered into love for the Union, and made obedient to the Constitution and laws of the United States, and take the oath of allegiance to the country, and of submission to the emancipation proclamation, and the proclamation of December 8, 1863; and when those objects are accomplished, the leading rebels and chief traitors should be hung, and the war cease.

On the 18th, Mr. Smith, of Kentucky, offered the following:

Whereas a most desperate, wicked, and bloody rebellion exists within the jurisdiction of the United States, and the safety and security of personal and national liberty depend upon its absolute and utter extinction; therefore,

Resolved, That it is the political, civil, moral, and sacred duty of the people to meet it, fight it, crush it, and forever destroy it, thereby establishing perfect and unalterable liberty.

It was adopted by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Arnold, Ashley, Bailey, Augustus C. Baldwin, John D. Baldwin, Baxter, Blaine, Francis P. Blair, Jacob B. Blair, Boutwell, Boyd, Brandegee, Broomall, James S. Brown, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cole, Cravens, Creswell, Dawes, Deming, Dixon, Donnelly, Driggs, Eckley, Eldridge, Eliot, English, Farnsworth, Fenton, Frank, Ganson, Garfield, Gooch, Grinnell, Griswold, Hale, Harding, Higby, Holman, Hooper, Hotchkiss, Asahel W. Hubbard, Hutchins, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, Kernan, Loan, Longyear, Lovejoy, Marvin, McBride, McClurg, McIndoe, Middleton, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Nelson, Odell, Charles O'Neill, Orth, Patterson, Pike, Pomeroy, Price, Radford, William H. Randall, Alexander H. Rice, John H. Rice, Rogers, Edward H. Rollins, James S. Rollins, Schenck, Scofield, Shannon, Smith, Smithers, Spalding, Stebbins, Stevens, Strouse, Stuart, Sweat, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Wadsworth, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Wheeler, Williams, Wilder, Wilson, Windom, Winfield, and Woodbridge—112.

NAYS—Messrs. James C. Allen, Ancona, Dennison, Benjamin G. Harris, Long, Marcy, McDowell, William H. Miller, Morrison, John O'Neill, Pendleton, Robinson, Stiles, Voorhees, Chilton A. White, and Fernando Wood—16.

On the same day, Mr. Harding, of Kentucky, offered the following resolution:

Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions, according to its own judgment exclusively, is essential to that balance of power upon which the perfection and endurance of our political fabric depends.

It was referred to the Committee on the Rebellious States by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Ja-

cob B. Blair, Boutwell, Boyd, Broomall, Ambrose W. Clark, Freeman Clarke, Clay, Cole, Creswell, Thomas T. Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Grinnell, Higby, Hotchkiss, Asahel W. Hubbard, Hulburd, Jenckes, Julian, Kasson, Kelley, Orlando Kellogg, Loan, Longyear, Lovejoy, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Smithers, Spalding, Stevens, Thayer, Thomas, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—83.

NAYS—Messrs. James C. Allen, William J. Allen, Ancona, Augustus C. Baldwin, Francis P. Blair, Brooks, James S. Brown, William G. Brown, Chandler, Cox, Cravens, Dawson, Dennison, Eden, Edgerton, Eldridge, English, Finck, Ganson, Grider, Griswold, Hale, Hall, Harding, Harrington, Benjamin G. Harris, Herrick, Holman, Hutchins, William Johnson, Kernan, King, Knapp, Le Blond, Long, Marcy, McAllister, McDowell, McKinney, Middleton, William H. Miller, James R. Morris, Morrison, Nelson, Noble, John O'Neill, Pendleton, Radford, William H. Randall, Robinson, James S. Rollins, Ross, Scott, Smith, John B. Steele, Stiles, Strouse, Stuart, Sweat, Tracy, Voorhees, Wadsworth, Wheeler, Chilton A. White, Joseph W. White, Winfield, Fernando Wood, and Yeaman—68.

Mr. Schenck, of Ohio, on February 29th, offered the following resolutions:

Resolved, That the present war which this Government is carrying on against armed insurrectionists and others, banded together under the name of "Southern Confederacy," was brought on by a wicked and wholly unjustifiable rebellion, and all those engaged in or aiding or encouraging it are public enemies, and should be treated as such.

Resolved, That this rebellion shall be effectually put down, and that, to prevent the recurrence of such rebellions in future, the causes which led to this one must be permanently removed.

Resolved, That in this struggle which is going on for the saving of our country and free Government, there is no middle ground on which any good citizen or true patriot can stand; neutrality, or indifference, or any thing short of a hearty support of the Government, being a crime where the question is between loyalty and treason.

The first resolution was agreed to, and the second and third unanimously.

On the 17th of December, Mr. Smith, of Kentucky, offered the following resolutions:

Resolved, That as our country, and the very existence of the best Government ever instituted by man, are imperilled by the most causeless and wicked rebellion that the world has seen, and believing, as we do, that the only hope of saving this country and preserving this Government is by the power of the sword, we are for the most vigorous prosecution of the war until the Constitution and laws shall be enforced and obeyed in all parts of the United States; and to that end we oppose any armistice, or intervention, or mediation, or proposition for peace, from any quarter, so long as there shall be found a rebel in arms against the Government; and we ignore all party names, lines, and issues, and recognize but two parties in this war—patriots and traitors.

Resolved, That we hold it to be the duty of Congress to pass all necessary bills to supply men and money, and the duty of the people to render every aid in their power to the constituted authorities of the Government in the crushing out of the rebellion, and in bringing the leaders thereof to condign punishment.

Resolved, That our thanks are tendered to our soldiers in the field for their gallantry in defending and upholding the flag of the Union, and defending the great principles dear to every American patriot.

The first resolution was adopted—yeas, 98; nays, 65. The second and third resolutions were also adopted—yeas, 152 and 166; nays, 1, Benjamin G. Harris.

In the House, on the 7th of January, Mr. Baldwin, of Massachusetts, offered the following resolution:

Whereas the organized treason having its headquarters at Richmond, exists in defiant violation of the national Constitution, and has no claim to be treated otherwise than as an outlaw; and whereas this Richmond combination of conspirators and traitors can have no rightful authority over the people of any portion of the national Union, and no warrant for assuming control of the political destiny of the people of any State or section of this Union, and no apology but that of conspiracy and treason for any assumption of authority whatever; therefore,

Resolved, That any proposition to negotiate with the rebel leaders at Richmond (sometimes called "the authorities at Richmond") for a restoration of loyalty and order in those portions of the Republic which have been disorganized by the rebellion, is, in effect, a proposition to recognize the ringleaders of the rebellion as entitled to represent and bind the loyal citizens of the United States whom they oppress, and to give countenance and support to the pretensions of conspiracy and treason; and therefore every such proposition should be rejected without hesitation or delay.

The resolution was adopted—yeas, 88; nays, 24.

In the House, on the 29th of February, Mr. Long, of Ohio, offered the following preamble and resolution:

Whereas history teaches that there never has been a civil war that was not settled in the end by compromise, and inasmuch as no possible harm can result either to the character or dignity of the United States from an honest effort to stop the effusion of fraternal blood, and restore the Union by the return of the States in rebellion to their allegiance under the Constitution; and whereas the President, with a full knowledge of the lessons taught by history in relation to all civil wars, in his inaugural address said, "Suppose you go to war, you cannot fight always; and when, after much loss on both sides, and no gain on either, you cease fighting, the identical old questions as to terms of intercourse are again upon you;" and whereas we now have an armistice, decreed by the Almighty, and executed for the past two months by the snows and ice of winter, thereby affording time and opportunity for reflection upon the past three years of horrible, relentless, and destructive civil war with all its calamities, and a prospective view of increased horrors in the approaching conflicts; and whereas a preamble and resolutions were, on the 7th of February instant, introduced in the house of representatives of the confederate congress at Richmond denying the statement of the President of the United States "that no propositions for peace had been made to the United States by the confederate States," and affirming that such propositions were prevented from being made by the President of the United States, in that he had refused to hear, or even to receive, two commissioners appointed to treat expressly for peace; therefore,

Be it resolved, That the President be, and he is hereby most earnestly but respectfully, requested to appoint Franklin Pearce, of New Hampshire, Millard Fillmore, of New York, Thomas Ewing, of Ohio, and such other persons as the President may see proper

to select, as commissioners on behalf of the United States, who shall be empowered to meet a commission of like number when appointed for the same object on behalf of the confederate States, at such time and place as may be agreed upon, for the purpose of ascertaining before the renewal of hostilities shall have again commenced whether the war shall not now cease, and the Union be restored by the return of all the States to their allegiance and their rights under the Constitution.

It was rejected by the following vote:

YEAS—Messrs. James C. Allen, Ancona, Brooks, Coffroth, Dennison, Eden, Eldridge, Finck, Knapp, Long, McDowell, William H. Miller, Morrison, John O'Neill, Pendleton, Samuel J. Randall, Rogers, Ross, Stiles, Strouse, Voorhees, and Chilton A. White—22.

NAYS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, Augustus C. Baldwin, John D. Baldwin, Baxter, Jacob B. Blair, Blow, Boutwell, Boyd, Brandegee, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Creswell, Henry Winter Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, Farnsworth, Fenton, Frank, Ganson, Garfield, Grinnell, Griswold, Hale, Higby, Holman, Hooper, Hotchkiss, John H. Hubbard, Hutchins, Jenckes, Julian, Kelley, Orlando Kellogg, Kernan, King, Loan, Lovejoy, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Nelson, Norton, Charles O'Neill, Perham, Pike, Pomeroy, Price, Radford, William H. Randall, John H. Rice, Schenck, Scofield, Shannon, Sloan, Smithers, Spalding, Starr, Stebbins, John B. Steele, Stevens, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Wadsworth, Elihu B. Washburne, William B. Washburn, Whaley, Williams, Wilder, Wilson, Windom, Winfield, and Woodbridge—96.

In the House, on April 8th, the President's message was considered in Committee of the Whole on the state of the Union. Mr. Long, of Ohio, took the floor and said: "Mr. Chairman, I speak to-day for the preservation of the Government, and, although for the first time within these walls, I propose to indulge in that freedom of speech and latitude of debate so freely exercised by other gentlemen for the past four months, and which is admissible under the rules in the present condition of the House. But for what I may say and the position I shall occupy upon this floor and before the country I alone will be responsible, and in the independence of a Representative of the people I intend to proclaim the deliberate convictions of my judgment in this fearful hour of the country's peril.

"And now, Mr. Chairman, as we are in Committee of the Whole on the state of the Union, let us inquire how stands the Union to-day. A little over three years ago the present occupant of the Presidential mansion at the other end of the avenue came into this city under cover of night, disguised in plaid cloak and Scotch cap, lest, as was feared by his friends, he might have received a warmer greeting than would have been agreeable, on his way through Baltimore, at the hands of the constituents of the honorable gentleman from Maryland (Mr. Davis). On the 4th of March he was inaugurated, and in his address deprecated civil war, using that ever-to-be memorable language:

Suppose you go to war, you cannot fight always; and when, after much loss on both sides, and no gain on either, you cease fighting, the identical old questions as to terms of intercourse are again upon you.

"Seven States had up to that time seceded from the Union. All believed that war would be averted. At the conclusion of the address the lamented Douglas, who had closely watched every word as it escaped from the lips of the President, turned to a friend, and, with tears in his eyes, 'thanked God that after all the election of Abraham Lincoln would not involve the nation in war.' A secret meeting of the Governors of a number of States was soon after held in this city. A scheme was devised and a vessel sent out, under pretence of furnishing provisions to the troops with Major Anderson in Fort Sumter. On arriving in Charleston harbor the people of that city fired upon the fort. The telegraph bore the news to this city, and on its first mention to the President he exclaimed, '*I knew they would do it*;' which to my mind is conclusive that it was intended expressly for that purpose. Seventy-five thousand men were immediately called for; war was inaugurated; twenty days were given the insurgents to lay down their arms; an additional five hundred thousand men were soon called for; hostilities commenced; the rebellion was to be crushed inside of sixty days; more troops were called for; the Union was to be restored with all the rights, equality, and dignity of the States unimpaired. No man was permitted to question for a moment the right of the Government to coerce the States back into the Union; to doubt the right or question the speedy suppression of the rebellion and restoration of the Union was to be denounced as a traitor to the Government and a sympathizer with the South. Thus, sir, was the war inaugurated. The first year passed away; the second came and passed in like manner; so of the third; and now, sir, let me again inquire, how stands the Union to-day?"

The brief period of three short years has produced a fearful change in this free, happy, and prosperous Government—so free in its restraints upon personal liberty, and so gentle in its demands upon the resources of the people, that the celebrated Humboldt, after traveling through the country, on his return to Europe said, 'The American people have a Government which you can neither see nor feel.' So different is it now, and so great is the change, that the inquiry might well be made to-day, 'Are we not in Constantinople, in St. Petersburg, in Vienna, in Rome, or in Paris?' Military governors and their provost marshals override the laws, and the echo of the armed heel rings forth as clearly now in America as in France or in Austria; and the President sits to-day guarded by armed soldiery stationed at every approach leading to the Executive Mansion. So far from crushing the rebellion in sixty days, three years have already

passed away; and from the day on which the conflict began up to the present hour, the confederate army has not been forced beyond the sound of their guns from the dome of the Capitol in which we are assembled. The city of Washington is to-day, as it has been for three years, guarded by Federal troops in all the forts and fortifications with which it is surrounded to prevent an attack from the enemy; and as an evidence of the despondency of the Administration, and the unsuccessful opening of the spring campaign of the fourth year in the progress of the war, the 'Morning Chronicle' of this city, the President's organ, in an editorial a few mornings since, said:

Charleston has not been taken; Lee maintains a bold front on the Rapidan; the Florida expedition was a failure; the Sherman expedition has not been a success, and the rebels have everywhere shown more vigor than they were supposed to possess.

"Although the same paper and others in support of the Administration have told the country from time to time during the past winter that the rebellion was crushed and slavery was dead, that the confederates were deserting in whole regiments at a time, coming within our lines, taking the oath and describing the most horrible suffering and demoralization from want of food, clothing, and ill-treatment, yet at the very time the people have been so deceived and misled from day to day, the President calls for five hundred thousand more troops, and in a few weeks follows it with an additional call for two hundred thousand more, making seven hundred thousand since the 1st of January, and over two million five hundred thousand out of the three million five hundred thousand who voted in the so-called loyal States at the last Presidential election, since the commencement of the war, when seventy-five thousand militia were to end it in twenty, or, at most, in sixty days.

"Mr. Chairman, I have thus made a very brief statement of facts as to the condition of the Union to-day, and for doing which I have no doubt the usual charge of 'encouragement for the rebels,' 'the prolongation of the war,' 'the rebels are aided by their friends upon this floor,' and the like charges will be repeated again by gentlemen on the opposite side of the House; and as I have heard such charges so repeatedly during the past four months, I say now and here, that the real friends of the confederates, those who give them aid and encouragement and enable them to carry on the war, are on the opposite side of the House and in the control of the Government. Your confiscation resolution, voted for and passed by the friends of the Administration, by which you propose to thrust your hands into the coffin of the deceased father and take all he may have left at his death to his widow and innocent and unoffending children, is worth more than fifty thousand men to the confederate army. The order issued by the President to General Saxton, dividing up and par-

celling out the State of South Carolina among the negroes and enterprising Yankees of Massachusetts, gives courage, energy, and enthusiasm to the men now in arms in the confederate States. The order of the President to his military commanders in Louisiana and Arkansas, and the order issued in pursuance thereof by General Banks to the people of Louisiana, in which, by a single dash of his pen, he strikes out of existence the constitution and organic law of the State, and by virtue of the power vested in him as a major general proceeds to call and hold an election and inaugurate State officers, and set up a State government, and the legislation consummated and proposed by Congress and speeches made upon this floor, in support of radicalism, is strengthening the confederacy and prolonging the war. Herein, sir, is where they find strength; the true friends of the confederacy in the North are the radical abolitionists and the radical press goading on the President to issue proclamations and military orders, which provide food, raiment, strength, and support for the confederacy.

"If Mr. Lincoln had made a gift of millions of greenbacks to Jefferson Davis to be used as bounty money in recruiting the confederate army, he could not have done better service to the cause of the South than he has done by his silly, absurd, and insulting amnesty proclamation, and his equally absurd attempt to create State governments by dictatorial power. He has, in effect, said to the southern people, 'You shall not return to the Union except under such local governments as I and my military officers dictate;' and with the aid of his friends in Congress he is enabled to add: 'In the event of your submission and return, your estates shall be confiscated, your property, personal and real, shall be taken from you; your children shall be disinherited and left homeless and penniless to starve, under the scorn and hatred of northern fanatics; your lands and manor houses shall be parcelled out among our retainers; the negro (freedman) and the adventurer shall sit and rule at your hearthstones; and you, beggars and outcasts, shall be forbidden representation in our national councils, and be shut out forever from all offices of trust and honor.' Such is the language in which Mr. Lincoln and this Congress and the preceding Congress have spoken and are speaking to the people of the South. And now, sir, with such a prospect before them as the sequel of submission, outlawry, disfranchisement, social, moral, and political degradation, penury for themselves and their children, decreed as their portion, will they throw down their arms and submit to the terms? Who shall believe that the free, proud American blood, which courses with as quick pulsation through their veins as our own, will not be spilled to the last drop in resistance? This is the source, sir, from whence comes encouragement, strength, support, and susten-

ance for the confederates; herein lies the secret of the unity of their action, the prolongation of the contest, and the desperation of the conflict, produced, not by any thing said or measures proposed by gentlemen upon this side of the House, or by any measures proposed or policy advocated by the Democratic party, but by the acts of the gentlemen who make the charges, and the President and his military commanders, who issue the proclamations and military orders.

"Mr. Chairman, I have deemed it proper thus to advert to the charges of encouragement to the confederates so repeatedly made upon this floor, and I again recur to the consideration of the Union. Can the Union be restored by war? I answer most unhesitatingly and deliberately, No, never; '*war is final, eternal separation.*' My first and highest ground of opposition to its further prosecution is, that it is wrong; it is in violation of the Constitution and of the fundamental principles on which the federal Union was founded. My second objection is, that as a policy it is not *reconstructive* but *destructive*, and will, if continued, result speedily in the destruction of the Government and the loss of civil liberty, to both North and South, and it ought, therefore, to immediately cease.

"In order, Mr. Chairman, that we may know what views were entertained upon the right, as well as the expediency, of coercing States into submission, by some of the departed as well as living statesmen of the country, previous to the commencement of the present war, I propose to call the attention of the House and the country to a few extracts which, to my mind, are worthy of consideration at this time.

In 1827, during the administration of Mr. John Quincy Adams, when the Legislature of Georgia had passed an act setting aside the laws of Congress regulating intercourse with the Indian tribes within her limits, the messages of the President, of the 5th and 8th of February, 1827, in relation thereto, were referred to a select committee of the Senate, of which Colonel Benton was chairman, and of which Martin Van Buren and General William H. Harrison, both afterward Presidents of the United States, were members. The committee in their report (Senate Documents, second session Nineteenth Congress, Document No. 69) say:

It is believed to be among those axioms, which in a government like ours no man may be permitted to dispute, that the only security for the permanent union of these States is to be found in the principle of common affection, resting on the basis of common interest. The sanctions of the Constitution would be impotent to retain, in concerted and harmonious action, twenty-four sovereignties, hostile in their feelings toward each other, and acting under the impulse of a real or imagined diversity of interest. The resort to force would be alike vain and nugatory. Its frequent use would subject it, with demonstrative certainty, to ultimate failure; while its temporary success would be valueless for all purposes of social

happiness. In such contests, however unequal, and however transient, the seeds of disunion would be thickly sown, and those who may be destined to witness them will speedily thereafter be called to lament the destruction of the fairest prospect of civil liberty which Heaven in its mercy has vouchsafed to man. * * * The committee will not enlarge upon the frightful consequences of civil wars. They are known to be calamitous to *single* governments, and fatal to *confederacies*.

"The prediction of the committee of the destruction of the fairest prospect of civil liberty which Heaven in its mercy has vouchsafed to man, is already in great danger of being realized; and every hour the war is continued only widens the separation and increases the danger."

Mr. Long further quoted from the writings of J. Q. Adams, Jackson, W. H. Seward, President Lincoln, and Senator Wade.

"Three years' experience in attempting 'by numerical preponderance and military prowess of one section exerted to coerce the other into submission,' has convinced me more thoroughly that it is 'as self-contradictory as it is dangerous;' contradictory, because it violates the great principles of free government which 'derive their just powers from the consent of the governed,' and dangerous, because by its exercise, especially when wielded by a weak, vacillating, and unscrupulous man, it destroys instead of maintaining the Union. Constitutions and organic law, civil liberty and personal security are forced to yield to what is claimed to be a military necessity, and the Government itself, in the brief period of three short years, is to-day verging on the very brink of ruin.

"I am well aware, sir, that the cry of disloyalty, want of patriotism, and lack of devotion to the Government, which is in every place and at all times raised against those who have the independence to disapprove of any of the acts of Mr. Lincoln, as well as an inordinate desire for Government patronage, from the building of a steamship and a shoddy contract, down to the insignificant position of taking charge of a mutilated and depreciated greenback in the Treasury building, has changed the opinions of many men, but the fixed principles of free government as well as the rules of right, reason, justice and truth, are unchangeable; and although it may be unpopular, and even at the risk of personal liberty in times like the present, to advocate them, they are, nevertheless, eternal and immutable.

"The distinguished gentleman from Pennsylvania (Mr. Stevens), who stands upon this floor and before the country as an acknowledged leader of the Administration party, has had the honesty and independence, in a speech delivered at an early part of the session, to announce what he holds to be the true position of the confederate States. He says:

Some think that these States are still in the Union and entitled to the protection of the Constitution and the laws of the United States.

"This idea he at once repudiates, and then

boldly affirms that which he holds to be the true doctrine:

Others hold that having committed treason, renounced their allegiance to the Union, discarded the Constitution and laws, organized a distinct and hostile government, and by force of arms have risen from the condition of insurgents to the position of an independent Power *de facto*, and having been acknowledged as a belligerent both by foreign nations and our own Government, the Constitution and the Union are abrogated so far as they are concerned, and that as between the two belligerents they are under the laws of war and the laws of nations alone, and that whichever Power conquers may treat the vanquished as conquered provinces, and may impose upon them such conditions and laws as it may deem best.

"In answer to any objections that may be raised to this position, he says:

But it is said that this must be considered a contest with rebel individuals only, as States in the Union cannot make war. That is true so long as they remain in the Union. But they claim to be out of the Union, and the very fact that we have admitted them to be in a state of war, to be belligerents, shows that they are no longer in the Union, and that they are waging war in their corporate capacity, under the corporate name of the confederate States, and that such major corporation is composed of minor corporations called States, acting in their associated character.

* * * * *

When an insurrection becomes sufficiently formidable to entitle the party to belligerent rights, it places the contending Powers on precisely the same footing as foreign nations at war with each other.

No one acquainted with the magnitude of this contest, can deny to it the character of a civil war. For nearly three years the confederate States have maintained their declaration of independence by force of arms. * * * *

What, then, is the effect of this public war between these belligerent, these foreign nations? Before this war the parties were bound together by a compact, by a treaty called a "Constitution." They acknowledged the validity of municipal laws mutually binding on each. This war has cut asunder all these ligaments, abrogated all the obligations.

"Now, sir, for once at least, I agree with the distinguished gentleman from Pennsylvania, that the confederate States are out of the Union, occupying the position of an independent Power *de facto*, have been acknowledged as a belligerent both by foreign nations and our own Government, maintained their declaration of independence for three years by force of arms, and that the war has cut asunder all the ligaments and abrogated all the obligations that bound them under the Constitution. So far I agree with him, and however unwilling we may be to accept such position as the actual condition of the confederate States, the history of the past three years, the law of nations, the genius of our Government, and a regard for truth, compel me, at least, to accept it and my judgment to approve it; and if the charge of disloyalty is brought against me for this opinion. I have only to shield myself under the broad mantle of the distinguished leader of the Republican party.

"At the commencement of the war England and France both declared the confederate States

to be belligerents, the United States has treated with them as such in the exchange of prisoners, and the Administration is to-day, without the honesty or independence of the gentleman from Pennsylvania to avow it, doing precisely what he proposes to do under his war of conquest waged against the confederate States as a foreign nation. It is not now even pretended that the war is carried on having for its object the restoration of the Union. 'Reconstruction,' 'consolidation,' 'centralization,' 'with an entire change in the Constitution,' are the terms employed in speaking of the Government that is to exist hereafter. To speak of the Constitution as it is, and the Union as it was, is an offence, subjecting an officer in the army to punishment by dismissal from the service, and conclusive evidence of disloyalty in the citizen.

"If the time ever was when the Union could have been restored by war (which I do not believe), it has long since been dispelled by emancipation, confiscation, amnesty, and the like proclamations, military orders annulling State constitutions, setting aside State laws, obliterating State lines, and attempting to organize and set up a form of State government in their stead in which one man out of ten who shall turn abolitionist, take and subscribe an oath to execute and obey the will of Abraham Lincoln, whatever it may be, shall govern and rule over the remaining nine who refuse to become abolitionists. These follies of the Administration, and others of like character, have, instead of 'crushing the rebellion,' crushed out whatever Union sentiment may have remained among the southern people. It is possible that in districts of country occupied by the army, occasionally a man may be found who, seeing nothing before him but ignominy and death, his wife and innocent children appealing to him for protection with all the ties of filial affection, his property to be confiscated, and his family to become outcasts and beggars in the world—that such a man, in order for the time being to save himself, save his family, and save his property, may take the oath, but the effect produced by it will be like that of Galileo, who invented the telescope and who first taught the rotary motion of the earth. That noble old Italian, after many years of labor in the study of science, and when he had advanced to the extreme age of seventy, was summoned before an inquisition, tried, condemned, and imprisoned in a dungeon for teaching a heresy. Subsequently he was brought out and offered liberty on condition of his renouncing his heretical doctrine. The effect of once more beholding the glorious light of the sun, and breathing again the pure air of heaven, as contrasted with the loathsome dungeon in which he had been cast, and to which he had to return if he did not renounce his belief in the earth's motion, so far overcame his humanity that he consented to comply, and upon his bended knees, with his hands on the Gospels, he abjured his belief in the Copernican

doctrine. Part of his abjuration ran in these words:

With a sincere heart and unfeigned faith, I abjure, curse, and detest the said errors and heresies [namely, that the earth moves, &c.]; I swear that I will never in future say or assert any thing verbally or in writing, which may give rise to a similar suspicion against me.

"Rising from his knees, with eyes still fixed upon the earth, he whispered to a friend, '*E pur si muove.*' 'It moves for all that.'"

"So it will be with the man who is forced to take the amnesty oath, to save himself, his family, and his property: he may take it, but in his heart he will detest and despise the authority that requires it. Will such a man be devoted to or make a good citizen of the Government in which he lives? Who shall believe it? The history of Poland, of Hungary, of Italy, and of Ireland furnishes an answer to the question. If imperial Governments are not able to hold in submissive obedience small portions of a vast empire, once in revolt, how much less a Government having for its basis 'the consent of the governed!'

"But, Mr. Chairman, 'subjugation' is the watchword. Liberty and freedom for the slave and subjugation or extermination for the master is the popular cry. 'Meet them, fight them, crush them,' says the gentleman from Kentucky (Mr. Smith). Sir, that is easily said upon this floor, and is popular with those who from day to day fill the gallery of this House; but even the gentleman from Kentucky as well as a number of other military gentlemen, were quite willing to forego the pleasure of the performance, and exchange their commissions as generals in the field for a certificate entitling them to a seat upon this floor; and were I to judge by the willingness with which it was done, the tenacity with which they hold on to it, and the efforts some of them are making to return here again, instead of the war spirit they breathe within these walls, I should strongly suspect them of being in sympathy with the peace party.

"Mr. Chairman, I am no military man, and therefore incompetent to give advice or advance an opinion in military affairs; but I have often been forcibly struck by the remarks of Marshal Ney in reply to Napoleon, as related by Headley in his Napoleon and his Marshals:

One day, at Madrid, Napoleon entered the room where Ney and several officers were standing, and said in great glee, 'Every thing goes on well; Rumania will be reduced in a fortnight; the English are defeated and will be unable to advance; in three months the war will be finished.'

"The officers to whom this was addressed made no reply; but Ney, shaking his head, said with his characteristic bluntness:

'Sire, this war has lasted long already, and our affairs are not improved. The people are obstinate, even their women and children fight; they massacre our men in detail. To-day we cut the enemy in pieces, to-morrow we have to oppose another twice as numerous. It is not an army we have to fight, it is a whole nation. I see no end to this business.'

Bonaparte followed his own inclinations, and was eventually defeated.

"Mr. Chairman is there not instruction in the blunt yet forcible reply of the old French marshal to his superior officer for us? Have we not had from time to time the predictions of Napoleon during the past three years, but without a Marshal Ney to say, 'I see no end to this business'?"

"But, Mr. Chairman, how do we stand in the eyes of the civilized world to-day in waging a war of subjugation and conquest against the confederate States which have seceded from us and set up a government of their own? Are we not inconsistent with all our former acts? Have we not been early to admit this proper with regard to others? There never was a people on the face of the earth that demanded an independent Government that did not have the sympathy of the American people, and ought we now to shrink from the doctrine we have been so willing to apply to others?"

"My earliest recollection is the appeal made by Clay and Webster in behalf of Greece, in 1824, when they so eloquently declaimed in that behalf, on this floor and in the other branch of Congress. Whether it was Greece or the States of South America, or Poland, or Hungary, or Italy, or Ireland, the fact that a large country, for any cause, demanded a distinct and separate Government, always received the warmest sympathy and support of the American people, irrespective of party. Even as late as December, 1860, after Mr. Lincoln was elected, and after the preliminary steps for secession had been taken, the paper having the largest circulation of any in the Republican party, and having more influence than any other in the formation of Republican opinion, declared that it could see no reason why, if three million colonists could separate from the British Crown in 1776, that five million southerners could not separate from us in 1861. I have been as much puzzled as the distinguished Republican editor, Mr. Greeley, to find—looking at it as a revolutionary right—the difference in position. Ought we to shrink from the application of a doctrine to ourselves which we have been so willing to apply to other nations, such as Austria, Russia, and Spain? If we do, what will be the judgment of impartial history?"

"How much better it would have been for us and for the cause of Democracy throughout the globe, what a splendid tribute it would have been to a republican Government, if we had parted in peace with our dissatisfied sister States, as Mr. Everett recommended as late as February, 1861, sustained by such leading Republican journals as the 'Cincinnati Commercial,' 'New York Tribune,' 'Indianapolis Journal,' 'Chicago Tribune,' 'New Haven (Connecticut) Palladium,' 'Columbus Journal,' and Salmon P. Chase, now Secretary of the Treasury, and many others of that school. What in monarchical countries had required a long and bloody war, would have been accomplished by

democratic principles and a republican sense of justice. What a splendid proof it would have afforded of the capacity of the people for self-government! What a noble lesson it would have conveyed to the whole civilized world! The fact that we could rise superior to all prejudices and passions, and to have conquered ourselves, would have been the highest triumph that we had ever achieved.

"I regret as much, Mr. Chairman, as any gentleman upon this floor, that any of our sister States should have desired to cut asunder the ligaments that bound them to us. None would be more willing than myself to make any reasonable sacrifice to induce them to return to their partnership with us; but still recognizing the truth of the doctrine taught by the fathers of the Republic and so fairly expressed by Mr. John Quincy Adams, that our Government was, after all, in the heart, and that it would be better, severe as would be the pang of regret, to part in friendship rather than to hold sovereign States pinned to us by the bayonet, as Mr. Greeley expressed it in 1861. What advance have we made in the science and principles of government?"

"Mr. Chairman, if we cannot rise above the Austro-Russian principle of holding subject provinces by the power of force and coercion, what becomes of the Declaration of Independence, and of all our teachings for eighty years? After all, Mr. Chairman, it is not the extent of territory which should be the object of our desires. Better sacrifice even nine-tenths of the territory than destroy our republican form of government. What our people desired in 1861, and which I honored, though I regarded as mistaken, was the preservation of the Government and the retention of our jurisdiction of the whole territory. They were rightly willing to sacrifice every material consideration for that purpose. Land is nothing, Mr. Chairman, compared to liberty. We existed as a Republic when the mouth of the Mississippi was held by a foreign Power, when we had nothing west of that river; when Florida was held against us; and we could exist again, if by the chastisement of Heaven we should be curtailed to our old territorial dimensions. For \$15,000,000 we purchased the whole of that immense territory; and were it a hundred thousand times as valuable, its preservation would not be worth our admirable form of government.

"Pride of territorial ambition is a vulgar and low ambition of national greatness. Russia, and even China, can vie with us in that, but who would not rather reside in one of the cantons of Switzerland, or in Great Britain, than in those countries? It is not in the extent of territory we possess, but in the manner in which we govern it, that renders us respectable. Many gentlemen seem rather to look at the quantity than the quality. All republics have been destroyed by the thirst of territorial aggrandizement and the lust of conquest. The

great object of our Government should be to develop and cultivate the internal resources of those friendly to its jurisdiction, rather than to extend it over hostile and foreign peoples. It is in that character that true patriotism is to be cultivated and true national glory found. Especially should all republics cultivate the arts of peace, since it is by the war power that free Governments are commonly overturned.

"The charge has been made that democracy is turbulent, warlike, and aggressive; but if so, it is a terrible misconception of its true interests, for upon the people fall the awful calamities of armed collisions. An eminent poet (Lord Byron) has said that war was a game which, if the people were wise, kings and princes would never play at. The venerable Dr. Franklin, at the close of his illustrious career, remarked that there never was a good war and a bad peace. We have made, Mr. Chairman, by this war, eight million bitter enemies upon the American continent. While time shall last the recollections of this bloody strife will never fade from the memories of the people, North and South, but will be handed down to the latest generation. The words Shiloh, Antietam, Gettysburg, Murfreesboro', Richmond, Vicksburg, and Fort Donelson, are words of division and disunion, and will serve to bring emotions of eternal hate. If it was true, as was suggested by a distinguished Senator from Ohio (Mr. Wade) in a speech in Portland in 1855, that he believed 'that no two nations on earth hated each other as much as the North and South,' how much more true is the remark now after they have been arrayed in such bloody contests.

"It is the object of the sword to cut and cleave asunder, but never to unite. What union is there between Russia and Poland, between Austria and Hungary, between England and Catholic Ireland, where the sword and the bayonet for centuries have been employed? Instead of conferring national strength, they are sources of weakness to the countries that hold them in subjection; and which would this day be stronger without them than with them.

"Mr. Chairman, these lessons of history are full of warning and example. Much better would it have been for us in the beginning, much better would it be for us now, to consent to a division of our magnificent empire and cultivate amicable relations with our estranged brethren, than to seek to hold them to us by the power of the sword.

"Here let me advert to the common yet perfectly glaring and apparent error, that to part with our jurisdiction over eleven States involves the destruction of our Government. The statement of the proposition demonstrates its absurdity. As well might one say, who had a farm of two hundred acres of land, that he had lost his title-deed to all of it because by some misfortune he had parted with fifty. In losing the South, not one function of our Government

over us is surrendered. It remains over us as completely sovereign as it ever did. Here let me say on the experience of my individual belief, that if it had been understood in the North as in the South that by the terms of the Federal compact a State had a right to secede from the Union, this disruption would never have occurred. Had the North so understood the matter, there would have been upon its part a forbearance from the exercise of extreme measures, and a desire not to force the Southern States to the wall that would ever have maintained the confederacy unbroken. It was the prevalence of the idea of the consolidationists in the North, that the Southern States had no right to and would not secede, that tempted them into that fatal policy that has sundered the confederacy.

"It is said that no confederacy can exist by a recognition of this principle; but such was not the view of the fathers of the Government. It was not the view of Jefferson and Madison in their immortal resolutions of 1798 and 1799.

"It has been said, Mr. Chairman, that it would make a confederacy a rope of sand; but if so, it is strange that the southern confederacy, where it is recognized, should hold together through such a bloody pressure as we have applied to it for the last three years. It is a strange rope of sand that endures all that.

"But to return, Mr. Chairman. As will be judged, perhaps, by the tenor of these remarks, I am reluctantly and despondingly forced to the conclusion that the Union is lost never to be restored. I regard all dreams of the restoration of the Union which was the pride of my life, and to restore which even now I would pour out my heart's blood, as worse than idle. I see, neither North nor South, any sentiment on which it is possible to build a Union. Those elements of Union which Mr. Adams described, have, by the process of time, been destroyed. Worse, yea, worse than that, Mr. Chairman, I am reluctantly forced to the conclusion that in attempting to preserve our jurisdiction over the Southern States we have lost our constitutional form of government over the northern. What has been predicted by our wisest and most eminent statesmen has come to pass; in grasping at the shadow we have lost the substance; in striving to retain the casket of liberty in which our jewels were confined we have lost those precious muniments of freedom. Our Government, as all know, is not any thing resembling what it was three years ago; there is not one single vestige of the Constitution remaining; every clause and every letter of it has been violated, and I have no idea myself that it will ever again be respected; revolutions never go backward to the point at which they started. There has always been a large party in this country favorable to a strong or monarchical Government, and they have now all the elements upon which to establish one; they have a vast army, an immense public debt, and an irresponsible Executive. Ambitious to re-

tain power, he is a candidate for reelection, and, as Commander-in-Chief, it is charged (whether true or false I shall not undertake to decide) that he has already used the army in the Florida expedition, to advance his chances of success. One of the generals he has decapitated (General Fremont) has entered the field to dispute his claim to a continuance in power; and if the 'Chronicle' of this city, the President's organ, is correct in its construction of the suggestions of the 'New York Herald,' speaking of Lieutenant-General Grant, the question is already mooted whether he, in certain contingencies, at the head of the army, would not be justified in assuming the reins of Government.

The very idea upon which this war is founded, coercion of States, leads to despotism. To preserve a republican form of Government under any constitution, under the prevalence of the doctrine now in vogue, is clearly impossible. These convictions of the complete overthrow of our Government are as unwelcome and unpleasant to me as they are to any member of this House. Would to God the facts were such that I could cherish other convictions! I may be denounced as disloyal and unpatriotic for entertaining them, but it will only be by shallow fools and arrant knaves, who do not know or will not admit the difference between recognizing a fact and creating its existence. A man may not desire to die, but nevertheless his belief will not alter the fact of his mortality.

"I shall not, in these remarks, recur to the unpleasant and acrimonious controversy of who is responsible for the death and destruction of our Republic. I do not see that any such discussion now would be productive of good. I entertain clear and strong convictions upon that point, convictions that I have no doubt will be shared in by the impartial historian of the future; for the present I am willing to let the past with all its recollections rest, provided we can snatch from the common ruin some of our old relics of freedom.

"I do not share in the belief entertained by many of my political friends on this floor and elsewhere, that any peace is attainable upon the basis of union and reconstruction. If the Democratic party were in power to-day, I have no idea, and honesty compels me to declare it, that they could restore the Union of thirty-four States. My mind has undergone an entire change upon that subject; and I now believe that there are but two alternatives, and they are either an acknowledgment of the independence of the South as an independent nation, or their complete subjugation and extermination as a people; and of these alternatives I prefer the former.

"Mr. Chairman, I take little or no interest in the discussion of the question which many of my political friends would make an issue, as to how this war shall be prosecuted, its manner and object. I regard that as worse than trifling with the great question. I do not believe there can be any prosecution of the war

against a sovereign State under the Constitution, and I do not believe that a war so carried on can be prosecuted so as to render it proper, justifiable, or expedient. An unconstitutional war can only be carried on in an unconstitutional manner, and to prosecute it further under the idea of the gentleman from Pennsylvania (Mr. Stevens), as a war waged against the confederates as an independent nation, for the purpose of conquest and subjugation, as he proposes, and the Administration is in truth and in fact doing, I am equally opposed.

"I say further, Mr. Chairman, that if this war is to be still further prosecuted, I, for one, prefer that it shall be done under the auspices of those who now conduct its management, as I do not want the party with which I am connected to be in any degree responsible for its result, which cannot be otherwise than disastrous and suicidal; let the responsibility remain where it is, until we can have a change of policy instead of men, if such a thing is possible. Nothing could be more fatal for the Democratic party than to seek to come into power pledged to a continuance of the war policy. Such a policy would be a libel upon its creed in the past, and the ideas that lay at the basis of all free government, and would lead to its complete demoralization and ruin. I believe the masses of the Democratic party are for peace; that they would be placed in a false position if they should nominate a war candidate for the Presidency, and seek to make the issue upon the narrow basis of how the war should be prosecuted.

"For my own part, as I have already indicated, I fear that our old Government cannot be preserved, even under the best auspices, and with any policy that may be now adopted, yet I desire to see the Democratic party, with which I have always been connected, preserve its consistency and republican character unshaken.

Mr. Garfield, of Ohio, immediately followed, saying: "Mr. Chairman, I should be obliged to you if you would direct the Sergeant-at-Arms to bring a white flag and plant it in the aisle between myself and my colleague who has just addressed you.

"I recollect on one occasion, when two great armies stood face to face, that under a white flag just planted I approached a company of men dressed in the uniform of the rebel confederacy, and reached out my hand to one of the number and told him I respected him as a brave man. Though he wore the emblems of disloyalty and treason, still underneath his vestments I beheld a brave and honest soul.

"I would reproduce that scene here this afternoon. I say, were there such a flag of truce—but God forgive me if I should do it under any other circumstances!—I would reach out this right hand and ask that gentleman to take it; because I honor his bravery and his honesty. I believe what has just fallen from his lips is the honest sentiment of his

heart, and in uttering it he has made a new epoch in the history of this war; he has done a new thing under the sun; he has done a brave thing. It is braver than to face cannon and musketry, and I honor him for his candor and frankness.

"But now I ask you to take away the flag of truce; and I will go back inside the Union lines, and speak of what he has done. I am reminded by it of a distinguished character in 'Paradise Lost.' When he had rebelled against the glory of God, and 'led away a third part of heaven's sons, conjured against the Highest,' when after terrible battles in which mountains and hills were hurled by each contending host 'with jaculations dire;' when at last the leader and his hosts were hurled down 'nine times the space that measures day and night,' and after the terrible fall lay stretched prone on the burning lake, Satan lifted up his shattered bulk, crossed the abyss, looked down into Paradise, and, soliloquizing, said:

'Which way I fly is hell; myself am hell.'

"It seems to me in that utterance he expressed the very sentiment to which you have just listened; uttered by one no less brave, malign, and fallen. This man gathers up the meaning of this great contest, the philosophy of the moment, the prophecies of the hour, and, in sight of the paradise of victory and peace, utters them all in this wail of terrible despair: 'Which way I fly is hell.' He ought to add, 'Myself am hell.'

"But now, when hundreds of thousands of brave souls have gone up to God under the shadow of the flag, and when thousands more, maimed and shattered in the contest, are sadly awaiting the deliverance of death; now, when three years of terrific warfare have raged over us, when our armies have pushed the rebellion back over mountains and rivers, and crowded it back into narrow limits, until a wall of fire girds it; now, when the uplifted hand of a majestic people is about to let fall the lightning of its conquering power upon the rebellion; now, in the quiet of this Hall, hatched in the lowest depths of a similar dark treason, there rises a Benedict Arnold and proposes to surrender us all up, body and spirit, the nation and the flag, its genius and its honor, now and forever, to the accursed traitors to our country. And that proposition comes—God forgive and pity my beloved State!—it comes from a citizen of the honored and loyal Commonwealth of Ohio.

"I implore you, brethren in this House, not to believe that many such births ever gave pangs to my mother State such as she suffered when that traitor was born. (Suppressed applause and sensation.) I beg you not to believe that on the soil of that State another such growth has ever deformed the face of nature, and darkened the light of God's day. (An audible whisper, 'Vallandigham.') But ah, I am reminded that there are other such. My zeal and love for Ohio have carried me too far. I retract.

I remember that only a few days since a political convention met at the capital of my State, and almost decided to select from just such material a Representative for the Democratic party in the coming contest; and to-day, what claim to be a majority of the Democracy of that State say that they have been cheated or they would have made that choice. I therefore sadly take back the boast I first uttered in behalf of my native State.

"But, sir, I will forget States. We have something greater than States and State pride to talk of here to-day. All personal or State feeling aside, I ask you what is the proposition which the enemy of his country has just made? What is it?

"For the first time in the history of this contest it is proposed in this Hall to give up the struggle, to abandon the war, and let treason run riot through the land! I will, if I can, dismiss feeling from my heart, and try to consider only what bears upon the logic of the speech to which we have just listened.

"First of all, the gentleman tells us that the right of secession is a constitutional right. I do not propose to enter into the argument. I have expressed myself hitherto upon State sovereignty and State rights, of which this proposition of his is the legitimate child.

"But the gentleman takes higher ground—and in that I agree with him—namely, that five million or eight million people possess the right of revolution. Grant it; we agree there. If fifty-nine men can make revolution successful, they have the right of revolution. If one State wishes to break its connection with the Federal Government, and does it by force, maintaining itself, it is an independent State. If the eleven Southern States are determined and resolved to leave the Union, to secede, to revolutionize, and can maintain that revolution by force, they have the revolutionary right to do so. Grant it. I stand on that platform with the gentleman.

"And now the question comes, is it our constitutional duty to let them do it? That is the question, and in order to reach it I beg to call your attention, not to an argument, but to the condition of affairs which would result from such action—the mere statement of which becomes the strongest possible argument. What does this gentleman propose? Where will he draw the line of division? If the rebels carry into successful secession what they desire to carry, if their revolution envelops as many States as they intend it shall envelop, if they draw the line where Isham G. Harris, the rebel Governor of Tennessee, in the rebel camp near our lines, told Mr. Vallandigham they would draw it—along the line of the Ohio and of the Potomac—if they make good their statement to him that they will never consent to any other line, then I ask what is this thing that the gentleman proposes to do?

"He proposes to leave to the United States a territory reaching from the Atlantic to the

Pacific, and one hundred miles wide in the centre! From Wellsville, on the Ohio River, to Cleveland on the lakes, is one hundred miles. I ask you, Mr. Chairman, if there be a man here so insane as to suppose that the American people will allow their magnificent national proportions to be shorn to so deformed a shape as this?

"I tell you, and I confess it here, that while I hope I have something of human courage, I have not enough to contemplate such a result. I am not brave enough to go to the brink of the precipice of successful secession and look down into its damned abyss. If my vision were keen enough to pierce to its bottom, I would not dare to look. If there be a man here who dare contemplate such a scene, I look upon him either as the bravest of the sons of women, or as a downright madman. Secession to gain peace! Secession is the toc-sin of eternal war. There can be no end to such a war as will be inaugurated if this thing be done.

"Suppose the policy of the gentleman were adopted to-day. Let the order go forth; sound the 'recall' on your bugles, and let it ring from Texas to the far Atlantic, and tell the armies to come back. Call the victorious legions back over the battle-fields of blood, forever now disgraced. Call them back over the territory which they have conquered. Call them back, and let the minions of secession chase them with derision and jeers as they come. And then tell them that that man across the aisle, from the free State of Ohio, gave birth to the monstrous proposition.

"Mr. Chairman, if such a word should be sent forth through the armies of the Union, the wave of terrible vengeance that would sweep back over this land could never find a parallel in the records of history. Almost in the moment of final victory the 'recall' is sounded by a craven people not deserving freedom! We ought every man to be made a slave should we sanction such a sentiment.

"The gentleman has told us there is no such thing as coercion justifiable under the Constitution. I ask him for one moment to reflect, that no statute ever was enforced without coercion. It is the basis of every law in the universe—God's law as well as man's. A law is no law without coercion behind it. When a man has murdered his brother, coercion takes the murderer, tries him, and hangs him. When you levy your taxes, coercion secures their collection; it follows the shadow of the thief and brings him to justice; it accompanies your diplomacy to foreign courts, and backs the declaration of the nation's rights by a pledge of the nation's power. But when the life of that nation is imperilled, we are told it has no coercive power against the parricides in its own bosom! Again, he tells us that oaths taken under the amnesty proclamation are good for nothing. The oath of Galileo, he says, was not binding upon him. I am reminded of another oath

that was taken; but perhaps it too was an oath on the lips alone to which the heart made no response.

"I remember to have stood in a line of nineteen men from Ohio, on that carpet yonder, on the first day of the session, and I remember that with uplifted hands before Almighty God those nineteen took an oath to support and maintain the Constitution of the United States. And I remember that another oath was passed around and each member signed it as provided by law, utterly repudiating the rebellion and its pretences. Does the gentleman not blush to speak of Galileo's oath? Was not his own its counterpart?

"I said a little while ago that I accepted the proposition of the gentleman that the rebels had the right of revolution; and the decisive issue between us and the rebellion is, whether they shall revolutionize and destroy, or we shall subdue and preserve. We take the latter ground. We take the common weapons of war to meet them; and, if these be not sufficient, I would take any element which will overwhelm and destroy; I would sacrifice the dearest and best beloved; I would take all the old sanctions of law and the Constitution and fling them to the winds, if necessary, rather than let the nation be broken in pieces, and its people destroyed with endless ruin.

Mr. Long: "Mr. Chairman, I desire but a very few minutes to reply to my colleague who has seen proper to call in question very seriously what I have said this afternoon. I stated, sir, very distinctly, when I commenced, that I spoke for myself, and that I alone would be responsible for what I said. I am well aware of all that I did say. I have said it deliberately. I have said it because my conscience told me it was right, and my judgment approved it. I have said it because when I walked down with my colleague to the front of that desk to take the oath required of me in becoming a member of this House, I held up my hand, as he raised his, before Heaven and took upon myself a solemn oath to support the Constitution of the United States, and so help me God, fearless of all the charges that can be made against me by that gentleman or any other, or by all the minions of power in the land, I never will violate that oath, or shrink from the responsibility which I then assumed.

"I have never, sir, belonged to a party which took that oath with a mental reservation. I never took the oath with a determination not to obey a part of the laws of the land. I remember the district of country from which my colleague hails, the conventions that have been held there, and the forcible resistance to the enforcement of the law that have been made there. I remember when the party now in power undertook to set aside a solemn act of Congress, and appealed to the supreme court of our State to override the Constitution of the United States. Sir, I have never been

guilty of that crime. I have never, I repeat, belonged to a party that takes this oath with a mental reservation. It seems to me that, if my colleague had desired to stand right before the House and before the country, before he assumed the responsibility of charging me individually with being disloyal, he should have remembered the authorities that I brought before the House, and when he branded me as disloyal would have recollected that the leaders of his own party, and the organs of his own party, from the 'New York Tribune' down to the 'Columbus Journal' of the State in which he and I live, have advocated the doctrines that I have promulgated here to-day, and that the Secretary of the Treasury, hailing from our State too, advocates this identical doctrine.

On the next day, April 9th, the Speaker, Mr. Colfax, took the floor and offered the following resolution :

Whereas on the 8th of April, 1864, when the House of Representatives was in Committee of the Whole on the state of the Union, Alexander Long, a Representative from the second district of Ohio, declared himself in favor of recognizing the independence and nationality of the so-called confederacy now in arms against the Union; and whereas the said so-called confederacy, thus sought to be recognized and established on the ruins of a dissolved or destroyed Union, has as its chief officers, civil and military, those who have added perjury to their treason, and who seek to obtain success for their parricidal efforts by the killing of the loyal soldiers of the nation who are seeking to save it from destruction; and whereas the oath required of all members, and taken by the said Alexander Long on the first day of the present Congress, declares "that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility to the United States," thereby declaring that such conduct is regarded as inconsistent with membership in the Congress of the United States; therefore,

Resolved, That Alexander Long, a Representative from the second district of Ohio, having, on the 8th of April, 1864, declared himself in favor of recognizing the independence and nationality of the so-called confederacy now in arms against the Union, and thereby "given aid, countenance, and encouragement to persons engaged in armed hostility to the United States," is hereby expelled.

"Mr. Speaker, before presenting this resolution I reflected, as it was my duty to do, seriously on the obligations under which, in consequence of my position, I feel I am placed. I recognize that there is a double duty incumbent on me; first to the House of Representatives whose kindness has placed me in its principal chair, to administer the duties of that chair and the rules of the House faithfully and impartially to the best of my ability and judgment. That, I can say sincerely and conscientiously, I have endeavored to do, and shall so endeavor until this Congress expires by its constitutional limitation. But I feel that I owe still another duty to the people of the ninth congressional district of Indiana, who sent me here as their Representative to speak and act and vote in their stead. It is in conformity with this latter duty to those who cannot speak here for themselves, and who, I believe, would indorse the

sentiment of this resolution, that I have felt it my duty to rise in my place as a member of Congress from the State of Indiana and offer this resolution.

"I rise to offer this resolution in the performance of a high public duty which I felt I could not myself shirk or evade. It is a duty I owe, not only to those of my constituents who are at home, but to the many thousands of them who are in the tented fields meeting the armies of the confederacy in deadly conflict, and exposing their lives for the safety and perpetuity of this imperilled Union. Nay, more, sir, I owe it to the many widowed and orphaned families in my district whose natural protectors have been stricken down by the bloody hand of treason, and lost to them in this world forever.

"I believe in the freedom of speech. I have not heard any thing on this floor during this Congress that would have prompted me to offer this resolution except the remarks made yesterday by the gentleman from Ohio (Mr. Long). He declared distinctly, in so many words, that he was in favor of the recognition of this so-called confederacy, and recognition is the recognition of its independence and its nationality as one among the nations of the earth. The flag of this confederacy was thus boldly unfurled here by a gentleman who had taken the oath at the opening of Congress—and I have no doubt truthfully—that up to that time he had not given any aid, countenance, or encouragement to those who are engaged in armed hostility against the United States. Believing that oath shows that those who do thus give aid and countenance and encouragement to those engaged in armed hostility against the United States are not worthy of membership here in a Congress of the United States, I felt it my duty at least to ask the House of Representatives to pass their judgment upon it.

"I have offered this resolution not as the result of a consultation with any persons upon the floor of this House, but upon my sole and entire responsibility; and I say here deliberately and solemnly that if what fell from the lips of the gentleman from Ohio (Mr. Long) yesterday is to pass unrebuked by this House, then you have no right to complain of any foreign Government on the face of this earth that recognizes the independence and nationality of this confederacy, which, within your own walls, under your own flag, by one associated with you in the Government of this country, was publicly avowed as his preference and his conviction.

"Now, sir, if by the quiet and tacit assent of this House, as a House of Representatives, this sentiment is to go unquestioned by the Representatives of the United States of America here assembled, then I say you should stop shooting your deserters from the army, for they have not turned their backs upon the obligation which they have assumed any more influentially by their leaving the flag which they had bound themselves to sustain, than has a gentle-

man who will rise in his place in Congress and state that he is in favor of the men who seek the destruction of this land and the dissolution of the Union by recognizing them as one of the nations of the earth. Nay, more. You should call no more soldiers into the field to endeavor by the peril of their lives to save this country, because it is a solemn mockery to do if from this Hall shall go forth words of encouragement to strengthen those arrayed against them in an unholy and parricidal work. If we allow this to pass here unquestioned and unrebuked, how can we deny to others abroad the right to recognize the establishment of the so-called southern confederacy among the nations of the earth? Can you propose to go to war with any foreign nation who may do this, and yet, by opposing this resolution, justify and indorse the open avowal of a similar desire in this Hall?

"Mr. Speaker, we have seen since this rebellion opened the other branch of the Federal Congress, at the opposite end of the Capitol, expelling a Senator from my own State. What for? For sending a letter of introduction by a gentleman to the rebel chief who presides at Richmond. For that letter of introduction, thus giving aid and comfort to those in armed hostility to the United States, the Senate of the United States expelled him by a two-thirds vote. I have nothing to say in regard to the politics of my own State, but I have this to say, that a Legislature sat afterward in my State of the same political views with the expelled Senator, and they had the power to elect two United States Senators, one for the long term and another for the short term. A majority of that Legislature, sir, recorded their votes of approval of the action of the Senate by refusing to send—although they had the power—that Senator back to his seat in the United States Senate.

"One or two years ago, perhaps less than one year ago, Ohio was excited by the arrest of a former member of Congress for declaring in strong language his hostility to a military order. His friends went before the people in that State on the issue of the injustice done him, and by a majority of one hundred thousand they declared their approbation of that act of military authority, and the highest court of judicature in our land, the Supreme Court of the United States, refused the other day to reopen or review that judgment.

"Mr. Speaker, I have but a word more to say, when I will leave the floor to the gentleman from Ohio (Mr. Cox), who seeks it. If this bold and frank avowal, for bold and frank it was, by a member of Congress representing a free district in a loyal State, if this is to go unrebuked by this House, I ask you how you are to close these doors against those who are now sitting at Richmond in the confederate congress, those who have not been in arms against the United States but have been sitting in that congress giving aid and comfort to the arms of the rebellion against the United States?

Their hands are stained with no blood, perhaps; they could come here with no blood, as soldiers, upon their skirts; but they may seek to come here, if this is to be the law of this Congress, fresh from the conclave of this confederate congress, saying to us: 'We have done no more at Richmond than has been done upon this floor by the member from the second district of Ohio in your presence, unrebuked upon the floor by Congress.'

"But it is because of its effect abroad that I have offered this resolution. If there is any danger threatening our imperilled Union after the valor of our soldiers has caused the area of the rebellion to become 'small by degrees and beautifully less,' it is the recognition of the confederacy by foreign nations. On a motion of the gentleman from Maryland (Mr. Davis) the other day, this House, by a unanimous vote, in which I believe the gentleman from the second district of Ohio participated, declared that we would not allow any foreign country to plant a nation on the prostrate ruins of a republic anywhere upon the American continent; and yet, sir, when we assent by our silence to a proposition to recognize this confederacy, we not only assent to the planting of a foreign nation upon the soil of this continent, but one upon the soil of our own beloved Union. Nay, more than that, when he has seen, when I have seen, when you have seen, and every member upon this floor has seen the emissaries of this rebel confederacy bowing the knee to every sovereign in Europe, asking an alliance with them, and saying in their confederate congress that they would prefer allegiance to a foreign prince than to remain part and parcel of this Union, do not we know that when their independence is acknowledged and recognized there will be an alliance, in their weakness, to make them stronger, with any foreign nation, power, or potentate that sees fit to enter into treaties with them, and then upon that soil, once belonging to the United States, foreign armies will be landed and their forces joined to that of those traitors to invade our own country and destroy our armies and even the liberties of our people? You have no right to pass resolutions like that offered by the gentleman from Maryland, warning foreign nations, if upon your own floor and by your deliberate assent and vote you declare and avow the sentiments uttered here yesterday by refusing to rebuke and condemn them. I have now performed my duty, and leave the rest to the House."

Mr. Cox, of Ohio, followed, saying: "I approach this matter with becoming seriousness. The extraordinary spectacle is presented of our Speaker descending from the chair to make a motion to expel one of the members of this House for words spoken in debate. The occasion calls for more than the usual gravity of deliberation. I was not present when my colleague (Mr. Long) made the remarks which have called out this resolution. I am told by members around me that his remarks do not

bear the interpretation given to them by the speech and resolution of the honorable Speaker. Before a resolution of this startling nature was introduced we should have had the official report of those remarks in the 'Globe.' If action be demanded for the expulsion of a Representative of the people, for the exercise of his constitutional right of free debate, we should have the most authentic record of that debate. As I am informed, the language of my colleague was so qualified as to make it far less objectionable than the statement of it in the resolution. Still, sir, it may be obnoxious, and yet there may be no just ground for this proceeding of expulsion.

"Had I been in my seat yesterday, with all due respect to my colleague, I should have promptly risen and disavowed, on behalf of all the delegation from Ohio with whom I have conversed, any sentiments uttered by him or any one else, looking to the recognition of the confederate government as an independent Power. So far as I can learn, there is not a member acting with this side of the House, unless it be my colleague, who is not opposed in every conceivable view, directly or indirectly, to such recognition.

"Now, I propose to show that if the sentiments attributed to my colleague are unpatriotic and treasonable, the prominent men of the Republican party are amenable, for similar sentiments, to the same condemnation. There is scarcely a leading member of the opposite party, from the Executive down, who is not committed in doctrine if not in practice to the separation of these States."

Mr. Allen, of Illinois, said: "I believe that the resolution of the gentleman from Indiana (Mr. Colfax) is based upon the ground that the speech of the gentleman from Ohio gives aid and encouragement to the enemy. Well, sir, that may be so, and yet an act which violates the privileges of a member upon this floor will also be calculated to give aid and comfort to the enemies of the Government, since they will see in it that revolutionary spirit which portends the overthrow of the constitutional liberties not only of members of Congress, but of the people of the Northern States. Suppose his remarks are calculated to give aid and comfort to the enemies of our Government, to the rebels in arms against it, are we for that reason by a resolution to exclude him from this House in contempt of its rules, in contempt of his constitutional rights and the constitutional rights of his constituents? By so doing we bring into contempt to that extent the Constitution, the rules of the House, and the law by which he holds a seat upon this floor. We surrender up these constitutional guarantees and place ourselves at the mercy of a remorseless majority, who would override the rules of the House, override the Constitution, and wreak their vengeance on members of the Opposition on this floor."

Mr. Harris, of Maryland, in opposition to the

resolution, said: "Mr. Speaker, when I came here at this session of Congress I was solitary and alone. I could not say for some time whether anybody sympathized with me; I felt myself solitary and alone. Those who were here around me were war Democrats. They never invited me to their caucus. Those I knew would never let me go into their caucus, and I never intended to apply. I would starve among them. I am a peace man, a radical peace man; and I am for peace by the recognition of the South, for the recognition of the southern confederacy; and I am for acquiescence in the doctrine of secession. Laugh as you may, you have got to come to it. I thought I was alone. I began to take the advice of Cato to his son,

'When vice prevails and impious men bear sway,
The post of honor is a private station.'

I felt like giving up my seat and leaving this place. I stood here solitary and alone on this floor; but now, thank God! there is another soul saved. I feel that we can baptize my honorable friend from Ohio (Mr. Long), and I am glad to have such able aid. I shall not go home now. When Cato gave that advice he had fought his last battle, and had yielded to the fortunes and ambition of Julius Cæsar, great as he was. He was about to take a victory over himself by a Roman's death, because he saw his cause was hopeless. Not so ours. I feel yet there is a hope in this House. I feel through the rustling of the winds there is a tornado coming that will sweep away the present majority from power and give it into the hands of men who will settle the affairs of this country; men who have something like humanity; men who have regard for the principles of our forefathers. Ay, I recollect how my blood curdled when I heard the discussion on the confiscation bill. The gentleman from Ohio (Mr. Garfield) said, let them be expatriated like the Tories of the Revolution. The Tories of the Revolution had the mother country to run to, and were protected there. But where would the gentleman send those whom he would expatriate from the South, as gallant and noble a race as ever walked upon the earth; noble in every thing that constitutes men of honor and men of principle—gentlemen? Sir, you would expatriate those people, their wives and children, and send them among strangers to starve. Another member from Ohio (Mr. Spalding), was not only for confiscating their property in fee; he, sir, went through the catalogue. He was for confiscation, he was for expatriation, and he was for extermination. He emphasized every syllable of that word; and when he did so, I looked at his countenance, and I felt as if I were in a den of hyenas.

"I am not here for war, and will not be here for war, so long as I have a heart humane and Christian, when war is carried on upon such principles. No, sir, war never did and never will bring your Union together in such a manner as to be worth one cent. I am for peace, and I am for Union, too. I am as good a Union

man as any of you. I am a better Union man than any of you. I am a Union man, and have thrown up my head—no, I have not lost that yet—I have thrown up my hat for the cause of the Union, and cheered at its success. I felt as anxious for its success as any man upon this floor. I look upon war as disunion. I look upon continued war as actually keeping off the Union to a still later period, and I scarcely believe that peace would accomplish a Union. And surely, if any thing will, it is that sweet angel of peace. She may unite the cords which have been severed by the hand of war, and may tie them more tightly together than ever before; but if we are to have dissolution, in the name of God let us have it. Let us have it, and instead of having one great consolidated Government, one imperious Government, one splendid Government, let us at least have on this continent two happy Governments. But, as I said before, I look to peace as the harbinger of the Union, if there is any harbinger for it.

“Sir, the Union is dissolved, and there is a gulf of blood lying between the two sections; but upon my honor, upon my soul, I repeat that every drop in that gulf is on the souls of the northern people. I do not think that any candid man who looks at the history of this affair can come to any other conclusion. From the beginning of the Government, from the time of the adoption of the Constitution down to the time of the election of Abraham Lincoln, you have been using terms of insult and terms of irritation, and you have been doing every thing you could to bring about the very result which is now upon you. Look at the history of this matter. I shall not repeat it; it is too familiar and has been too often repeated. At first you only cultivated the ground, but when that old scold and wrangler, the worst man that ever lived in this country, even not excepting Aaron Burr; when that old scold and wrangler, John Quincy Adams, declared that by the war power you could emancipate all the slaves and sell the States which had slaves to a foreign power, that was the day when you commenced to exert all your powers to excite this people to rebellion. Then it was, you said you would not live with them, that the Government was a compact with hell, and that one of the most agreeable things in the world would be to part with the South and slavery. That was the announcement of your public men everywhere, that they could not live with you in peace. Well, they separated from you, and asked to live on terms of peace with you. What did you do? You immediately howled out, ‘They are traitors; we will hang them all; and when we have hung them we will take all their property and divide it among us.’ And, sir, all this was to be done, according to your great ‘higher-law’ apostle, William H. Seward, in the course of sixty days? No doubt the facility with which he thought it could be done was a great incentive to begin the work, especially as there were lands in the South and many other benefits that

they expected to get hold of very easily down there.

“Mr. Speaker, in the early part of this secession movement there was a resolution offered pledging men and money to carry on the war. My principles were then and are now against the war. I stood solitary and alone in voting against that resolution, and whenever a similar proposition is brought here it will meet with my opposition. Not one dollar nor one man, I swear by the Eternal, will I vote for this infernal, this stupendous folly, more stupendous than ever disgraced any civilized people on the face of God’s earth. If that be treason, make the most of it.

“It is the right of the commoner of England to say that he will not intrust the money to carry on a war to the king, who has the entire war power. I do not know that a commoner of the American House of Representatives ever lost that right. That proposition meets with my approval. If you will not make peace in any other way, and if I have the casting vote here against furnishing the sinews of war, you shall not have them.

“The South asks you to let her go in peace. But, no; you said you would bring them into subjugation. That is not done yet, and God Almighty grant that it never may be. I hope that you will never subjugate the South. If she is to be ever again in the Union I hope it will be with her own consent; and I hope that that consent will be obtained by some other mode than by the sword. ‘If this be treason, make the most of it.’ I am as good a Union man as you are, but we differ as to the best means of preserving the Union.”

Mr. Wood, of New York, thus explained his views: “I came into the Hall this morning, making my appearance for the first time in many days, having been confined to my bed by severe sickness. I applied personally to the gentleman from Ohio to know what he did say, and whether I could stand up and indorse the sentiments which he had uttered, or be compelled to agree to a vote of censure upon him. He gave me the identical paper from which he made the speech which has called forth this most extraordinary resolution. He asked me after I had read the manuscript whether I was ready to vote for his expulsion. I said no. The only recognition of the southern confederacy was this. It was presented as an alternative of evils to the country. The gentleman from Ohio said as the choice of alternatives he would accept recognition. That is all there is of it. The language is:

I now believe there are but two alternatives, and they are either the acknowledgment of the independence of the South as an independent nation, or their complete subjugation and extermination as a people; and of these alternatives I prefer the former.

“Sir, as a choice of evils, rather than see the whole southern people exterminated, men, women, and children put to the sword, he would accept a recognition as an alternative of

these two unfortunate and dreadful results. And, sir, I desire to say that if he is to be expelled for the utterance of that sentiment, you may include me in it, because I concur fully in that sentiment."

Mr. Washburne, of Illinois, rising to a privileged question, offered the following resolution:

Whereas Hon. Benjamin G. Harris, a member of the House of Representatives of the United States from the State of Maryland, has on this day used the following language, to wit: "The South asked you to let them go in peace. But, no; you said you would bring them into subjection. That is not done yet, and God Almighty grant that it never may be. I hope that you may never subjugate the South." And whereas such language is treasonable, and is a gross disrespect of this House; therefore,

Be it resolved, That the said Benjamin G. Harris be expelled from this House.

The vote was taken, and it failed of a two-thirds vote, as follows:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, Bailey, John D. Baldwin, Baxter, Beaman, Blaine, Francis P. Blair, Boutwell, Boyd, Broomall, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Henry Winter Davis, Thomas T. Davis, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, Frank, Garfield, Gooch, Grinnell, Hale, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Orth, Patterson, Pike, Pomeroy, Price, William H. Randall, Edward H. Rollins, Schenck, Scofield, Shannon, Smithers, Spalding, Starr, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Williams, Wilder, Wilson, Windom, and Woodbridge—81.

NAYS—Messrs. James C. Allen, Ancona, Augustus C. Baldwin, Bliss, James S. Brown, Chanler, Clay, Cox, Cravens, Dawson, Dennison, Eden, Eldridge, English, Finck, Ganson, Grider, Harding, Harrington, Herrick, Holman, Hutchins, Philip Johnson, William Johnson, Kernan, Law, Lazear, Le Blond, Long, Mallory, Marcy, McAllister, McDowell, McKinney, Middleton, Wm. H. Miller, James R. Morris, Morrison, Nelson, Odell, Pendleton, Pruyne, Samuel J. Randall, Robinson, Rogers, James S. Rollins, Ross, Scott, John B. Steele, William G. Steele, Strouse, Sweat, Voorhees, Ward, Chilton A. White, Joseph W. White, Winfield, and Fernando Wood—58.

Mr. Schenck, of Ohio, then offered the following:

Resolved, That Benjamin G. Harris, a Representative from the fifth district of the State of Maryland, having spoken words this day in debate, manifestly tending and designed to encourage the existing rebellion and the enemies of this Union, is declared to be an unworthy member of this House, and is hereby severely censured.

It was adopted by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, Bailey, Augustus C. Baldwin, John D. Baldwin, Baxter, Beaman, Blaine, Francis P. Blair, Boutwell, Boyd, Broomall, James S. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Cole, Cox, Henry Winter Davis, Thomas T. Davis, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, English, Frank, Ganson, Garfield, Gooch, Grinnell, Hale, Harrington, Higby, Holman, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg,

Kernan, Loan, Marvin, McAllister, McBride, McClurg, McIndoe, Middleton, Samuel F. Miller, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Nelson, Odell, Orth, Patterson, Pike, Pomeroy, Price, William H. Randall, Edward H. Rollins, Schenck, Scofield, Shannon, Smithers, Spalding, Starr, John B. Steele, William G. Steele, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Williams, Wilder, Wilson, Windom, and Winfield—93.

NAYS—Messrs. James C. Allen, Ancona, Bliss, Chanler, Dennison, Eden, Eldridge, Law, Le Blond, William H. Miller, Morrison, Pendleton, Pruyne, Samuel J. Randall, Ross, Strouse, Chilton A. White, and Fernando Wood—18.

The debate was continued on the resolutions of Speaker Colfax.

Mr. Wood, of New York, said: "I will not vote to abridge the expression of sentiment in this House. I am willing to accord to every man, even to those on the other side of the House, the largest liberty of debate. But, sir, I am not in favor of a dissolution of this Union. I am not in favor of recognition. I am not in favor of secession. But I am in favor of peace. I am in favor of doing justice to the southern people. I am in favor of making an effort, through negotiation, for a final determination and adjudication of this question in some way, as the Government has always done under like circumstances.

"This war cannot restore the Union. I believe the Democratic party, as far as this immediate question is concerned, cannot be an abolition war party. There can be no such thing as a war Democrat; because when a man is in favor of the war, he must be in favor of the policies of the war as it is prosecuted by the party in power, with its unavoidable tendency to destroy the Constitution and the Union. He cannot be a Democrat and be a disunionist also. I do not want to see the Democratic party brought into power under such policies or on any such platform as that. If the war is to go on, I want the Republican party to carry it on. They caused it, and let them take the responsibility. They get the plunder, let them take the consequences.

"Now, sir, can there be such a thing as a conservative Republican? No, sir, a man cannot be a modern Republican and be conservative. Republicanism, as now understood practically, is destructive, fanatical, and ruinous. Conservatism is to protect and preserve life and property. Therefore I say there can be no such thing as a war Democrat or a conservative Republican. Until the American people return to the sober second thought, and realize the inevitable tendency and conclusion of the war, I believe that the disease will run its course, and that the Republican disunionists in power may carry out their doctrines to their bloody and relentless results.

"George Thompson was sent an emissary by the British Government thirty years ago to sow the seeds of dissolution in America. He now returns as the guest of his fellow-disunionists, the ruling party, to see the reaping of the

bloody harvest. Union, sir, Union with this doctrine of fell destruction and annihilation, where every man, woman, and child is to be put to the sword, where their country is to be laid waste, where their State institutions are to be subverted, where freemen under your Constitution, standing with equal rights with ourselves, are to be made slaves or die! Why, sir, men who talk of such a Union under our system have never read the Constitution. In the elegant language to-day of the gentleman from Pennsylvania (Mr. Stevens), they are 'either fools or knaves.'

"Sir, there can be no such Union. Civil war is dissolution, destruction, extermination, and therefore I am opposed to it, and in favor of making a peaceful effort for the settlement of this great question. I am in favor of bringing back the southern States into a condition of fraternity and brotherhood with the North. I am in favor of the compacts and compromises of the Constitution. I am in favor of this galaxy of beautiful, independent powers being once more gathered under a common Government, entitled to equal rights, equal privileges, and equal exemption from central usurpation and tyranny."

Mr. Schenck, of Ohio, followed in reply, saying: "Sir, I was not present when my colleague (Mr. Long) delivered his speech. I was in my room, unable by reason of illness to be in my place. But I have a full, official, and authorized report of that speech; and to satisfy me that he deserves the heavy punishment proposed, I do not need to look any further than to passages in it which strike my eye now as I hold it here in my hand. I will read:

Mr. Chairman, I have deemed it proper thus to advert to the charges of encouragement to the confederates so repeatedly made upon this floor, and I again recur to the consideration of the Union. Can the Union be restored by war? I answer most unhesitatingly and deliberately, No, never; "*war is final, eternal separation.*"

"Again, in speaking of the remarks of the gentleman from Pennsylvania (Mr. Stevens), and in trying to ally those opinions to his—with what want of success the gentleman from Pennsylvania has most triumphantly shown—he says:

The confederate States are out of the Union, occupying the position of an *independent Power de facto*, have been acknowledged as a belligerent both by foreign nations and our own Government, maintained their declaration of independence for three years by force of arms, and that the war has cut asunder all the ligaments and abrogated all the obligations that bound them under the Constitution.

"Here, sir, I propose to make one single remark in reference to my own view of this subject—of the rights of these seceding States and of the people of those States. I belong to that class of theorists—for we all have theories on these subjects—who believe that the rebels by their insurrection and making war on their Government have forfeited, if we choose to enforce that forfeiture, all their rights as citizens

of this country, and yet have not released themselves from a single one of their obligations. And I hold, therefore, that we must press them with fire and sword in order to bring them back again into subjection to the law of the land, and to their places as good and law-abiding citizens, as if they were foreigners; and at the same time we have the right, because they are not foreigners and have not rid themselves of their obligations under the Constitution, to treat them as traitors under the law. In other words—to use a homely figure—we pursue them with a double-barrelled gun. We may shoot them as belligerents, or we may shoot them as traitors. They are subjects, on the one hand, for the sword, because they have themselves taken the sword and brought the curse thus upon themselves; and they are, on the other hand, the subjects also of hemp, to be raised to the elevation which only properly belongs to such traitors."

Mr. Davis, of Maryland, said: "Mr. Speaker, if it be said that a time may come when the question of recognizing the southern confederacy will have to be answered, I admit it; and it is answering the strongest and the extreme case that gentlemen on the other side can present. I admit it. When a Democrat shall darken the White House and the land; when a Democratic majority here shall proclaim that freedom of speech secures impunity to treason and declare recognition better than extermination of traitors; when McClellan and Fitz John Porter shall have again brought the rebel armies within sight of Washington city, and the successor of James Buchanan shall withdraw our armies from the unconstitutional invasion of Virginia to the north of the Potomac; when exultant rebels shall sweep over the fortifications and their bomb-shells shall crash against the dome of the Capitol; when thousands throughout Pennsylvania shall seek refuge on the shores of Lake Erie from the rebel invasion, cheered and welcomed by the opponents of extermination; when Vallandigham shall be Governor of Ohio, and Bright Governor of Indiana, and Woodward Governor of Pennsylvania, and Seymour Governor of Connecticut, and Wall be Governor of New Jersey, and the gentleman from New York city sit in Seymour's seat, and thus, possessed of power over the great centre of the country, they shall do what they attempted in vain before in the midst of rebel triumphs—to array the authorities of the States against those of the United States; to oppose the militia to the army of the United States; to invoke the *habeas corpus* to discharge confined traitors; to deny to the Government the benefit of the laws of war, lest it exterminate its enemies; when the Democrats, as in the fall of 1862, shall again, with more permanent success, persuade the people of the country that the war should not be waged till the integrity of the territory of the Union is restored, cost what it might, but that such a war violates the spirit of free institutions, which

those who advocate it wish to overthrow, it should stop, for the benefit of the Democratic party, somewhere this side of absolute triumph, lest there be no room for a compromise; when gentlemen of that party in New York shall again, as in November, 1862, hold illegal and criminal negotiations with Lord Lyons, and avow their purposes to him, the representative of a foreign and unfriendly Power, and urge him to arrange the time of proffering mediation with a view to their possession of power and their preparation of the minds of the people to receive suggestions from abroad; and when mediation shall appear, by the event, to be the first step toward foreign intervention, swiftly and surely followed by foreign armed enemies upon our shores to join the domestic enemies; when the war in the cars shall begin, which was menaced at the outbreak of the rebellion, and the friends of Seymour shall make the streets of New York run with blood, on the eve of another Gettysburg less damaging to their hopes; when the people, exhausted by taxation, weary of sacrifices, drained of blood, betrayed by their rulers, deluded by demagogues into believing that peace is the way to union and submission the path of victory, shall throw down their arms before the advancing foe; when vast chasms across every State shall make apparent to every eye, when too late to remedy it, that division from the South is inauguration of anarchy at the North, and that peace without union is the end of the Republic—then the independence of the South will be an accomplished fact, and gentlemen may, without treason to the dead Republic, rise in this migratory House, wherever it may then be in America, and declare themselves for recognizing their masters at the South rather than exterminating them! Until that day, in the name of the American nation; in the name of every house in the land where there is one dead for the holy cause; in the name of those who stand before us in the ranks of battle; in the name of the liberty our ancestors have confided to us, I devote to eternal execration the name of him who shall propose to destroy this blessed land rather than its enemies.

"But until that time arrive, it is the judgment of the American people there shall be no compromise; that ruin to ourselves or ruin to the southern rebels are the only alternatives. It is only by resolutions of this kind that nations can rise above great dangers and overcome them in crises like this. It was only by turning France into a camp, resolved that Europe might exterminate, but should not subjugate her, that France is the leading empire of Europe to-day. It is by such a resolve that the American people coercing a reluctant Government to draw the sword and stake the national existence on the integrity of the Republic, are now any thing but the fragments of a nation before the world, the scorn and hiss of every petty tyrant. It is because the people of the United States, rising to the height of the occasion, dedicated this

generation to the sword, and pouring out the blood of their children as of no account, and avowing before high Heaven that there should be no end to this conflict but ruin absolute or absolute triumph, that we now are what we are; that the banner of the Republic still pointing onward floats proudly in the face of the enemy, that vast regions are reduced to obedience to the laws, and that a great host in armed array now presses with steady step into the dark regions of the rebellion. It is only by the earnest and abiding resolution of the people that whatever shall be our fate, it shall be grand as the American nation, worthy of that Republic which first trod the path of empire and made no peace but under the banners of victory, that the American people will survive in history."

Mr. Pendleton, of Ohio, replied as follows: "The gentleman from Maryland (Mr. Davis) told us last night, in terms of eloquence which I cannot emulate, that when Lord Chatham, aged, feeble, wrapped in flannel and suffering from disease, came resting upon the arm of his still greater son, to address for the last time the British House of Lords, and to die upon the floor, he came to speak against the dismemberment of the British empire. It is true, and what did he say? 'I told you this war would be disastrous; I predicted its consequences; I told you you could not conquer America; I begged you to conciliate America; you would not heed my advice. You have exhausted the country; you have sacrificed its men; you have wasted its treasures; you have driven these colonies to declare their independence; you have driven them into the arms of our ancient and hated enemy, and now, without striking a blow, without firing a shot, cowardly under difficulties as you were truculent in success, you propose to yield through fear to France what you have refused as justice to America.' Did it not occur to the gentleman from Maryland that possibly at a future day when the history of that civil strife shall have been reproduced in this land, another Chatham may come to this House and hurl against those who are now in power these bitter denunciations because they have shown themselves unable to make an honorable peace even as they have been unable to make a victorious war?"

"The gentleman from Maryland besought the House never to be swerved from its fixed purpose to prosecute the war 'with the last dollar and the last man.' Sir, his reading told him such stinging exhortation would full soon be needed. In November, 1781, after Cornwallis had surrendered Yorktown and the last battle of the Revolution had been fought, the House of Commons in its address to the throne assured his Majesty that it would vote all the resources of the empire to suppress rebellion in America. In March of the next year, in the early spring, in less than six months, that same House of Commons voted those were enemies to the realm who advised the further prosecution of the war. And here this House this

morning voted down the Crittenden resolution, which less than three years ago was passed with only two dissenting votes.

"The gentleman from Maryland paid a splendid tribute to the power of public opinion. He compared it to the sea, whose tidal waves obey the fickle bidding of the moon, and roll and swell and sway with restless and resistless force, and yet constitute the level from which all height is measured. 'But, like the ocean,' said he, 'it has depths whose eternal stillness is the condition of its stability. Those depths of opinion are not free.' Did he forget what

—"Woo'd the slimy bottom of the deep
And mocked the dead bones which lay scattered by?"

"What sights of ugly death within mine eyes!
Methought I saw a thousand fearful wrecks!"

"All scattered in the bottom of the sea!"

"Sir, if there be depths of public opinion where eternal stillness reigns, there gather, even as festering death lies in those ocean depths, the decaying forms of truth, and right, and freedom. Eternal motion is the condition of their purity. Did he think this resolution would for one instant retard its progress? Did he not know that the surging waves would wash away every trace of its existence? Did he suppose this puny effort would avail him? The rocks of the eternal hills alone can stay the waves of the ever-rolling sea. Nothing but the principles of truth and right can stay the onward progress of public opinion in this our country, as it swells and sways and surges in this mad tempest of passion and seeks to find a secure resting place.

"The gentleman exhorted his friends to accept the issue, absolute victory or absolute ruin; and then he painted the absolute ruin of this Government. Even he could conceive it possible. He described this home of liberty deserted; this temple reared by our fathers destroyed; its grace and symmetry and beauty gone; its pillars fallen; its walls thrown down; and amid 'this chaos of ruin' those who accept this issue, brave, determined, tearful, sorrowing, overwhelmed with it in a common fate. He exhorted his friends in this House and in the country—he expressly excluded you, my fellow Democrats, and your constituents—to accept this alternative. Do it, he exclaimed, and let the world know that this age has produced heroic children upon whom Heaven has visited the sins of their fathers.

"Sir, I trust in God the catastrophe may never come. I trust that the ages, as they roll on, will not thus be called to pass judgment on the men of these days. But if it must be so, my imagination pictures another scene. When your work shall be accomplished, when your mission shall be executed, when our Constitution is dead, when our liberties are gone, when our Government is destroyed, when these States—no longer held secure in their proper position by the power of our matchless Constitution, so that they emulate in accordant

action the stars, as by the divine decree they encircle in their mysterious courses the footstool of the eternal throne, and extract from the harmony of conflicting elements the true music of the spheres—shall have given place to 'States discordant, dissevered, belligerent, to a land rent with civil feuds and drenched in fraternal blood,' history will hold its dread inquest, and in the presence of appalled humanity will render judgment that base and degenerate children, deserting the teachings of their fathers, deserting the teachings of the past, departing from the ways of pleasantness and peace, rebelling against the wisdom and beneficence of the Almighty, with hearts filled with pride and souls stained with fanaticism and passion, struck the matricidal blow, and at the same moment indignant and outraged Heaven wreaked upon them the just retribution of their terrible and nameless crime."

The resolutions of Speaker Colfax were subsequently modified. The first resolution was made as follows:

Resolved, That said Alexander Long, a Representative from the second district of Ohio, be, and he is hereby, declared to be an unworthy member of the House of Representatives.

It was adopted by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley, Bailey, John D. Baldwin, Baxter, Beaman, Blaine, Boutwell, Boyd, Broomall, Ambrose W. Clark, Cobb, Cole, Creswell, Dawes, Deming, Driggs, Dumont, Eckley, Farnsworth, Frank, Garfield, Gooch, Grinnell, Higby, Hooper, Hotchkiss, John H. Hubbard, Jenckes, Julian, Casson, Kelley, Francis W. Kellogg, Orlando Kellogg, Loan, Longyear, Marvin, McBride, McClurg, McIndoe, Samuel F. Miller, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, William H. Randall, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Shannon, Sloan, Smith, Smithers, Starr, Stevens, Thayer, Thomas, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Webster, Whaley, Wilder, Wilson, Windom, and Woodbridge—80.

NAYS—Messrs. James C. Allen, William J. Allen, Ancona, Augustus C. Baldwin, Francis P. Blair, Bliss, James S. Brown, William G. Brown, Chanler, Clay, Coffroth, Cox, Cravens, Dawson, Dennison, Eden, Eldridge, Finck, Ganson, Grider, Hall, Harding, Harrington, Benjamin G. Harris, Herrick, Holman, Hutchins, William Johnson, Kalbfleisch, Kernan, King, Knapp, Law, Lazear, Mallory, Marcy, McDowell, McKinney, William H. Miller, James R. Morris, Morrison, Nelson, Noble, Odell, John O'Neill, Pendleton, Perry, Pruyn, Radford, Samuel J. Randall, Robinson, Rogers, James S. Rollins, Ross, Scott, Stebbins, John B. Steele, William G. Steele, Strouse, Stuart, Sweat, Voorhees, Ward, Wheeler, Chilton A. White, Joseph W. White, Winfield, Fernando Wood, and Yeaman—69.

The second resolution was laid on the table—yeas, 71; nays, 69. The preamble was adopted—yeas, 78; nays, 63.

The session of Congress closed on the 4th of July. Acts were passed relating to the enrolment and draft (*see* ARMY U. S.); the internal revenue (*see* FINANCES); reviving the grade of Lieutenant-General in the army; establishing a uniform system of ambulances in the army; en-

abling the people of Nevada, Colorado, and Nebraska, to form a constitution and State government; amending the Homestead Law; also amending the act relating to the coinage of cents; regulating the admeasurement of tonnage of ships and vessels; establishing a postal money order system (*see FINANCES*); providing a national currency secured by United States bonds; providing for the instruction of youths in the District of Columbia; increasing the duties on imports; providing for the more speedy punishment of guerrillas; to aid the construction of a railroad and telegraph line from Lake Superior to Puget's Sound, on the Pacific coast; to encourage immigration; joint resolutions of thanks to the following persons were passed, to wit: Gens. Grant, Banks, Burnside, Hooker, Meade, Howard, Capt. Rodgers of the navy, Cornelius Vanderbilt, and to the volunteer soldiers who had reenlisted.

The measures adopted by the preceding Congress, and during the first session of the present one, that is, from July, 1861, to the adjournment in July, 1864, relative to slaves and slavery, were as follows: Slaves used for military purposes by the enemy were declared to be free; an additional article of war dismissed from service all officers who should surrender escaped fugitives coming within the lines of the armies; three thousand slaves in the District of Columbia were emancipated, and slaveholding forbidden; it was enacted that colored persons in the District should be tried for the same offences, in the same manner, and be subject to the same punishment as white persons, and that such persons should not be excluded as witnesses on account of color; and that colored schools should be provided, and the same rate of appropriation made to them as to schools for white children; and that there should be no exclusion from any railway car in the District on account of color; slavery was forever prohibited in all territory of the United States; a joint resolution was passed pledging the faith of the nation to aid non-seceding States to emancipate their slaves; all slaves of persons aiding the enemy, who should take refuge within the lines of the army, were declared free; it was enacted that no slave should be surrendered to any claimant until such person had made oath that he had not given aid and comfort to the rebellion; the President was authorized to receive into the military service persons of African descent, and such person, his mother, wife, and children, owing service to any person giving aid to the rebellion, were declared free; the mutual right of search was arranged within certain limits with Great Britain, in order to suppress the slave trade; the independence of Hayti and Liberia were recognized, and diplomatic relations with them authorized; colored persons, free or slave, to be enrolled and drafted the same as whites, the former to have the same pay as the latter, and the slave to be free; all fugitive slave acts were repealed; the coastwise slave trade was

declared illegal; colored persons enabled to testify in all the courts of the United States; colored persons were authorized to carry the mails of the United States. Other measures were introduced but failed to pass.

CONNECTICUT. The Republican and Democratic conventions of Connecticut met in February, 1864, to nominate candidates for State officers in the ensuing election. The Republicans renominated for Governor, William A. Buckingham; for Lieutenant-Governor, Roger Averill; for Secretary of State, J. Hammond Trumbull; for Treasurer, Gabriel W. Coite, and for Comptroller, Leman W. Cutler. The Democratic candidates for the same offices were Origen S. Seymour, Thomas H. Bond, James H. Hoyt, Andrew L. Kidston, and Lloyd E. Baldwin. The election took place on April 4th, and resulted in the election of the Republican candidates, by majorities ranging from 5,658 to 5,810. The vote for Governor was: Buckingham, 39,820; Seymour, 34,162; total vote, 73,982, being 5,949 less than at the election in the previous year. The following was the result of the election for members of the Legislature:

	Senate.	House.
Republicans.....	18	173
Democrats	3	79

Republican majority on joint ballot, 109. There was no election in 1864 for members of Congress.

The Legislature convened at New Haven on May 4th, when Governor Buckingham and the other State officers elect were inaugurated. The Governor's annual message to the Legislature was delivered at the same time. The receipts and disbursements of the State for the year ending March 31st, 1864, were as follows:

Receipts.

Balance in treasury, April 1, 1863.....	\$106,170 04
Dividends on bank stocks owned by the State	37,886 50
Miscellaneous sources.....	9,548 91
Taxes paid by agents of foreign insurance companies.....	3,522 41
Taxes paid on stocks owned by non-residents	20,614 47
Taxes paid by railroad corporations.....	77,230 53
Taxes paid on cash capital of mutual insurance companies.....	15,938 25
Taxes paid on deposits in savings banks.....	166,948 90
Taxes paid by towns.....	529,224 36
State bonds sold.....	3,000,000 00
Premium and interest on State bonds.....	164,394 33
Temporary loans.....	807,360 00
Taxes paid by telegraph companies.....	796 61
Forfeited bonds.....	5,337 21
Avails of courts	2,821 21
Total	\$4,947,593 76

Disbursements.

Debenture and contingent expenses of the General Assembly.....	\$54,600 82
Account of salaries.....	24,253 27
Contingent expenses, including grants.....	79,197 59
Judicial expenses, including grants.....	77,047 65
Expense of supporting the State paupers.....	1,400 00
Expense of superintending common schools.....	3,261 14
Salary of the director of the State Prison.....	300 00
Account of public buildings and institutions..	38,010 89
Expense of families of volunteers.....	736,908 17
Advances made to the quartermaster-general..	15,000 00
Advances made to the paymaster-general.....	3,640,000 00
Interest paid on temporary loans... \$28,680 19	
Interest paid on State bonds..... 209,160 00	
	\$237,840 19
Total.....	\$4,898,819 72

leaving a balance in the treasury, on April 1st, 1864, of \$49,714.04.

The funded debt of the State, in July, 1864, as stated by the finance committee of the Senate, was \$6,000,000, and the unfunded debt \$2,400,000. The sinking fund for the reduction of the public debt amounted, in May, 1864, to \$1,016,846.68. The estimates for the civil and military expenses of the State for the year ending March 31, 1865, were \$2,750,000, of which \$2,000,000 was to be raised by the issue of State Bonds, at 6 per cent. interest, redeemable at the pleasure of the State after ten years, and the remainder by taxation.

The school fund on May 1, 1864, amounted to \$2,049,426.77, the same as in the previous year, and the income, including the balance on hand in April 1, 1863, was \$164,559. The number of children entitled to the benefit of the income was 112,098, an increase of 1,607 over the previous year, and a dividend of one dollar and twenty cents for each child was paid therefrom, leaving a balance of \$28,270.87, to be carried to the next year's account. From the report of the Superintendent of Common Schools, it appears that during the year ending March 31, 1864, 76,207 scholars attended 1,819 schools, taught by 2,037 teachers, at an expense of more than \$400,000, nine-tenths of which is derived from the income of the school and town deposit funds, and from the direct taxation of property. As a result of the war now in progress, the number of young men and older boys in the higher classes was greatly diminished, while the number of female teachers materially increased. The State Reform School was reported in a flourishing condition with 203 inmates, whose earnings in the mechanical department amounted to about \$7,000 during the year. During the ten years that the school has been in operation it has received 694 boys, some of whom have been rendered useful members of society. The number of convicts in the State Prison was 139, being 20 less than in the previous year; and of State Beneficiaries in the Retreat for the Insane, 126. Sixty-one of this class of patients were admitted during the year, and 49 discharged, 38 of whom had recovered or improved.

The railroad interest during the year was benefited by a large increase in the number of passengers and in the quantity of freight transported. The transportation of troops, government freight, &c., caused an increase in the gross earnings of the several roads over the previous year, of \$1,112,959.00; the total of gross earnings being \$4,786,250.70 against \$3,673,291.70 for the year ending March 31, 1863. The net earnings on a capital of \$19,042,379.31, amounted to \$1,694,730.18, being a gain of \$548,168.55 over the previous year, or nearly 48 per cent.. Nearly a million more of passengers were carried, and 19 per cent. more of tons of freight. The total expenditure for running the roads, exclusive of interest, was \$2,648,941.83; the total number of miles run

2,660,969, and of passengers carried, 3,789,583. Thirty-eight passengers were killed, and seven injured, by accidents during the year. The number of banks of discount and deposit amounts to 72, of which three were organized during the year under the National Banking Act. The total amount of capital is \$20,606,962; circulation, \$11,869,701; total liabilities, \$47,368,197.53; specie, \$1,198,372.46; loans and discounts, \$28,569,876.48; total resources, \$47,368,197.53; deposits, \$9,996,643.13; loans to persons out of the State, \$10,497,474.13. There were, on Jan. 1, 1864, forty-eight Savings Banks in the State, which, the commissioners say, "are managed with great prudence and wisdom." The united deposits in these institutions amount to \$26,954,802.73, being an increase during the year of \$3,807,865.78; number of depositors, 116,681 against 103,728 the year previous; average amount of deposit for each person, \$231. The investments are as follows: Loans on real estate, \$12,850,258.83; on stocks and bonds, \$1,994,657.11; on personal security, \$1,306,026.13; on bank stock, \$1,598,014; on railroad stocks and bonds, \$868,715; on United States securities, \$6,481,530; on real estate and other securities, \$1,666,500.64.

The quota of troops assigned to Connecticut under every requisition made by the President down to May 1, 1864, was 39,214, and the number of men actually furnished to that date was 42,789, including 1,474 drafted men who paid commutation, and did not enter the service. In his annual message, Gov. Buckingham announced that the State then had a credit of 3,172 men to apply toward any future call for a service of three years; also, that the number of veteran volunteers who had re-enlisted amounted to 3,347. Two colored regiments, the 29th and 30th, were organized during the year. The disbursements by the Paymaster-General of the State during the year ending March 31, 1864, were as follows:

To officers in the nine months' regiments, post commanders, assistant surgeons and chaplains.....	\$47,010 62
To the State militia.....	21,000 25
To volunteers for State bounties.....	3,498,380 00
Making a total of.....	\$3,566,390 87

For the purpose of providing State bounties for troops who might be called for in future requisitions, the Legislature passed a law similar in its provisions to that enacted at the extra Session of November 1863.

At the extra Session of the Legislature in 1863, a resolution, embodying the following amendment to the Constitution, was adopted by the House of Representatives:

Every elector of this State who shall be in the military service of the United States, either as a drafted person or volunteer during the present rebellion, shall, when absent from this State because of such service, have the same right to vote in any election of State officers, representatives in Congress, and electors of President and Vice-President of the United States, as he would have if present, at the time appointed for such election, in the town in which he resided at the time of his enlistment into such ser-

vice. This provision shall in no case extend to persons in the regular army of the United States, and shall cease and become inoperative and void upon the termination of the present war.

The General Assembly shall prescribe by law, in what manner, and at what time, the votes of electors absent from this State, in the military service of the United States, shall be received, counted, returned, and canvassed.

In accordance with the constitutional provision this resolution was published with the general laws and continued to the next Session of the Legislature, by which it was again passed by a two-thirds vote, and submitted to the people for ratification. At a special election held on Aug. 15th, the amendment was adopted by the following vote:

For the amendment.....	24,280
Against the amendment.....	14,237
Majority.....	10,043

By a proclamation of the Governor, dated Sept. 2, the amendment was declared to be a part of the Constitution of the State.

At the Session of 1864, another resolution was adopted by the House of Representatives, with reference to the elective franchise, embodying the following amendment to the Constitution:

Every male citizen of the United States who shall have attained the age of twenty-one years, who shall have resided in this State for a term of one year next preceding, and in the town in which he may offer himself to be admitted to the privileges of an elector, at least six months next preceding the time at which he may so offer himself, and shall be able to read any article of the Constitution, or any section of the statutes of this State, and shall sustain a good moral character, shall on taking such oath as may be prescribed by law, become an elector.

This was ordered to be continued to the Session of 1865, when it will come up for final action, and if readopted, be submitted to the people.

After an exciting political canvass the following Presidential electors were chosen by an average majority of 2,398, in a total vote of 86,974; John T. Wait, John P. Elton, James G. Batterson, Samuel C. Hubbard, Sabin L. Sayles, Frederic A. Benjamin. Mr. Elton having died previous to the meeting of the State Electoral College, Oliver F. Winchester was chosen by the College in his place. The vote of the State was cast for Abraham Lincoln, President, and Andrew Johnson, Vice-President.

COOK, REV. RUSSELL S., an American Congregational clergyman, and Secretary of the American Tract Society, born in New Marlborough, Berkshire County, Mass., March 6th, 1811, died at Pleasant Valley, near Poughkeepsie, N. Y., September 4th, 1864.

He made a diligent improvement of his early opportunities for obtaining an education, and at length entered a lawyer's office in Syracuse, N. Y.; but soon changed his choice of a profession, and entered the Theological Seminary at Auburn. Soon after the close of this course

of study, he was ordained pastor of the Congregational church in Lanesboro, Mass., in 1836, when 25 years old. His experience as a pastor soon convinced him of the importance of religious books and tracts as aids to the ministry; he sent to the tract society for supplies for his own people, and, his voice failing within a year, his growing interest in this work led him, in 1838, to devote himself wholly to the service of the American Tract Society, especially in visiting cities and large towns as an agent, to promote the systematic sale of good books.

In May, 1839, he was elected one of the society's corresponding secretaries, and in this office he labored with great success eighteen years, till, in 1856, the failure of his health obliged him to retire. During this period the society received from him a very powerful impulse in all its departments, and its sphere of operation and usefulness was greatly enlarged.

His first efforts were directed to the expansion of the enterprise of volume circulation; and with such success, that in three and a half years preceding May, 1841, 800,000 volumes were put in circulation. This work, however, was mainly done in connection with well-established congregations, though with constant efforts to reach the destitute.

In 1841, the urgent wants of the more remote and unevangelized neighborhoods and sections of the country gave rise to deliberations, in which Mr. Cook took a most eager interest, and which resulted in the system of *American colportage*. This system aimed to provide a body of Christian colporteurs, to offer religious books at every dwelling in the land, by sale or by gift, in connection with Christian counsel and prayer when practicable. With this great work Mr. Cook was wholly identified, devoting to it his untiring and concentrated energies; and so successfully, that in 1856, after fifteen years, the society had on its list 547 colporteurs, besides 115 students who labored only during vacations; its current receipts having increased from \$131,000 in 1839, to \$415,000 in 1856.

Early in this period the necessity of a monthly paper, to be at once a powerful direct means of good, and the society's organ of communication with the Christian public, gave rise to the establishment of the "American Messenger," in 1843. To Mr. Cook this paper is greatly indebted for the counsels that determined its origin, aims, and character, and for its far-reaching influence. Month by month he enlivened and enriched it by able editorials on topics of deep and general interest. In the "Child's Paper," subsequently started—the foremost of illustrated papers for children—and in the "*Botschafter*, or German Messenger," he took the deepest interest; and the three papers together have reached a monthly issue of 500,000 copies.

In the prosecution of his work, Mr. Cook had frequent occasions to journey in almost

every part of the United States, visiting the chief cities, presenting the claims of the society in the churches and in ecclesiastical meetings, holding colporteur conventions, transacting business with the society's friends, and with agents, superintendents, and colporteurs. In these labors his great energy and vitality were well employed; and his tall, erect form, his countenance so expressive of thought and resolution, his vivacity, his dignified, courteous, and pleasing manners, secured him ready access to the good will of strangers. He was gifted with a mind of great comprehensiveness, versatility, and inventiveness, and with remarkable executive powers.

Few men have so well understood the *power of the press*, advocated its right use more eloquently, or employed it for good more effectively. Besides writing for the society's own issues, he exerted a wide influence through the principal religious and secular periodicals, adapting to each fresh and striking editorials, which the publishers gladly adopted as the expression of their own views.

Mr. Cook made two visits to Europe, in 1853 and 1856; and during these visits labored to interest British Christians in the colporteur enterprise. The result of these efforts appears in the present active prosecution of that work, especially in Scotland. At the time of his second visit his health had been very seriously impaired by his incessant and exciting home labors; and having been again prostrated in Switzerland, by a pleuritic attack threatening life, he was led to ask relief from the service of the Tract Society, and in May, 1857, his labors as Secretary ceased.

Returning to America in September, 1857, with partially restored health, he soon engaged, with characteristic energy, skill, and perseverance, in promoting the better observance of the Sabbath, as Secretary of the Committee organized for this object in New York City; and his sagacity, prudence, and industry, in this important work, secured valuable results.

In the spring of 1863 he added to his Sabbath work several weeks of exhausting labors in organizing and energizing the Christian Commission in New York. These double cares and labors broke down his health, and he never rallied, though visiting the coast of Florida and of Maine, and combating his disease with unabated resolution to the last.

COOKE, Rev. PARSONS, D. D., an American Congregational clergyman, editor, and author, born in Hadley, Mass., in 1800, died in Lynn, Mass., February 12th, 1864. He was educated at Williams' College, where he graduated with distinction about 1821, and immediately com-

menced a course of theological study with Rev. Dr. Griffin, at that time President of Williams' College. He completed his preparatory theological studies in 1825, and, on the 26th of June, 1826, was ordained as pastor of a newly-organized Congregational Church in Ware, Mass. He continued in this pastorate for ten or eleven years, and then removed to Portsmouth, N. H., and after a ministry of a few months there, became pastor of the First Congregational Church in Lynn, Mass., with which he remained until his death—a period of twenty-eight years. Not long after he had entered upon his pastorate at Lynn, he became editor of a denominational paper in Boston, at first to relieve his Church, which had become greatly embarrassed in building a church edifice, from a part of the burden of his support, and subsequently from the conviction that he could be most useful by continuing in that work. He was at first editor of the "New England Puritan," and when that paper was united with the "Recorder," of the "Puritan and Recorder;" and some years later, when the paper returned to its original title of the "Boston Recorder," he was its senior editor. This connection was maintained till his death. Dr. Cooke (he received his degree, we believe, from his *Alma Mater*, Williams' College) was, by the constitution of his mind, argumentative and logical, and from an early period of his ministry he became an active controversialist. His first published controversy grew out of a sermon which he preached in Ware, and published in 1829, on "The Exclusiveness of Unitarianism;" and after he became connected with the religious newspaper press, being strongly Calvinistic in his views, and declaring his sentiments in vigorous and pungent language, he was for many years involved in almost constant controversy with the New School, or Moderately Calvinistic Congregationalists, giving and receiving very heavy blows. By way of diversion from this protracted theological warfare, he would occasionally break a lance with the Baptists, the Episcopalians, the Universalists, or the Catholics. Most of his published works, and they number several volumes, besides occasional sermons, addresses, &c., are controversial in character. In private life he was frank, generous, high-minded, and eminently genial and kindly; a man of strong affections and sympathies, though also of bitter dislikes. As a pastor he was much beloved, and was popular as a preacher, though inclined rather to doctrinal than hortatory preaching. His last illness was protracted, and his sufferings much of the time were exceedingly acute.

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DAHLGREN, Col. ULRIC, an officer in the United States Volunteer service, born in 1842, killed in a skirmish at King and Queen's Court House, Virginia, March 4, 1864. He was the son of Rear Admiral John A. Dahlgren, and had received a very thorough education, and especially a careful training in the science of gunnery, which was his father's specialty. He had entered the navy as midshipman before the breaking out of the war, and at the time of the attack on Fort Sumter was travelling in the Southwestern States. Great efforts were made to induce him to join the rebels, but he refused indignantly; and hastening home, he assisted his father in the Ordnance Department; and when General Saxton was in command at Harper's Ferry, and the place was first threatened, Commodore Dahlgren, having received orders to place a naval battery on Maryland Heights, sent his son Ulric to place the guns in position, and take charge of the battery. He executed this duty with great skill, and when Gen. Sigel relieved Gen. Saxton of his command, he found young Dahlgren at his post as captain of artillery, and took him at once upon his staff. Subsequently Gen. Sigel solicited and obtained his appointment as additional aide-de-camp with the rank of captain. He served in this capacity in Frémont's mountain campaign, distinguishing himself particularly at Cross Keys, and served through Pope's campaign, acting as chief of artillery under Sigel at the second battle of Bull Run, where he was specially commended by his general. During the movements in the autumn of 1862 he was actively engaged under Gen. Stahel in all his reconnoissances and raids, and when the Army of the Potomac moved down into Virginia, in November, 1862, he made that attack upon Fredericksburg at the head of Gen. Sigel's bodyguard, which has become famous in the history of the war. For this gallant act Gen. Burnside detailed him as special aid upon his staff. At the crossing of the Rappahannock, at the unfortunate battle of Fredericksburg, he was one of the first to land in that city. When the army went into winter quarters he rejoined Gen. Sigel, and when that general was relieved of command, Gen. Hooker applied to have Capt. Dahlgren transferred to his staff, which was done. He again distinguished himself at the battle of Chancellorsville, was with General Pleasanton in all the cavalry fights in the Bull Run Mountains and Aldie, joined Gen. Stahel's expedition to Warrenton as a volunteer, and led the most important reconnoissances then made. When Gen. Meade succeeded Gen. Hooker, he requested Capt. Dahlgren to remain on his staff. Before the battles at Gettysburg he obtained from Gen. Pleasanton a

hundred picked men, with a roving commission, and among other distinguished services rendered the Union cause, scoured the country in search of a bearer of despatches, whom he knew to be on his way from Jefferson Davis to Gen. Lee, captured him and his escort, secured the despatches, and, by the most skilful manœuvring, succeeded in reaching Gen. Meade's tent after the first day's battle, and laid these important papers before him. Not waiting for thanks, he returned to his men, and harassed the enemy at every point, destroying their wagon trains, and attacking their rear-guard. On their retreat he led the famous charge into Hagerstown, when of five officers in the charge two were killed, he was wounded, and one of the remaining two was saved by the ball striking his scabbard. He was brought to Washington, and his leg amputated, and, owing to the severe inflammation which had set in, five operations were required before the wound would heal, and his life was despaired of. For his gallantry in this campaign he was made colonel, and as soon as he was able to move he was anxious to return to active service. In concert with Gen. Kilpatrick he planned the raid toward Richmond, fired with the hope of being able to release the Union prisoners then suffering so terribly at Libby Prison and Belle Isle. Accepting with delight the most dangerous part of the duty, he was led into the midst of the enemy by his treacherous guide, and brutally murdered when endeavoring to fight his way out. His body was stripped and treated with indignity, and the rebels published, with abundant comments, papers which they asserted were found upon his person, giving instructions to his men to burn Richmond, and even photographed these papers, and sent copies to England. His friends asserted that they were base forgeries.

DALLAS, GEORGE MIFFLIN, an American statesman, Ex-Vice President of the United States, and more recently U. S. minister to the Court of St. James, born in Philadelphia July 10, 1792, died in the same city December 31, 1864. He was the second son of Alexander James Dallas, a distinguished jurist and Secretary of the Treasury from 1814 to 1817. He received his collegiate education at Princeton, graduating in the year 1810, and then studied law in his father's office, being admitted to the bar of Philadelphia in 1813. The same year he received the appointment of private secretary to Mr. Gallatin, and accompanied that gentleman on his mission to Russia to negotiate a treaty of peace with England through the mediation of the Emperor Alexander. On his return to this country in the following year, he assisted his father, for some months, in his duties as Secretary of the Treasury, and then commenced the

practice of law in this city, and was solicitor of the United States Bank. In 1817 he was appointed Deputy Attorney-General for Philadelphia County. Taking an active part in politics, Mr. Dallas was, in 1829, elected Mayor, and, on the elevation of General Jackson to the Presidency, in 1829, he was appointed United States Attorney for that district. He retained this position till 1831, when he was elected to the United States Senate, and took a prominent part in the debates of that body until the expiration of his term, in 1833, when he declined a reelection, and returned to the practice of the law. In 1837 President Van Buren appointed him Minister to Russia, which position he retained till October, 1839, when he was recalled, at his own request, and again returned to legal practice. In May, 1844, the Democratic Convention at Baltimore nominated Mr. Dallas for Vice-President of the United States, in connection with James K. Polk for President. The Democratic candidates were elected by an electoral vote of 170 out of 275. The questions of the time were the tariff and the annexation of Texas. Mr. Polk's election caused the admission of Texas to the Union just before the close of Mr. Tyler's term of office, and the subject of the tariff was left for the new Administration. A bill which levied duties on imports for the purpose of revenue only, and abandoning the protective policy, was passed by the House of Representatives in 1846, but when it reached the Senate that body was so evenly balanced upon the question that the decision was left to Mr. Dallas, who gave his casting vote for the new bill. In giving his vote Mr. Dallas stated that though the bill was defective, he believed that "ample proof had been furnished that a majority of the people of the States desired a change to a great extent in principle, if not fundamentally." His Vice-Presidential term expired in 1849, when he was succeeded by Mr. Fillmore. In 1856 Mr. Dallas succeeded Mr. Buchanan as Minister to Great Britain, and continued in that post until the appointment of Mr. Adams by President Lincoln. At the very beginning of his diplomatic service in England, he was called to settle two questions which were in dispute between Great Britain and the United States, and which were believed by many of our diplomatists to threaten war. These were the Central American question then very much embarrassed by impolitic measures on both sides, and the request made by the United States to the British Government that Sir John Crampton, the British minister to the U. S., should be recalled. Both these delicate questions were managed by Mr. Dallas in a conciliatory spirit, but without any sacrifice of our national dignity, and both were settled amicably. At the close of his diplomatic career Mr. Dallas returned once more to private life; and though past the age of active service, he manifested publicly on all suitable occasions his abhorrence of the Rebellion and its abettors. In all his public career, Mr. Dallas exhibited

rare ability both as a statesman and diplomatist; in his profession he was highly successful, and exerted a wide influence; in private life he was ever the refined and cultivated gentleman of amiable manners, unspotted, reputation and exemplary character.

DAYTON, WILLIAM LEWIS, an American statesman and diplomatist, born at Baskingridge, New Jersey, February 17, 1807, died in Paris, France, December 1, 1864. His father, Joel Dayton, was a farmer, but a man of high intelligence and sound judgment. The son was educated at the College of New Jersey, graduating in 1825. Soon after his graduation he commenced the study of law, and was admitted to the bar in 1830. In 1837 he was elected a member of the council or senate of New Jersey, and made chairman of the judiciary committee. In February, 1838, he was chosen one of the associate justices of the supreme court of New Jersey, which position he resigned in November, 1841. In 1842 he was appointed by the governor to fill the vacancy in the United States Senate caused by the death of Hon. Samuel L. Southard, United States Senator from New Jersey. This appointment was subsequently confirmed by the Legislature, and he was elected for the succeeding full term from 1845 to 1851. His political position in the Senate was that of a free-soil Whig, advocating freedom in the Territories, and the right of Congress to legislate on the subject of slavery in the Territories and the District of Columbia, the admission of California as a Free State, and the abolition of slavery in the District of Columbia. He also voted against the fugitive slave bill. He was a warm friend and trusted counsellor of President Taylor. In 1851 Commodore Stockton was chosen United States Senator by the Democrats, who had then a majority in the New Jersey Legislature, and Mr. Dayton returned to the practice of his profession at Trenton. In 1856 he was nominated by the National Republican Convention for the Vice-Presidency on the ticket with John C. Frémont. In March, 1857, he was appointed Attorney-General of the State of New Jersey, and held that office until 1861, when he was nominated by Mr. Lincoln ambassador and minister to France, which position he held until his decease. Mr. Dayton was a man of high personal integrity, modest and conciliatory in his deportment, of polished and winning manners, clear and accurate in his perceptions, of sound judgment, earnest in his convictions, and eloquent in debate. He had won the entire confidence of the French emperor and his court; and though ever firm and decided in his maintenance of the rights of the country he represented, and prompt in foiling all schemes for its injury, his whole diplomatic conduct was so courteous and manly, that one of the first and most commendatory notices of him published in the Parisian papers after his death was from the pen of John Slidell, the Confed-

erate commissioner to Paris, the man whom Mr. Dayton had constantly and powerfully opposed for more than three years. His death occurred at the Hotel de Louvre, from apoplexy.

DELAWARE. The vote of the State at the Presidential election in November was, Lincoln 8,155; McClellan 8,767. Majority for the McClellan electors, 612. The vote for member of Congress was Smithers, Republican, 8,253; Nicholson, Democrat, 8,762; majority for Nicholson, 509. The Legislature of the State was divided as follows:

	Senate.	House.
Republican.....	3	7
Democrats.....	6	14
	—	—
	9	21

There were two sessions of the Legislature during 1864. One in January and a special one in August. The seat of Mr. Bayard as a Senator in Congress which was vacant by his resignation, *see* CONGRESS, UNITED STATES, was filled by the election of Geo. R. Riddle. The Legislature adopted a resolution complimentary to Mr. Bayard for the course he had pursued during his Senatorial career, and especially for his speech in the Senate, setting forth the reasons which induced him to resign his seat.

The Governor urged the Legislature, in his message, to adopt measures for the emancipation of slaves held in the State. As arguments he stated, that Delaware is connected with the free States by geographical position and commercial necessity; that her products find their markets in the North, and that from thence come the immigrants who give increased value to real estate; that the result of constant intercourse with the North is gradually to assimilate the institutions of the State to those of the free States as it had already identified their interests; that slavery in Delaware, being merely nominal, was worthless as an element of labor; that emancipation in Maryland had surrounded Delaware with free soil, inviting the escape of slaves on all sides, as there was now no law requiring their rendition.

Some efforts were made to enlist negroes in the State under orders of the President of the United States and the Governor, but the Legislature having refused to pay such recruits a bounty, the number of them was quite small. A commission was also appointed to estimate the value of such as were slaves. Upon a claim being made and title proved, those who were considered or known to be loyal, received full compensation.

An association which had been formed in the previous year to promote immigration in the State met with considerable success. Several thrifty colonies were formed, and the number of settlers from the North increased. The cheapness of the lands and the profits from its cultivation were regarded as inducements. Cultivated lands were sold from fifteen to thirty dollars per acre within one to three

miles of a railroad depot. The most profitable crop is the peach, yielding annually a hundred dollars per acre for many years. For the institutions of the State see previous volumes of this work.

DEMBINSKI, HENRYK, a Polish General, born in the palatinate of Cracow, Jan. 16, 1791, died in Paris, June 13, 1864. Imbued by his parents with strong antipathies for Russia, he left the Vienna academy of engineers in 1809 to enrol himself as a private soldier in the national army of the newly-created Duchy of Warsaw. Entering the French service in 1812, as a lieutenant, he was made a captain by Napoleon on the battle field of Smolensk, distinguished himself at the battle of Leipsic, and after the overthrow of the French Empire returned to his native country and engaged in agricultural pursuits. He was one of the first to take up arms in the Polish revolution of 1830, and in the spring of 1831, as commander of a cavalry brigade, fought with distinguished bravery at Dembe and Liw, at the obstinately contested battle of Kuflew, and at the passage of the river Narew. He subsequently took part in the ill-fated expedition under Gielgud and Chlapowski to Lithuania, and, by a series of skilful manœuvres, succeeded in bringing his command in safety to Warsaw, where, for a short time, he held the position of Governor of the city and general-in-chief of the Polish forces. The revolution was by this time, however, too far quelled to enable him to oppose effectual resistance to the Russians, and in September he escaped, with other leaders, into Prussia, whence he went to Paris. In 1832 appeared his *Mémoires sur la Campagne de Lithuanie*, and in the succeeding year he accepted an offer to assist in organizing the Egyptian army, which Mehemet Ali was preparing to send against the Porte. Hatred to Russia, which upheld the Porte, mainly impelled him to this step. When all hope of bearing arms against his hereditary enemies had been dispelled he returned in 1835 to France, where he lived in retirement until the stirring events of 1848 called forth the latent revolutionary spirit of Europe. After participating in the so-called Slavic Congress of Prague, he accepted a command in the Hungarian national army. On February 5th, 1849, he was appointed by Kossuth Commander-in-Chief of the revolutionary forces, but having lost the great battle of Kapolna (Feb. 26, 27) and been forced to retreat across the Theiss to Füred, in consequence of the stubborn disobedience and intrigues of Görgey, who was jealous of serving under a foreigner, he was compelled, early in March, to resign. A few weeks later he received command of a corps in the north of Hungary, but being unable to agree with the ministry regarding the plans for the campaign, he was superseded by Wysocki. In July, however, Kossuth, alarmed by the continued disobedience of Görgey, was induced to restore

to Dembinski the command of the main Hungarian force. The armies of Russia and Austria were now closing in upon the Hungarians, and the orders for a concentration of the latter were disregarded by Görgey. On August 5th Dembinski was defeated at Szöreg and forced to give up the lines of the Theiss and Waros; but distrusting Görgey too much to attempt a junction with him at Avad, he retreated to Temesvar, and gathering up the remnants of his army risked the battle at that place of August 9th, which sealed the fate of the revolution. Avoiding the surrender at Világos, four days later, Dembinski escaped, with Kossuth and other leaders, into Turkey, whence in 1850 he returned to France. He passed the remainder of his life in comparative obscurity, occupied, it was said, in preparing his memoirs of the Hungarian campaign.

DENMARK, a kingdom in Europe. King Christian IX., born April 8th, 1818, appointed to the succession of the crown of Denmark by the protocol of London, signed on May 8th, 1852, by the representatives of Great Britain, France, Russia, Prussia, Austria, Sweden, and Denmark, succeeded to the throne on the death of King Frederick VII., November 15th, 1863.

The duchies of Schleswig, Holstein, and Lauenburg, were separated from the crown of Denmark, with which the two former had been connected for several centuries, in consequence of the Schleswig-Holstein war and by virtue of the peace of Vienna, August 1st. Henceforth the territory of the kingdom consists of the following provinces and colonies:

	Geographical square miles.	Inhabitants Feb. 1, 1860.
1. KINGDOM OF DENMARK.		
Seeland	134.00	574,811
Bornholm	10.50	29,304
Funen and Langeland	60.50	
Lolland—Falster	30.50	205,826
		86,797
Jutland	460.50	703,813
	696.00	1,600,551
2. COLONIES.		
Færøer—17 inhabited islands.	24.35	8,922
Iceland	1,867.36	66,987
Greenland	186.36	9,880
W. I. { St. Croix	3.05	38,130
{ St. Thomas	1.01	
{ St. John	1.00	
	2,082.06	123,919

By the peace concluded between Denmark, Prussia, and Austria it was provided that some districts belonging to the province of Jutland and situated within Schleswig, with the exception of the district of Ripen, should be united with Schleswig, and an equivalent portion of the frontier of Schleswig, inclusive of the island of Arroe, should be annexed to Jutland. The territory to be united with Schleswig is estimated at from 6 to 7 geographical square miles. The island of Arroe, $1\frac{1}{2}$ square miles, leaving about 5 square miles of Schleswig to be annexed to Jutland. The aggregate of the ter-

ritory and population of Denmark will be but slightly affected by this change.

The population of Denmark proper was, on February 1st, 1855, 1,499,850 souls. The increase from 1855 to 1860 was, consequently, 100,701, or 6.71 per cent., and the annual average increase 1.342 per cent. With a proportionate increase from 1855 to 1860 the kingdom of Denmark, without the colonies, would have counted, on 1st of February, 1864, about 1,681,000 souls.

As regards the religious denominations of the inhabitants, there were, in 1860, in Denmark proper and Schleswig-Holstein and Lauenburg, in a total population of 2,605,024, only 21,322 individuals, forming less than 1 per cent. of the total population, who did not belong to the National Evangelical Lutheran Church. Of this number 8,177 were Israelites, 3,187 Catholics, 3,033 Reformed, 2,667 Mormons, 2,642 Baptists, 420 Moravians, 312 Anglicans or Episcopalians, 234 Mennonites, 202 members Apostolical Free Church, 162 members the Free Evangelical Church; the rest were divided in small numbers among different sects.

The largest cities, in 1860, were Copenhagen, 155,143 souls (among whom were 2,858 Jews, 749 Catholics, 549 Reformed); Odense, 14,255 souls; Aarhus, 11,009 souls; Aalborg, 10,069 souls.

The budget of the Danish monarchy—inclusive of the duchies—for the financial year, April 1st, 1862, to March 31st, 1863, was as follows, in rix dollars:

	Income.	Expenditures.
	Rix dollars.	Rix dollars.
For the entire monarchy.....	15,123,749	15,123,748
For the Kingdom and the duchy of Schleswig.....	53,258	53,258
For Denmark alone.....	11,294,879	7,598,114
For Schleswig.....	1,531,979	1,288,053
For Holstein.....	1,867,119	1,662,790
Total.....	29,870,484	25,720,963

The public debt, on March 31st, 1863, was as follows:

	Rix dollars.
Common debt of the entire monarchy.....	95,734,337
Particular debt of Denmark Proper.....	8,378,663
Particular debt of Holstein.....	240,000

In December, 1863, the Government contracted, at London, a loan of £1,500,000, and in June, 1864, it presented to the Landstthing a bill relative to a new loan of 20,000,000 rix dollars, which subsequently, however, was fixed at only 8,000,000. The common debt of the monarchy, with the exception of the English loan of December, 1863, and the expenses of the war, is, according to the treaty of Vienna of August 1st, 1864, to be divided between Denmark proper and the ceded duchies, in proportion to their population.

Before the beginning of the war the army of Denmark, inclusive of the duchies, consisted of 22,652 men, with 96 pieces of artillery, on the peace footing. During the war this number was raised to about 60,000. The fleet, at

the end of 1863, consisted of 29 steamships, 9 sailing vessels, and 50 gunboats; total, 88 vessels, with 819 guns.

The movement of commerce, during 1862, was as follows:

	Importations.	Exportations.
	Rix dollars.	Rix dollars.
Kingdom of Denmark.....	38,968,879	17,722,484
Schleswig	9,804,794	4,571,681
Holstein.....	17,193,564	16,153,904

On December 23d, 1863, the Federal troops of Germany marched into Holstein, in compliance with a resolution of the Federal Diet of Frankfort. On February 1st, 1864, the troops of Prussia and Austria crossed the Eider into Schleswig, when the war between Denmark and the allied troops began, which continued, with a temporary suspension, during the session of the London conference, until August 1st. On that day the preliminaries of peace were agreed upon at Vienna, in consequence of which the duchies of Schleswig, Holstein, and Lauenburg were ceded by Denmark to Austria and Prussia. For the history of the war, and the conclusion of peace, see SCHLESWIG-HOLSTEIN WAR.

In the latter part of the year the Rigsday was engaged in revising the Danish constitution. In its essential points the new constitution is the same as the fundamental law of the 5th of June, 1849. It guarantees the same liberty to the citizen, maintains the principle of universal suffrage for the elections of the Folkething, and as regards the Landsting, differs only in the manner of voting, the estimates, and in the establishment of an interval of two years between the ordinary meetings of the Rigsday.

DIPLOMATIC CORRESPONDENCE AND FOREIGN RELATIONS. Several events tending to disturb the friendly relations of the United States with other countries occurred during 1864. Raiding parties were organized in Canada by persons claiming to be in the service of the Confederate States, for the purpose of liberating the prisoners of war confined on Johnson's Island, and depredating on the property of citizens of the United States. One of these parties, organized by one Bennet G. Burley, consisting of some twenty men, seized the steamer *Philo Parsons*, running between the city of Detroit and Sandusky, after she had left Kelly's Island in the State of Ohio. They then captured the *Island Queen* at Middle Bass Island, Ohio, where they put ashore all the passengers. While here they forced Walter O. Ashley, the clerk of the *Philo Parsons*, at the peril of his life, to deliver over his money. Burley was arrested, charged with robbery, and claimed under the Extradition treaty; and surrendered after a hearing before the Recorder of the city of Toronto.

On the 19th of October a party of men from Canada, twenty to thirty in number, well armed, entered the village of St. Albans, in

Vermont, robbed the bank in the place of fifty thousand dollars, stole horses enough to mount all the party, fired on a crowd of unarmed citizens, wounding three men, one mortally, and setting fire to one of the hotels. The whole transaction occupied only three-quarters of an hour, and the band immediately started for Canada, where thirteen of the marauders were arrested and confined at St. John's. As soon as the outrage was reported to the Canadian authorities they did every thing in their power to arrest the perpetrators; and Mr. Seward, on the 21st of October, expressed to Mr. Burnlew, of the British Legation at Washington, his "sincere satisfaction" with their proceedings. Mr. Seward regarded the outrage as a deliberate attempt to embroil the governments of England and the United States, and involve them in a border war. But he rejoiced that the officers and agents on both sides of the frontier had acted together in good faith, and with due respect on each side for the lawful rights and authority of the other. This, he adds, "is in entire conformity with the wishes of the United States." It should be added, that a great proportion of the stolen money was found on the persons of the raiders captured, and was taken possession of by the Canadian police. Lord Lyons, when the transaction occurred, was at New York, but immediately returned to Washington. The legal proceedings in the case of the prisoners were not very rapidly despatched, and early in November Mr. Seward speaks rather angrily of the requisitions for the offenders whose crimes were committed on Lake Erie, and for the burglars and murderers who invaded Vermont remaining unanswered. In fact, the latter were discharged by Judge Coursol on a supposed technical defect in the instrument under which they were tried, released from custody, and the money restored to them. They were thus discharged on December 14th, and again apprehended. The moment the intelligence of their release reached New York, Gen. Dix issued the following order, and the public feeling on both sides the St. Lawrence became unfortunately irritated:

HEADQUARTERS DEPARTMENT OF THE EAST, }
NEW YORK CITY, Dec. 14, 1864. }

General Orders No. 97.

Information having been received at these Headquarters that the rebel marauders who were guilty of murder and robbery at St. Albans, have been discharged from arrest, and that other enterprises are actually in preparation in Canada, the Commanding General deems it due to the people of the frontier towns to adopt the most prompt and efficient measures for the security of their lives and property.

All military commanders on the frontiers are, therefore, instructed, in case further acts of depredation and murder are attempted, whether by marauders or persons acting under commissions from the rebel authorities at Richmond, to shoot down the perpetrators if possible while in the commission of their crimes; or if it be necessary with a view to their capture to cross the boundary between the United States and Canada, said commanders are hereby directed to pursue them wherever they may take refuge, and if captured they are, under no circumstances, to be

surrendered, but are to be sent to these headquarters for trial and punishment by martial law.

The Major-General commanding the Department will not hesitate to exercise to the fullest extent the authority he possesses, under the rules of law, recognized by all civilized States, in regard to persons organizing hostile expeditions within neutral territory, and fleeing to it for an asylum after committing acts of depredation within our own, such an exercise of authority having become indispensable to protect our cities and towns from incendiarism, and our people from robbery and murder.

It is earnestly hoped that the inhabitants of our frontier districts will abstain from all acts of retaliation on account of the outrages committed by rebel marauders, and that the proper measures of redress will be left to the action of the public authorities.

By command of Maj.-Gen. DIX.

D. T. VAN BUREN, Col. and A. A. G.

This order was modified by the President, as appears by the following:

HEADQUARTERS DEPARTMENT OF THE EAST, }
NEW YORK CITY, Dec. 17, 1864. }

General Orders No. 100.

The President of the United States having disapproved of that portion of Department General Order No. 97, current series, which instructs all military commanders on the frontier, in certain cases therein specified, to cross the boundary line between the United States and Canada, and directs pursuit into neutral territory, the said instruction is hereby revoked. In case, therefore, of any future marauding expedition into our territory from Canada, military commanders on the frontier will report to these headquarters for orders before crossing the boundary line in pursuit of the guilty parties.

By command of Maj.-Gen. DIX.

D. T. VAN BUREN, Col. and A. A. G.

On the same day the following order of the President was issued, requiring all persons entering the United States from the British provinces to produce a passport:

DEPARTMENT OF STATE, WASHINGTON, Dec. 17, 1864.

The President directs that, except immigrant passengers directly entering an American port by sea, henceforth no traveller shall be allowed to enter the United States from a foreign country without a passport. If a citizen, the passport must be from this Department, or from some United States minister or consul abroad; and if an alien, from the competent authority of his own country; the passport to be countersigned by a diplomatic agent of the United States. This regulation is intended to apply especially to persons proposing to come to the United States from the neighboring British provinces. Its observance will be strictly enforced by all officers, civil, military, and naval, in the service of the United States, and the State and municipal authorities are requested to aid in its execution. It is expected, however, that no immigrant passenger, coming in manner aforesaid, will be obstructed, or any other persons who may set out on their way hither before intelligence of this regulation could reasonably be expected to reach the country from which they may have started.

WILLIAM H. SEWARD.

This order was a cause of much embarrassment to the passengers travelling from the West over the Grand Trunk Railway to New York, and very seriously diminished the number of them. It also diminished the number of those passing from Canada to the United States by all the public routes. It was suspended as to the Canadas in March ensuing.

The instructions of Her Majesty's government to Lord Monck, the governor-general of

Canada, directed him "to be guided by the decision of the proper legal authorities in the province, whether the persons in custody ought or ought not to be delivered up under the Treaty of Extradition. If that decision shall have been that they ought, Her Majesty's government would entirely approve Lord Monck's acting on this decision. But if, on the contrary, the decision shall have been that they ought not, Her Majesty's government consider that the opinion of Lord Monck's legal advisers should be taken, whether, upon the evidence, and other information in the possession of the Canadian government, these persons may not properly be put upon their trial on a charge of misprision and violation of the Royal prerogative, by levying war from Her Majesty's dominions against a friendly power."

The fugitives were recaptured, some on the British side of the St. Lawrence, and some in the State of New Hampshire. Those in the custody of the Canadian authorities have been again put on their trial. Evidence was presented showing that the leader, Young, was a duly commissioned officer of the Confederate army, his commission bearing the signature of Jefferson Davis.

On May 11th, early in the morning, Don José Augustin Arguelles an officer of the Spanish army, who with his wife was sojourning in the city of New York, was seized by authority of the President, and secretly conveyed to a steamer in that port bound for Havana, Cuba, and which immediately sailed for the place of its destination. Some days elapsed before the fact was known even to his wife, who at that time learned that he had been arrested and sent to Havana. Great interest was taken in the case, and an official statement was published, setting forth that Col. Arguelles was formerly the Lieutenant-Governor of the district of Colon, in the Island of Cuba, and that he effected the capture of a large cargo of African negroes illegally landed within that district on the 20th of November last. The Captain General, it is said, was highly pleased with his zeal, and paid him fifteen thousand dollars for his share of the prize-money usually allowed to captors of such expeditions. Arguelles subsequently obtained a leave of absence of twenty days, upon his representation that the object of his journey to New York was to purchase the Spanish journal published in that city called "La Cronica."

It is represented by the Captain General that after the departure of Arguelles from Cuba it was discovered that he and other officers of the district of Colon had retained and sold into slavery one hundred and forty-one negroes captured by them. Some of these negroes, it is said, were sold at seven hundred dollars, and others at seven hundred and fifty dollars each. It is further represented that the Superior Court of the island, having exclusive jurisdiction over such causes, had taken cognizance of this case, and required the presentation of Don

José Augustin Arguelles before it to insure the prompt liberation of those one hundred and forty-one victims. Without Arguelles's presence it would be very difficult, or at all events it would require a long time, to attain that humane object.

Mr. Thos. Savage, the U. S. Vice-Consul General at Havana, when approached on the subject of the reclamation of Col. Arguelles, stated to the Captain General of Cuba that, "in the absence of an extradition treaty between the two Governments, or of any law, public or municipal, authorizing the rendition, our Government could not grant the request," but promised to lay the matter, in a confidential way, before the Department of State.

In like manner, Señor Don Gabriel G. Tasara, the Spanish Minister at Washington, in communicating the facts of the case to our Government, took care to state that he was "well aware that no extradition treaty exists between the United States and Spain, in virtue of which the surrender of Arguelles to the authorities of Cuba might be obtained; yet, considering the gross and scandalous outrage which has been committed, as well as the interests of humanity at stake in the prompt resolution of this matter," it was added, "he has not hesitated in submitting the case in this confidential way to the consideration of the United States Government, in order to ascertain whether an incident so exceptional could not be met with exceptional measures."

Thus addressed on the subject, the President ordered the "exceptional measure" of arresting and surrendering Col. Arguelles on his sole responsibility, in the absence, as Mr. Savage phrases it, "of any extradition treaty, or of any law, public or municipal, authorizing the rendition" of the alleged fugitive from justice.

On the other hand it was asserted that the arrest was procured by the Cuban authorities for the purpose of suppressing their complicity in the very crime of which Arguelles was charged. That Dulce, the Captain General of Cuba, while declaring his intention to stop the importation of negroes, was really assisting those engaged in the traffic—that one Zulueta, the most intimate friend of Dulce, and by him made Alcalde, and who had a line of iron steamers running regularly between Cuba and Congo, was expecting the arrival of two expeditions from Africa, applied to Dulce for assistance in landing the cargoes.

Every negro has or must have in his possession a ticket, or kind of passport, mentioning where he comes from, who his ancestors were, where he has been living of late, &c., &c., so as not to be taken for a *bozales* or newly imported negro.

These tickets, it is said, are not given up to the authorities on the decease of a negro, but kept and used with the newly landed slaves. The supply not being sufficient Zulueta applies to Dulce, who in turn applies to Navasquez, the Civil Governor of Cuba, and who was

authorized to issue such tickets; he refuses to sign them, and is forced to leave Cuba secretly for Spain. Arguelles becomes acquainted with the facts of the case, and comes to New York, where he, in letters published, distinctly charged the Captain General with advancing a notorious slave-dealer to high municipal office in Havana, for the purpose of more comfortably sharing with him the gains of his traffic. This is the statement of those who claimed that the arrest was sought for by the Cuban authorities for the purpose of disposing of material testimony—and subsequent events seemed to give a color of truth to the statement. It is said by a correspondent from Havana, that "the whole expedition are to be returned to Zulueta as slaves, it being asserted that it was an illegal capture (*mala presa*). Thirty-six men from the neighborhood of Cienfuegos have come on and sworn that Zulueta had nothing to do with the expedition, &c.; that he bought the negroes on the beach, &c.; and an old law or clause in some treaty is raked up to show that when the negroes are so many miles inland from the shore they are not liable to capture. These negroes will be given up to the worst taskmaster, the most brutal of slaveholders, and Arguelles will, at least, be condemned to the accursed chain-gang, which is worse than death."

The action of the Government at Washington in giving up Arguelles excited much comment, independently of the facts connected with the case itself, as being a violation of the right of asylum and without warrant of law, as no treaty of extradition had been entered into between the United States and Spain. Mr. Seward, in reporting the transaction to Congress, is frank to avow that the "exceptional measure" was taken in obedience only to general considerations of international comity. To this effect he writes:

There being no treaty of extradition between the United States and Spain, nor any act of Congress directing how fugitives from justice in Spanish dominions shall be delivered up, the extradition in the Arguelles case is understood by the State Department to have been made in virtue of the law of nations and the Constitution of the United States. Although there is a conflict of authorities concerning the expediency of exercising comity toward a foreign Government by surrendering, at its request, one of its own subjects charged with the commission of crime within its territory, and although it may be conceded that there is no national obligation to make such a surrender upon a demand therefor, unless it is acknowledged by treaty or by statute law, yet a nation is never bound to furnish asylums to dangerous criminals who are offenders against the human race; and it is believed that if, in any case, the comity could with propriety be practised, the one which is understood to have called forth the resolution of inquiry of the Senate furnished a just occasion for its exercise.

The position here assumed by the Secretary of State that the extradition had been made by virtue of the law of nations and the Constitution of the United States was earnestly resisted. It led to the incorporation of resolu-

tions into the platforms of the Radical Presidential Convention at Cleveland and the Democratic Convention at Chicago. An able review of the history and law of the case is summed up in the Washington "National Intelligencer" as follows:

From the history we have given it appears that while the obligation of nations not to grant asylum to criminals, but to deliver them up for trial, receives the general assent of civilized nations, it is one subject to many limitations and modifications. It is a duty of "imperfect obligation," so called, like those interwoven with the private life of individuals, and the neglect of which destroys the reputation of the man without rendering him amenable for violating the law. It is a duty resting upon the conscience of the nation, to be discharged under such circumstances, in such cases, and in such manner as in the judgment of the nation, expressed through the constituted authorities, may seem best adapted to subserve the cause of virtue and the interests of humanity.

In some political systems the monarch is the authority who at once determines the question and executes the judgment; but in those countries where the principles of constitutional government obtain—in other words, where the rights of the person are recognized—the maxims of law limit the otherwise absolute power of the Executive authority, and in performing their obligations to the human race, the Legislature, in such countries, is careful not to overlook their obligations to the individual. Thus in Great Britain, while the sovereign may make treaties he cannot fulfil a treaty binding him to surrender fugitive criminals without the express sanction of that part of the Government which is charged with the guardianship of the life and liberty of the individual. He may make war or conclude peace without the consent of Parliament; but without its consent he cannot deprive the humblest individual of liberty, though that individual be charged with the deepest crimes.

In our own political system we find the same careful process for reaching the ends of justice. The treaty-making power determines what offences the nation will lend its aid to punish, and into what hands it is willing to deliver offenders for punishment. The tenth article of the Treaty of Washington, concluded between the United States and Great Britain on this subject, shows by the catalogue of crimes it embraces that we are willing to trust the enlightened criminal jurisprudence of England in a wider class of offences than we would remand to some other countries whose creeds are less conformed to the humane spirit of the age. When the treaty-making power has ascertained the extent of the obligation of surrender and assumed the corresponding duty, the legislative power comes forward to provide for the fulfilment of that duty, and in so doing Congress has thought proper to omit none of those safeguards which have been found essential to protect the accused against baseless charges, and which, necessary as they are in cases where the accused is to be tried in the jurisdiction where he is found, are doubly and trebly necessary where the charges are put forward, not for trial here, but as the means of obtaining possession of the accused and carrying him abroad.

It is not improbable that factitious accusations should be brought for the mere purpose of procuring the arrest and surrender of a fugitive. Hence it is that the careful provisions of the statute, regulating extradition in this country, commit to the judiciary—versed as that department already is in all the proceedings preparatory to a trial—the duty of arresting the fugitive and of ascertaining whether in fact a crime has been committed, and whether there is sufficient evidence to hold the accused for trial. When these questions have been settled by the judiciary, and not till then, does the nation con-

sent to deny the right of asylum to the fugitive who has sought its protection and deliver him into the hands of the alien prosecutor.

It is needless to add that in the case of Arguelles the Executive has assumed all the authority which by the Constitution is distributed among the treaty-making power, the law-making power, and the judiciary. Without treaty, without law, and without judicial action, the Executive has assumed to do what only all three combined could lawfully empower him to do.

And in making this statement as a proposition of law, we indulge in no personal crimination of the President's motives. As he makes no legal defence of his conduct, but bases that defence on his good intentions, we make all due allowance for such good intentions while bringing his proceedings to the bar of the law he has transcended. It is one of the inconveniences which attach to such errors of judgment, and which illustrate their practical dangers, that all punishments visited on criminals outside of the laws array a certain sympathy in favor of the culprit, however guilty he may be. Col. Arguelles may be the criminal he is represented to be by the Cuban authorities, but as these authorities are now seized of his person in a way not authorized by our laws, the penalty he may be called to pay for his alleged crime is one which concerns the honor of the nation in the eyes of the civilized world. It is to be hoped, for the sake of our own credit on the score of humanity, that the proceedings of Spanish jurisprudence in his case may be such as to show that only justice has been done him in the forum to which we have remitted him, even if something less than justice, as justice is understood in this country, has been done him by our authorities in the circumstances under which they have delivered him up for trial. The civilized world sits in judgment not only on the crimes of men, but on the processes by which these crimes are redressed, and when redress is inflicted against the received rules of justice, men never fail to resent the wrong done to the latter, whatever may be their abhorrence at the wickedness of the criminal. It was thus that all Europe thrilled with indignation and horror at the conduct of the king of Saxony when, in the early part of the 18th century, he delivered up the person of the unhappy Patkul to the vengeance of his sovereign, Charles the XIIth of Sweden, who broke him on the wheel. Men refused to consider the provocations which that nobleman had offered to his king, or the offences he had committed against his country, in their resentment at the wrong done to the "right of asylum" in his person. And so, whatever may be the crimes of Col. Arguelles (about which we know nothing personally, as the President of the United States knows nothing legally), the civilized world, in its respect for the principles of public law and private right violated by his clandestine arrest and deportation, will not hesitate to deplore the process by which this Spanish subject has been brought to justice.

U. S. Marshal Robert Murray, who effected the arrest, was indicted by the Grand Jury of New York for kidnapping Col. Arguelles, and on May 20th was arraigned, pleaded not guilty, and gave bail in the sum of \$1,000 to appear for trial.

On the 15th of August the seizure of the privateer Georgia by the United States frigate Niagara attracted much comment in England, but the general impression of the English press was to the effect that the seizure was legal, and that the purchaser of an enemy's vessel of war when said vessel is blockaded in port without means of escape, must take the risk of subsequent seizure.

The *Georgia* is an iron vessel of about 600 tons register, with engines of 300 horsepower. She left Greenock in April, 1863, under the name of the *Japan*. Proceeding to the coast of France, the *Georgia* received her armament and stores from a British steamer, and then hoisting the rebel flag commenced her cruise against American commerce. On the 25th of April the *Georgia* captured and burned the ship *Dictator*, and between that date and the 10th of July she captured and bonded or destroyed the ships *George Griswold*, *Amazonia*, *Good Hope*, *Constitution*, *City of Bath*, and *Prince of Wales*. On the 30th of October, 1863, she arrived at Cherbourg, France. On the 9th of April, 1864, she was at Bordeaux, and was next heard from in England, where she is said to have been sold for £15,000, her crew paid off, and her stores sold at auction. It is claimed that the *Georgia* was subsequently taken up by the Portuguese Government for the conveyance of mails from Liverpool and Lisbon to the Azores and back, and it appears she was in transit to those ports when her capture was made with her cargo. She was insured at Lloyd's on a policy of not free from capture.

The Dover correspondent of the London "Times," writing August 24th, gives the particulars of the seizure:

The Federal steam frigate *Niagara* brought up in Dover Roads this morning, having on board Capt. Withycombe and thirty-three men belonging to the screw steamer *Georgia*, which is the property of a British merchant resident in Liverpool, and was captured by the *Niagara* while sailing under the British flag, on Monday, the 15th of August, about twenty miles off Lisbon.

The capture was made by the commodore in command of the *Niagara* on the ground that the *Georgia* was formerly a belligerent ship, and in the service of the Confederate States as the celebrated cruiser of the same name. It seems, however, that the *Georgia* was purchased some few months ago by Mr. E. Bates, a ship-owner of Liverpool, and some nice questions of an international character will therefore probably arise out of this proceeding on the part of the *Niagara*.

The *Georgia*, it appears, was under orders for Lisbon, having been chartered by the Portuguese Government for the purpose of conveying passengers between that place and the African coast or the West Indies. This was her first voyage under her new ownership, and her crew had all received a month's pay in advance.

Nothing unusual occurred till she arrived about twenty miles off Lisbon, when the *Niagara* was seen apparently waiting for her. Capt. Withycombe did not deviate from his course until brought to by a couple of shots fired across his bows. He was shortly afterward boarded by an armed boat's crew in command of an officer of the *Niagara*, who requested his attendance before the commodore. Upon getting on board the *Niagara* the commodore explained that it was his duty to seize the *Georgia*, but that he desired to cause Capt. Withycombe and his crew as little discomfort as possible. The ship's papers were then taken possession of and the crew detained as prisoners till the *Niagara* reached Dover, when they were landed and conveyed to the Dover Sailors' Home, where they were kindly received. Thence they will be forwarded to Liverpool.

The London "News" editorially quoted a

decision by Lord Stowell in a case exactly similar to that of the *Georgia*, as conclusive evidence that the seizure by the *Niagara* was perfectly legal. It said:

Some excitement seems to have been caused in Liverpool by the announcement that the notorious Confederate cruiser *Georgia* had been seized on the high seas, about twenty miles from Lisbon, by the Federal man-of-war *Niagara*. The history of the *Georgia* is well known.

The question is whether, according to the recognized doctrine of international law, the captain of the *Niagara* was justified in seizing the *Georgia*—a vessel which at the time of the seizure was sailing under British colors, but which only a few weeks before had been a vessel of war commissioned by the Confederate Government. It is said that the custom-house officers at Liverpool had warned the owners of the *Georgia* that they could not legally transfer the property in her. But whether the Confederate officers or agents did or did not receive any such warning is immaterial, for the law on the subject is clear beyond discussion. Fortunately the question has been decided in this country more than half a century ago by that eminent judge, Lord Stowell, in the case of the *Minerva*, which is reported in the sixth volume of Sir Christopher Robinson's Reports, and therefore any legal speculation on the subject would be superfluous.

It is impossible to draw any distinction between the case decided by Lord Stowell and that of the *Georgia*, and therefore the commander of the *Niagara* was clearly justified by the judgment of that eminent lawyer. It is true, as Lord Stowell points out, that if the vessel sold is a merchant vessel the sale is valid; and in this the law of England agrees with that of America, though it differs from that of France and other continental powers. The practice, says Dr. Twiss, of the French tribunals, is to refuse to recognize as neutral property any vessel of enemy-built, or which has even been enemy-owned, unless the sale of it to a neutral merchant has taken place before the commencement of hostilities. But the courts of England and America hold the opposite doctrine, although even they restrict the right of purchase by neutrals to merchant vessels; for, as the Queen's Advocate says: "The purchase of a ship of war belonging to enemies is held to be invalid." And the distinction between merchant ships and ships of war is founded on common sense. The thing objected to is not the purchase of belligerent property; but it is the purchase of an enemy's vessel of war lying imprisoned in a neutral port, whence she is unable to escape. A vessel under such circumstances is not an object fairly within the range of commercial speculation. If it were, consider the consequences. Within a few days the *Georgia* might be rearmcd—might again be transferred to some Confederate—might again hoist the Confederate colors and resume her career of devastation. And the same shift of escaping from a neutral port into which she had been driven might be practised as often as she found it either necessary or convenient.

The London "Post" also argued that, admitting the *Georgia* to have been a Confederate war vessel, the sale which took place at Liverpool was inoperative, and the British Government had no ground for interference. Those who deny the validity of the capture must make good their title in the prize court where the case will be adjudicated. The seizure occasioned no difficulty between the Governments of the two countries.

The Confederate war steamer *Florida* arrived at Bahia Bay, off San Salvador, Brazil, Oct. 5th, having captured and burned the bark *Monda-*

mon, from Rio, off Pernambuco, on the 28th of September. The United States steamer Wachusett, Capt. Napoleon Collins, had been lying several days in the port of Bahia, and the Florida at first anchored in the offing. The Brazilian admiral immediately sent the Florida a message, requesting her to come inside, which she did, anchoring in the midst of the Brazilian fleet, and close under the guns of the principal fort, which is located upon an island in the middle of the harbor. Certain parties in Bahia, which is a commercial city of considerable importance, with one of the best harbors in the world, being interested in American affairs, bestirred themselves to bring about an engagement between the Wachusett and the Florida, firmly confident that the result of such an encounter would be another Union victory as complete as that won last summer in the British Channel. All efforts on the part of outside parties to bring on a naval battle in open water between the two vessels proved unavailing. At about three o'clock in the morning of Friday, Oct. 7th, the cables were slipped, and the Wachusett bore down upon the rebel vessel under full head of steam. So little expectation was there of such a proceeding, that one-half the officers and crew of the Florida, seventy in number, and including Capt. Morris, were on shore, and the remainder, having just returned, were in no condition to repel an assault. The Florida's officer of the deck supposed the collision which he saw to be imminent to be merely accidental, and cried out, "You will run into us if you don't look out." The design of Capt. Collins was simply to strike the Florida amidships with full steam on, crush in her side, and send her at once to the bottom beyond the possibility of causing further trouble to any one. The Wachusett, however, did not strike her adversary fairly, but hit her in the stern, carrying away the mizen mast and main-yard. The Florida was not seriously injured by the collision, but the broken spar fell across the awning over her hatchway in such a manner as to prevent her crew from getting on deck from below. The recoil which followed the shock carried the Wachusett back several yards. In the confusion which ensued several pistol-shots were fired from both vessels, chiefly at random and entirely without effect. Two of the guns of the Wachusett were also discharged, by accident according to one report, and as another version has it, by order of one of the Union lieutenants. The shots did not strike the Florida.

Capt. Collins, of the Wachusett, immediately thundered out a demand to the rebel craft, "Surrender, or I will blow you out of the water!" The lieutenant in charge of the Florida may be excused for considerable amazement, but had still presence of mind to reply, "Under the circumstances I surrender." Without the delay of an instant, dozens of gallant tars boarded the prize, and made fast a hawser connecting her with their own vessel, and the Wachusett turned her course seaward, moving at the top

of her speed and towing the Florida in her wake.

The fleet of Brazilian vessels, which entirely surrounded the little space of water on which the brief battle had been fought, was so situated that the two American steamers were obliged to pass under the stern of one of the largest in order to penetrate their line. The Wachusett was challenged, but did not deign a word of reply; and the Florida, when hailed and commanded to halt a moment after, replied that a pause was impossible, as she was towed by the vessel in front. The Brazilians soon guessed the state of affairs, and in another moment or two the heavy guns of the fort, under the very muzzles of which the capture had been made, opened fire on the Wachusett, as she disappeared in the morning darkness. Three shots were fired after her, all passing harmlessly far above her pennant, and striking the water beyond.

The Brazilian naval commander in Bahia harbor acted with all the promptness which could have been expected, and in a few moments the dawn of day disclosed two vessels of the Brazilian fleet doing their utmost to pursue and overhaul the Wachusett and her prize. They were a heavy sloop of war and a small armed steamer, neither of them any match in point of speed for the handiwork of New England mechanics, and soon gave up the chase, as the Union and rebel steamers disappeared below the horizon.

The Florida was subsequently brought to Hampton Roads, where she sunk on the 28th of Nov. On the arrival of the Florida at Bahia on the 5th of Oct., Mr. Thomas F. Wilson, the American consul, addressed the President of the Province, protesting against the admission of the vessel to free practice, and against any assistance being conceded to her. To this protest the President replied, that all the assistance required by humanity would be furnished the Florida, which, as he contended, did not constitute assistance for warlike purposes, or conflict with the neutrality of his Government. After the seizure, the President of the Province, on the 7th, addressed Mr. Wilson, the consul, protesting against the act, and suspending official relations with him.

On the 11th of Nov. Mr. Seward addressed Mr. Webb, instructing him to inform the Minister of Foreign Affairs that the Government of the United States was not indisposed to examine the subject upon its merits carefully, and to consider whatever questions might arise out of it in a becoming and friendly spirit, if that spirit was adopted by His Imperial Majesty's Government. A correspondence ensued between Mr. Seward and Sen. Barboza, the Brazilian Representative at Washington. The latter gentleman addressed Mr. Seward Dec. 12th, giving his version of the seizure with the attendant circumstances. He cites the case of the capture of the English ship *Grange*, in Delaware Bay, in 1793, by the French frigate *l'Ambuscade*, in which

the American Government remonstrated against the act, and required from the Government of the French Republic not only the immediate delivery of the captured vessel, but also the liberation of all persons found on board, which "reclamation was promptly satisfied." The letter closes with the expression of belief, that the Government of the United States will give the explanations and reparation which, in conformity with international laws, are due to a power which maintains friendly and pacific relations with it.

Mr. Seward, Dec. 26th, answers the communication of Sen. Barboza, and from which answer the following extracts are taken:

DEPARTMENT OF STATE,
WASHINGTON, Dec. 26th, 1864. }

SIR: I have the honor to acknowledge the receipt of your notes, which sets forth the sentiments of the Imperial Government of Brazil concerning the capture of the Florida by the United States war steamer Wachusett, in the port of Bahia.

Jealousy of foreign intervention in every form, and absolute non-intervention in the domestic affairs of foreign nations, are cardinal principles in the policy of the United States. You have, therefore, justly expected that the President would disavow and regret the proceedings at Bahia. He will suspend Capt. Collins, and direct him to appear before a court-martial. The consul at Bahia admits that he advised and incited the captain, and was active in the proceedings. He will therefore be dismissed. The flag of Brazil will receive from the United States navy the honor customary in the intercourse of friendly maritime powers. It is, however, not to be understood that this Government admits or gives credit to the charges of falsehood, treachery, and deception which you have brought against the captain and the consul. These charges are denied on the authority of the officers accused. You will also be pleased to understand that the answer, now given to your representation, rests exclusively upon the ground that the capture of the Florida was an unauthorized, unlawful, and indefensible exercise of the naval force of the United States, within a foreign country, in defiance of its established and duly recognized government.

This Government disallows your assumption that the insurgents of this country are a lawful, naval belligerent, and, on the contrary, it maintains that the ascription of that character by the Government of Brazil to insurgent citizens of the United States, who have hitherto been, and who still are, destitute of naval forces, ports, and courts, is an act of intervention in derogation of the law of nations, and unfriendly and wrongful, as it is manifestly injurious, to the United States.

So, also, this Government disallows your assumption that the Florida belonged to the aforementioned insurgents, and maintains, on the contrary, that that vessel, like the Alabama, was a pirate, belonging to no nation or lawful belligerent, and, therefore, that the harboring and supplying of these piratical ships and their crews in Brazilian ports were wrongs and injuries for which Brazil justly owes reparation to the United States, as ample as the reparation which she now receives from them. They hope and confidently expect this reciprocity in good time, to restore the harmony and friendship which are so essential to the welfare and safety of the two countries.

In the positions which I have just assumed, the Imperial Government will recognize an adherence to rights which have been constantly asserted, and an enduring sense of injuries which have been the subject of earnest remonstrance by the United States during the last three years. The Government of Brazil is again informed that these positions of this Government are no longer deemed open to argument.

It does not, however, belong to the captains of ships of war of the United States, or to the commanders of their armies, or to their consuls residing in foreign ports, acting without the authority of Congress, and without even executive direction, and choosing their own time, manner, and occasion, to assert the rights and redress the wrongs of the country. This power can be lawfully exercised only by the Government of the United States.

The disposition of the captured crew of the Florida is determined upon the principles which I have laid down. Although the crew are enemies of the United States, and, as they contend, enemies of the human race, yet the offenders were, nevertheless, unlawfully brought into the custody of this Government, and, therefore, they could not lawfully be subjected here to the punishment which they have deserved. Nor could they, being enemies, be allowed to enjoy the protection of the United States. They will, therefore, be set at liberty, to seek a refuge wheresoever they may find it, with the hazard of recapture when beyond the jurisdiction of this Government.

The Florida was brought into American waters, and was anchored under naval surveillance and protection at Hampton Roads. While awaiting the representation of the Brazilian Government, on the 28th of November, she sunk, owing to a leak which could not be seasonably stopped. The leak was at first represented to have been caused, or at least increased, by a collision with a war transport. Orders were immediately given to ascertain the manner and circumstances of the occurrence. It seemed to affect the army and the navy. A naval court of inquiry, and also a military court of inquiry, were charged with the investigation. The naval court has submitted its report, and a copy thereof is herewith communicated. The military court is yet engaged. So soon as its labors shall have ended, the result will be made known to your Government. In the meantime, it is assumed that the loss of the Florida was a consequence of some unforeseen accident, which cast no responsibility upon the United States.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Senhor IGNACIO DE AVELLAR BARBOZA DA SILVA, &c.

DUNCAN, Rev. WILLIAM CECIL, D. D., an American Baptist clergyman, professor and author, born in New York City, Jan. 24, 1824, died in New Orleans, La., May 1, 1864. Mr. Duncan's father was a native of Glasgow, Scotland, but emigrated to this country in his youth, and during the childhood of his son, removed to Grenada, Miss., where young Duncan remained, attending the best schools of that vicinity, till he entered the Sophomore class of Columbia College, N. Y., in 1841. He graduated with honor in 1843. In 1844 he united with the Amity Street Baptist Church in New York, then as now under the pastoral care of Rev. William R. Williams, D. D. In the autumn of the same year he entered Hamilton Theological Seminary, Hamilton, N. Y., and having passed through the full course of theological study, he returned to the South in 1847, and established at New Orleans the "Southwestern Baptist Chronicle," a religious paper which he conducted with marked ability, and which attained a remarkable success. He was ordained in the spring of 1848, but though preaching almost constantly, did not enter the pastorate, but continued in charge of his paper. In 1851 his health, never robust, gave way completely, and abandoning his editorial and clerical labors he

sailed for Europe, and spent about nine months in Italy. Returning to New Orleans, convalescent, he was chosen to the Professorship of the Greek and Latin Languages in the University of Louisiana, a position for which he was admirably adapted from his high classical attainments and his fondness for teaching. Three years later he became pastor of the Coliseum Place Baptist Church in New Orleans, and continued in that relation for six years though twice compelled to spend some months in Texas for the improvement of his health. Amid his other duties, Dr. Duncan (he received the degree of D. D. from his Alma Mater in 1857) found time to write several books of decided merit and scholarly research; the principal of them were, "The Life of John the Baptist," based on a monograph of Von Rohden of Lubeck, (N. Y. 1853); "The Pulpit Gift Book," a collection of sermons preached at the Coliseum Place Church (N. Y. 1855); "The History of the Baptists for the First two Centuries of the

Christian Era," (N. Y. 1857), and "The Tears of Jesus" (N. Y. 1859). The last-named work is one of remarkable genius and eloquence. In the summer of 1861 his loyalty to the national government alienated the feelings of his people from him, and he was compelled to leave New Orleans and come to the North, his family being unable to accompany him. In the summer of 1862, after the occupation of the city by the Union forces, he returned, and engaged in secular duties endeavoring to the utmost of his ability to promote a return to the Union on the part of the citizens of Louisiana. Though already suffering from the fatal malady, consumption, which eventually destroyed his life, he was active both with pen and voice, by public orations, patriotic odes (he possessed fine poetic abilities), and newspaper essays in his efforts to lead his fellow-citizens to renew their fealty to the Federal Government. These earnest labors in which he persisted so long as his failing strength would permit, were not in vain.

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ENFANTIN, BARTHELEMY PROSPER, a French social theorist, and the successor of St. Simon in the leadership of the St. Simonians, born in Paris, Feb. 8, 1796, died in that city of apoplexy, Sept. 1, 1864. He was the son of a banker, and became a student in the Polytechnic school in 1813. In March, 1814, he, with his fellow students, was dismissed for having fired on the allied troops at Montmartre. Being thus compelled to abandon the profession of arms, he became travelling clerk for a wine merchant at Romans, till 1821, when he entered a banking house in St. Petersburg, where he remained two years. In 1823 he returned to Paris, and obtained employment as cashier of a mercantile firm, at the same time joining the Carbonari, a secret revolutionary association extending over nearly the whole of Europe. In 1825 he made the acquaintance of Olinde Rodriguez, one of two brothers of Jewish extraction, who had become followers of St. Simon. Through Rodriguez, Enfantin was introduced to St. Simon, and soon became a convert to his doctrines, and an active promoter of them. The cardinal doctrine of St. Simon in relation to property was stated in his formula: "All social, political, and religious institutions should have henceforth as their direct end the amelioration of the moral, physical, and intellectual condition of the poorest and most numerous class," a sentiment, perhaps, better expressed in our own formula of "the greatest good of the greatest number." On the death of St. Simon, May 19, 1825, Rodriguez and Enfantin, who aspired to the leadership of the community of St. Simonians, commenced the publication of a journal advocating social and political reforms, called *Le Producteur*, and Enfantin soon began to

broach in it new doctrines, both social and religious, which displeased many of those who at first supported it, and it was abandoned near the close of 1826. Enfantin continued, however, to make his views public by lectures and public meetings in the Rue Taranne. He soon gathered among his followers many of the young but gifted men of the time, among them Bazard and the brothers Rodriguez, who, indeed, had been followers of St. Simon before he had embraced his doctrines, Duveyrier, Buchez, Blanqui, Halevy, Artaud, Pereire (now the banker of the Credit Mobile), Laurent de L'Ardeche, Carnot, Augustus Comte, Michel Chevalier, Jean Regnaud, Pierre Leroux, Desmoulins, Seguín, &c., a list which embraces almost every man of mark of the present empire. Having enlisted these enthusiastic and gifted young men in his schemes, Enfantin soon began to put forth new and bolder propositions. At the period of the Revolution of July 1830, he issued a proclamation, demanding, among other things, the community of property, the formal abolition of the right of inheriting, and the liberation of women from their social, intellectual, and moral disabilities. He now gave up his cashiership, established central points of propagandism of his doctrines in the principal cities of France, and organized a system of preaching in Paris. He also secured the services of the "Globe" newspaper, of which Pierre Leroux, Guizot, Remusat, and others were the principal contributors, and Michel Chevalier the editor, and distributed a large number of copies gratuitously. The modest quarters in the Rue Taranne were abandoned for spacious halls in the Rue Taribout, on the Boulevard Italien, and the wealthy followers of Enfantin

contributed money in large sums. Enfantin was now elected "head" or "Father" of the Association, Bazard, head of Dogma, and Rodriguez, head of Worship. Enfantin's commanding presence and great conversational powers exercised a wonderful fascination over the thousands who attended these conferences. But with his elevation to the headship he began to propound new dogmas and formulas which did not meet the approval of all his associates. He proposed to substitute for the formula of St. Simon already quoted, this: "To each one according to his capacity, to each capacity according to its works." Against this new doctrine Bazard protested with great earnestness, as an entire abandonment of the doctrines of St. Simon, and involving a principle wholly at war with them. He even denounced him as a traitor to the great cause of human rights, for the avowal of such a doctrine. Enfantin insisted that this principle was necessary for the overthrow of the right of inheriting, whether public or private. Equally abhorrent to Bazard was Enfantin's doctrine of the liberation of woman, which he proposed to accomplish by the abrogation of all legal and social restraint in the sphere of love and affection, and by giving to the confessor or priest (of the St. Simonian, not the Catholic Church) full command over the body and soul of his disciples for the purpose of enabling him to control their passions. He adhered, firmly to these doctrines, and Bazard quitted him together with a considerable number of his followers who did not recognize in this new social order, based, as they believed, on licentiousness, the system of St. Simon. A considerable number, however, still adhered to him, and he indulged daily in new extravagances, wearing a badge with "Père" (Father) in large letters, upon his breast, preaching, writing articles in defence of his new doctrines, composing mystic hymns, and dictating mystical propositions to his followers, which both they and he must have found it difficult to comprehend. He addressed about this time a series of communications to his disciples, of whom he assumed that he had about forty thousand in France alone, informing them that he was a superior being, set apart by Providence to inaugurate a new era for humanity by the emancipation, and through the agency of woman. He desired them to search for a female Messiah who was predestined to bear to him a new Saviour of Mankind. Meantime he himself made great efforts to find this wonderful woman, and spent, it is said, \$50,000 in giving entertainments, at some of which he hoped she might appear. The search, however, proved in vain; and yet, despite the attacks of some of his former associates, the number of his adherents increased rapidly in all parts of Europe. His meetings in Paris were prohibited by the government, in consequence of the disorder which prevailed among those in attendance (though Enfantin's disciples were not disorderly), in May, 1832, but Enfantin withdrew with

forty of his followers, among whom were Michel Chevalier, Pereire, and others, to some land belonging to him near Menilmontant, in the neighborhood of Paris, where he established a community who spent six hours of every day in manual labor, and the remainder of their waking hours in their forms of worship, amusement, &c., over all which Enfantin presided. But this did not last long. In August, 1832, he was arrested and appeared before the courts, bringing with him two women (Cécile Fournel, and Aglaé St. Hilaire) whom he demanded should be allowed to defend him as his counsel. The demand was not granted. After two days' trial he was found guilty and sentenced to a year's imprisonment, but was pardoned by Louis Philippe, after a few months' confinement. He then went to Egypt with a dozen or so of his disciples, but three years later returned to France, and engaged in agricultural pursuits, establishing himself also as a postmaster near Lyons. In 1841, through the influence of some of his former disciples, he was appointed member of a Scientific Commission to Algeria, and in 1845 became the Director of the Lyons Railway. In Nov. 1848, in connection with M. Duveyrier, one of his former disciples, he founded a daily journal, *Le Credit*, with the view of reconciling political reform with his old Utopian views. This journal lingered for about a year and a half and then expired. From 1850 till his death he had been largely engaged in the extension of railway communication between France and Italy. Till his last days he held to his doctrines, though he had long ceased to attempt to reduce them to practice. His "*Doctrine de Saint Simon*," a joint production of himself and some of his disciples, has passed through a number of editions. In 1859 he published a work entitled "Knowledge of Man and Religious Physiology," in which he battled vigorously for his old views, and shortly before his death he had a sharp correspondence with M. Michel Chevalier and M. Pereire, in regard to their abandonment of his doctrines.

EUROPE. The territorial division of Europe was changed in 1864, by the separation from Denmark of the three duchies of Schleswig, Holstein, and Lauenburg, which, by the treaty of Vienna, were ceded to Prussia and Austria (see SCHLESWIG-HOLSTEIN). At the end of the year, it was not yet decided what would be the fate of these three duchies.

The Polish insurrection, which constituted the chief European complication in 1863, drew rapidly toward a close after the beginning of the new year. It never rose again beyond the character of a guerilla warfare. No important engagements between the Russian and the Polish troops took place, and gradually and almost imperceptibly died out. (See POLAND.)

The most important question which agitated Europe during the year 1864 was the Dano-German war. In compliance with a resolution of the Federal Diet of January, the troops of Austria, Prussia, Hanover, and Saxony marched into

Holstein, in order to enforce the "execution" of the federal laws. Denmark evacuated Holstein, but declared that the entry of German troops into Schleswig, a duchy not belonging to the German confederation, would be regarded by them as a declaration of war. The governments of Austria and Prussia, being anxious to take the management of the question out of the hands of the Federal Diet, entered into special negotiations with Denmark, and when these negotiations led to no result, assumed an aggressive policy against Denmark, not as members of the German Diet, but as Grand Powers of Europe who had the right to compel the Danes to execute all the stipulations of the London Treaty of 1852. The entry of their troops into Schleswig began the war, in which the Danes were soon expelled from the whole mainland of Schleswig. An attempt at conciliation was made by the London Conference, consisting of the plenipotentiaries of England, France, Russia, Austria, Prussia, Sweden, Denmark, and the German Confederation. The belligerents were induced to agree upon an armistice, and also upon the proposition that the whole of the duchy of Holstein and a portion of Southern (German) Schleswig should be forever separated from Denmark, and be made an independent state. But the inability to agree upon a line of demarcation led to the breaking up of the Conference, and the renewal of the war. The allied armies soon forced a passage into the island of Alsens, and in a rapid march occupied the whole of Jutland. The Danes still hoped for aid from England, but when the discussion of the Danish question in the English Parliament revealed the fact that neither the actual ministry nor the Tories intended to engage in war on any conditions whatever, and it became equally apparent that no other foreign aid was to be expected, the Danes began to see that their case was hopeless, and made overtures for peace. Plenipotentiaries of the three belligerent powers met at Vienna in conference, and agreed upon the cession by Denmark of the whole of the three duchies of Schleswig, Holstein, and Lauenberg. (*See SCHLESWIG-HOLSTEIN, and LONDON CONFERENCE.*)

No other wars of importance took place in Europe during the year 1864. Insurrectionary outbreaks against Austrian rule in Venetia and Hungary were easily suppressed, and in Galicia an intended outbreak was prevented by the declaration of the state of siege. Russia was carrying on war in Circassia and Central Asia, France in Algeria and Mexico, England in India, Spain in San Domingo and Peru, England, France, and Holland in Japan; but all these wars did not directly affect Europe.

Next in importance to the Schleswig-Holstein war is the convention concluded on the 15th of September between the Governments of France and Italy, concerning the solution of the Italian and especially the Roman question. It is provided by this treaty that Rome shall

be evacuated by the French troops within two years, and the Government of Italy engages not to allow any army, either of regular troops or of volunteers, to enter the Papal territory. No provision, however, is made in case that the Romans, of their own accord, should rise against the Papal rule, and annex themselves to Italy. The majority of the Italian Parliament accepted the treaty, with the unconcealed expectation that it would soon lead to the annexation of both Rome and Venetia, and the consummation of the political unity of Italy. With regard to Venetia, the Italian Government has the open support of France in its endeavors to force Austria into a transfer of this province to Italy. The Prime Minister of Italy, Gen. La Marmora, made in the Italian Parliament the important remark, that the Government would be able to adduce in favor of a transfer of Venetia to Italy arguments which even Austria would be unable to resist. It was believed that this referred to diplomatic negotiations which would give to Austria ample indemnification for ceding Venetia, by means of an annexation of some of the Christian Provinces of Turkey. (*See ITALY.*)

The movement in favor of liberal reforms in the administration of the European states was very active. The Government of Russia has especially distinguished itself by the inauguration of reformatory measures. In Prussia Proper the effects of emancipation became more and more apparent in every province of the empire. The same boon of freedom which had been granted to the Russian peasants in 1861 was conferred upon those of Poland in February, 1864. The army and the administration of justice were thoroughly reorganized. A decree on public instruction in the state colleges was designed to place these institutions on a level with those in the most advanced countries of Europe. The preparations for introducing elective representative assemblies were completed, and the inauguration of these assemblies will be one of the marked features in the history of Russia during 1865. (*See RUSSIA.*)

Prince Couza, of the Danubian principalities, is getting the reputation of being the most radical reformer among the princes of Europe. He has consummated the political union of the two principalities of Moldavia and Wallachia, and thus constituted a new Christian country which, though remaining tributary to Turkey, is strong enough to resist any encroachments and aggressions of the Mohammedan Government. He has introduced general suffrage. He has separated the Greek Church of the principalities from the Patriarchate of Constantinople, and introduced sweeping reforms into the educational and judicial organization of the country. He has made the peasants owners of the soil which they have for centuries tilled, and which until recently belonged to a limited number of aristocratic families. All this has been accomplished within the

short space of five years, and it is therefore not surprising to learn that the prince is very popular. (*See TURKEY.*)

In Germany the Schleswig-Holstein war considerably diminished for a time the interest in the reform agitation; but the proceedings of the representative assemblies clearly showed that the progressive party is fully as strong as ever. In England a new effort was made to organize a National Reform Union, which commenced its operations with great vigor. In France the progressive party not only remained as strong as it had shown itself at the elections of 1863, but it seemed to make slow progress. The progressive party of Spain met with considerable success at the municipal elections, but they were divided on the question whether, under the present illiberal law, they should take part in the election for the Cortes or not. In Belgium the liberal party gained at the reëlection of the Second Chamber a complete triumph.

A considerable sensation was produced in Europe by a Papal encyclical of the 8th of December, 1864, condemning the chief errors of the present age, and among them some opinions which have gradually received an almost general adoption in Catholic as well as Protestant countries, as the toleration of other forms of worship than the Roman Catholic. Nearly every Catholic Government of Europe appeared to be more or less discontented with the encyclical. (*See ROMAN CATHOLIC CHURCH.*)

The great wars of 1863 and 1864, as well as most of the revolutions and disturbances which have taken place in Europe since 1815, are no isolated events, but can all be traced to two sources—the democratic aspirations of the people for a larger amount of self-government, and the comparatively new question of nationality. The history of these two questions constitutes an important portion of the history of Europe. The nationality question, in particular, is obtaining every year a greater influence, and seems to be destined, ere long, to charge the entire map of Europe. The years 1863 and 1864 have removed some of the greatest obstacles to a reconstruction according to the principles of nationality. The Polish insurrection has opened the eyes of the Russian Government as to the importance of

this principle, and they are consequently making use of it for assimilating the provinces of Western Russia and the Grand Duchy of Finland to the remainder of the empire. In the former, the largest portion of the soil has hitherto been in the hands of a small number of noble Polish families, while the bulk of the population belong to another Slavic race. As long as the peasants were serfs the Polish nobility found it easy to use their power in favor of the agitation for reëstablishing the independence of Poland. But by the ordinance of emancipation and by repressing the use of the Polish language, the Russian Government is now succeeding in destroying the influence of the Polish nobility, in making these provinces homogeneous portions of the Empire, in drawing a marked line of frontier between the Russian and the Polish nationalities, and thus facilitating the ultimate solution of the Polish question. In the Grand-duchy of Finland the use of the Finnish language rapidly extinguishes the Swedish, and with the Swedish language all sympathies with Sweden. The issue of the Schleswig-Holstein war puts an end forever to the feud between the German and Danish nationalities, which would certainly have continued as long as the German population in Holstein and Schleswig remained subject to Danish rule. That the Kingdom of Italy will soon be co-extensive with the Italian nationality admits hardly any longer of a doubt. In European Turkey the great progress of the Christian provinces of Serbia and the Danubian principalities is hastening either the dissolution or the temporary reconstruction of the Turkish Empire on the basis of the nationality principle. The existence of an Austrian Empire remains the great obstacle to a reconstruction of Europe in accordance with the national aspirations of the several races, but even in Austria these national aspirations obtain a greater influence than ever before. Throughout Europe there is a manifest tendency toward giving to every state a national unity, and to accomplish this either the remnants of weak nationalities will soon disappear before the prevailing one, or where there are, as in Austria, a number of strong nationalities co-existing, they will force the dissolution of the empire.

F

FAIRBANKS, ERASTUS, an American manufacturer and statesman, twice Governor of Vermont, born at Brimfield, Mass., October 28, 1792, died at St. Johnsbury, Vermont, November 20, 1864. His early means of education were confined wholly to the common school. In the beginning of 1812, at the age of nineteen, he left his home in Brimfield, and entered

as a student in the law office of his maternal uncle, the late Judge Ephraim Paddock of St. Johnsbury. A serious affection of the eyes soon obliged him to abandon his studies and engage in other pursuits. After several years, variously employed in teaching school and other pursuits in St. Johnsbury, he engaged in mercantile business in company with Frederick

Phelps, at Wheelock, Vt. Subsequently, in 1818, having formed a partnership with Messrs. John and Luther Clark, then the leading merchants at St. Johnsbury Plain, he removed to East St. Johnsbury, and from thence the following year to Barnet, where he remained in business until 1825. His success in the mercantile business had been very moderate. With his small capital, but with a very high character for probity and business ability, he returned to St. Johnsbury, and formed a partnership with his younger brother in the manufacture of platform scales. To this partnership were subsequently added a younger brother, and eventually his own three sons. The enterprise proved extraordinarily successful, and the scales of E. & T. Fairbanks & Co. attained and still hold a world-wide reputation. In 1836 he was elected to represent St. Johnsbury in the Legislature of the State, and reelected to the same office for the two succeeding years. In 1844 he was chosen by the people of the State an elector of President and Vice-President of the United States, and rechosen to the same office at the next Presidential election in 1848. In 1849, on the organization of the Passumpsic and Connecticut Rivers Railroad Corporation he was chosen its President, and continued in that office until his private business constrained him to decline a reelection. In 1852 he was nominated to the office of Governor of the State by the Whig party, but owing to the party divisions at the time, failed of an election by the people. On the assembling of the Legislature, upon whom was devolved the choice of Governor from the three unsuccessful candidates before the people, he was elected upon the first ballot. The next year he was again a candidate for the same office, but owing to party complications failed of a reelection to the chair of state. In 1860, through the partiality of his numerous friends, he was once more a candidate for the same office, and was triumphantly elected by the freemen of the State. Governor Fairbanks had been from his early youth a man of high religious principle, and for many years had been identified with the promotion of Missionary and other benevolent enterprises, both at home and abroad. He was also a zealous but judicious friend of popular education, and sought to the utmost of his ability to elevate the character of the public schools of his adopted State. His death was the result of a complicated affection of the heart.

FINANCES. The Secretary of the Treasury (Mr. Chase) in his report to Congress, December 10th, 1863, presented a statement of the actual and estimated receipts and expenditures of the Government for the fiscal year ending June 30th, 1864. The actual receipts for the first quarter of that year, ending September 30th, 1863, were from the ordinary sources of the revenue, with the balance \$5,329,044 on hand at the beginning of the quarter, \$46,268,500. He then estimated the receipts from ordinary sources of revenue for the remain-

ing three quarters ending June 30th, 1864, at \$115,300,000. Total actual and estimated receipts, \$161,568,500. In addition, he estimated the amount of receipts from extraordinary sources of revenue, as loans for the year ending June 30th, 1864, at \$594,000,000; thus making the receipts from both sources of revenue to June 30th, 1864, \$755,568,500.

The actual receipts, however, during this fiscal year, from the ordinary sources of revenue, with the balance on hand, amounted to \$265,961,761; thus exceeding the estimate by more than a hundred millions of dollars. The details were as follows:

Receipts.

	Estimated.	Actual.
From customs.....	\$72,562,018 42	\$102,316,152 99
Lands	436,182 09	588,333 29
Miscellaneous.....	5,641,542 04	47,511,448 10
Direct tax.....	000 00	475,648 96
Internal revenue.....	77,599,713 59	109,741,134 10
Total.....	156,239,456 14	260,632,717 44
Add balance, July 1, 1863.	5,329,044 21	5,329,044 21
Aggregate.....	161,568,500 35	265,961,761 65
Estimated receipts from loans.....	594,000,000 00	618,114,884 92
	\$755,568,500 35	\$884,076,646 57

The item of receipts from miscellaneous sources was disproportionately large, and was derived from the following sources:

From captured and abandoned property.....	\$2,146,715 09
Premium on gold shipped from San Francisco to London.....	2,799,920 64
Sales of prizes and due to captors.....	4,088,111 42
Internal and coastwise intercourse fees.....	5,809,287 20
Premium on sales of gold coin.....	16,498,975 49
Commutation money.....	12,451,896 15
All other sources.....	3,716,542 11
Total.....	\$47,511,448 10

The premium on gold shipped from San Francisco to London resulted from the fact that in March, 1863, it became necessary to transmit a considerable amount of funds to London for a special purpose, for which an appropriation had been made by Congress, and an amount of securities, viz., ten million fifty-two bonds was deposited in London, against which bills might be drawn. The negotiation of these securities failed, and six of the ten millions were returned to the Treasury and disposed of. Bills of exchange were drawn, and it became necessary to provide funds to meet the bills at maturity, which was accomplished by shipments of gold from San Francisco.

The increase in the receipts from customs above the estimates, was in consequence of the legislation of Congress. On June 30th, an act was passed which greatly increased the rate of duties, and in anticipation of this measure large amounts were withdrawn from bond, and the duties paid. The operation of the act has greatly diminished the importation of dutiable goods, and in the fiscal year of 1865 there will probably be a considerable decline in the receipts from customs.

The receipts from internal revenue were also much larger than the estimate of the Secretary. This was ascribed to a more perfect execution of the law. A new law was passed on June 30th, which went into operation on the next day. It largely increased the duties: and in connection with a special income tax of five per cent., imposed by a joint resolution of July 2d, was expected to produce the sum of \$250,000,000 in the fiscal year of 1865.

The receipts from loans were estimated at \$594,000,000, but the actual receipts from this source were \$618,114,884. The details of these loans were as follows:

From fractional currency, exceeding amount redeemed	\$2,702,421 25
Five-twenty bonds, act of Feb. 25th, 1862....	321,557,283 41
Six per cent. bonds, act of July 17th, 1861....	30,565,875 45
Ten-forty bonds, act of March 3d, 1864.....	73,337,600 60
Twenty years 6 per cents, act of March 3d, 1863	42,141,771 05
United States notes, act of Feb. 25th, 1862....	43,859,821 46
One year 5 per cent. notes, act of March 3d, 1863.....	44,520,000 00
Two years' 5 per cent. notes, act of March 3d, 1863	152,864,800 00
Three years' 6 per cent. compound interest notes	15,000,000 00
Certificates of indebtedness exceeding amount redeemed	4,098,758 35
Whole amount.....	\$730,642,410 97
Of which amount there was applied to re-payment of public debt.....	112,527,526 05
Which deducted, it leaves applicable to ex-penditures	\$618,114,884 92

The act of Congress of March 3d, 1864, gave to the Secretary authority to issue six per cent. bonds to the amount of two hundred millions, in lieu of so much of the loan authorized by the act of March 3d, 1863, redeemable after any period not less than five years, and payable not more than forty years from date in coin. At a subsequent period of the session, June 30th, 1864, the authority conferred by the first section of the act of March 3d, 1863, was repealed, except so far as it affected an amount of seventy-five millions then advertised, and power was given to borrow four hundred

millions of dollars on bonds redeemable after five years, and payable not more than forty years from date. By the second section of the same act authority was conferred to issue, in lieu of the same amount of bonds, two hundred millions in Treasury notes, which might be made a legal tender at their face value, bearing interest at a rate not exceeding seven and three-tenths per centum, payable in lawful money, and convertible, at the pleasure of the Secretary, into bonds issued under the authority of the said act. The Secretary was further empowered to substitute for Treasury notes issued under former acts an equal amount of notes, such as were therein authorized.

The expenditures, as estimated and actual, during the fiscal year ending June 30th, 1864, were as follows:

<i>Expenditures.</i>		
	Estimated.	Actual.
For civil service.....	\$34,267,811 52	\$27,505,599 46
Pensions and Indians..	7,840,314 81	7,517,930 97
War Department.....	888,479,511 11	690,791,842 97
Navy Department.....	112,979,186 60	85,733,292 77
Interest on debt.....	59,165,136 38	53,685,421 69
	\$1,099,731,960 42	\$865,234,087 86
Deduct estimated bal- ances undrawn.....	350,000,000 00	
	\$749,731,960 42	
Estimated balance.....	5,836,539 83	\$18,842,558 71
From actual receipts from loans.....		\$618,114,884 92
Deduct balance on hand July 1, 1864..		18,842,558 71
It shows amount received from loans ap- plied to service of year ending June 30th, 1864.....		\$599,272,326 21

The following statement presents in detail the amount of the receipts from the various sources of ordinary revenue during the respective quarters of the fiscal year ending June 30th, 1864. It is through these sources that the receipts are finally to be obtained with which to pay the public debt:

<i>From Customs, viz.:</i>		
During the quarter ending September 30th, 1863.....	\$22,562,018 42	\$102,316,152 99
During the quarter ending December 31st, 1863.....	23,211,520 86	
During the quarter ending March 31st, 1864.....	27,439,654 13	
During the quarter ending June 30th, 1864.....	29,102,959 53	
<i>From Sales of Public Lands, viz.:</i>		
During the quarter ending September 30th, 1863.....	136,182 09	588,333 29
During the quarter ending December 31st, 1863..	170,503 45	
During the quarter ending March 31st, 1864.....	131,882 92	
During the quarter ending June 30th, 1864.....	149,764 83	
<i>From Direct Tax, viz.:</i>		
During the quarter ending December 31st, 1863.....	14,035 06	475,648 96
During the quarter ending March 31st, 1864.....	397,166 68	
During the quarter ending June 30th, 1864.....	64,447 22	
<i>From Internal Revenue, viz.:</i>		
During the quarter ending September 30th, 1863.....	17,599,713 59	109,741,184 10
During the quarter ending December 31st, 1863.....	27,262,631 26	
During the quarter ending March 31st, 1864.....	27,685,212 45	
During the quarter ending June 30th, 1864.....	37,193,576 80	
<i>From Miscellaneous and Incidental Sources, viz.:</i>		
During the quarter ending September 30th, 1863.....	641,542 04	47,511,448 10
During the quarter ending December 31st, 1863.....	1,912,529 09	
During the quarter ending March 31st, 1864.....	12,527,351 39	
During the quarter ending June 30th, 1864	32,430,025 58	

In the expenditures of the fiscal year ending June 30th, 1864 (see page 372), are the following items for the War and Navy Departments—\$690,791,842.97 and \$85,733,292.77. The details of these expenditures were as follows:

Under the direction of the War Department.

For pay of the army proper.....	\$4,360,213 90
“ pay of volunteers.....	204,047,917 42
“ subsistence of volunteers and regulars..	95,230,415 43
“ Quartermaster's department.....	309,078,752 79
“ arms, ordnance, &c.....	35,228,748 47
“ forts, arsenals, armories, &c.....	5,732,639 28
“ Military Academy at West Point.....	40,754 50
“ medical and hospital department.....	11,044,288 18
“ expenses of recruiting.....	302,209 71
“ collecting and drilling volunteers.....	5,688,180 09
“ draft and substitute fund.....	5,302,641 00
“ bounty to volunteers and regulars.....	12,258,847 00
“ refunding to States expenses incurred in raising volunteers.....	1,269,565 57
“ miscellaneous.....	1,206,669 63
Total War Department.....	\$690,791,842 97

Under the direction of the Navy Department.

For pay of the navy.....	\$20,099,760 78
“ provisions and clothing.....	5,316,805 93
“ contingencies of the navy.....	22,379 93
“ prize money to captors.....	2,229,872 61
“ medicine and surgery.....	214,633 78
“ construction and repairs.....	30,649,300 53
“ steam machinery.....	9,101,998 12
“ equipment and recruiting.....	7,185,171 57
“ ordnance, &c.....	7,179,302 03
“ yards and docks.....	2,405,328 79
“ marine corps.....	985,302 17
“ navigation, &c.....	287,920 74
“ Naval Academy.....	42,879 51
“ relief of sundry individuals.....	12,636 28
Total Navy Department.....	\$85,733,292 77

The public debt on July 1st, 1864, was as follows:

Amount on December 10th, 1863.....	\$1,098,793,181 87
Evidences of debt subsequently issued for amounts paid into the Treasury before July 1st, 1863.....	23,782,423 20
Loans expended and balance on hand July 1st, 1864.....	618,144,884 92
Total, July 1st, 1864.....	\$1,740,690,489 49

Under the acts of Congress by which the indebtedness (see table on preceding page) had been incurred, there still remained authority to borrow, on July 1st, 1864, the following amounts:

1. Under the act of March 3d, 1863, so much of seventy-five millions, advertised previously to June 30th, 1864, as had not been awarded to bidders.....	\$32,459,700 00
2. Under act of March 3d, 1864, so much as had not been subscribed for, and paid into the treasury, viz:.....	127,603,520 00
3. Under the act of June 30th, 1864.....	400,000,000 00
4. Amount of Treasury notes issued under former acts, which had been redeemed and cancelled, and which the Secretary was authorized to replace by notes issued under the act of June 30th, 1864.....	62,191,400 00
Total available resources under laws authorizing loans.....	\$622,284,625 00
To this may be added the actual balance in the Treasury, July 1st, 1864.....	18,842,588 71
Total.....	\$641,127,213 71

These were the resources of the Treasury at that time, together with the ordinary revenue, for the fiscal year 1865.

The actual receipts and expenditures for the

quarter ending September 30th, 1864, together with the estimated receipts and expenditures for the remaining three quarters of the fiscal year ending June 30th, 1865, are given below:

For the quarter of the year ending September 30th, 1864, the actual receipts were as follows:

Receipts.

From customs.....	\$19,271,091 96	
From lands.....	342,185 84	
From direct tax.....	16,079 86	
From internal revenue.....	46,562,859 92	
From miscellaneous sources.....	9,020,171 44	
Add actual balance in the treasury July 1st, 1864.....	18,842,588 71	
Receipts from all sources excepting loans.....	\$94,054,947 73	
For the three remaining quarters, ending on the 30th of June, 1865, the estimate is:		
From customs.....	\$51,000,000 00	
From internal revenue.....	203,000,000 00	
From lands.....	300,000 00	
From miscellaneous sources.....	15,000,000 00	
Total receipts from ordinary sources, actual and estimated, with balance on hand, July 1st, 1864.....	\$363,354,947 73	

The expenditures for the first quarter, ending September 30th, 1864, were as follows, viz.:

Expenditures.

For civil service.....	\$8,712,422 51	
For pensions and Indians.....	4,935,179 31	
For War Department.....	286,200,288 52	
For Navy Department.....	33,292,916 49	
For interest on public debt.....	19,921,054 48	
Total, exclusive of principal of public debt.....	\$353,061,861 31	
For the three remaining quarters the estimated expenditures, based upon appropriations and estimated deficiencies, are:		
For the civil service.....	\$26,852,489 47	
For pensions and Indians.....	6,516,595 72	
For War Department.....	677,479,384 39	
For Navy Department.....	109,929,644 16	
For interest on public debt.....	71,889,160 70	
Total of expenditures, actual and estimated.....	\$1,245,729,135 75	
These estimates include all unexpended appropriations from former years, and there may be deducted, as a probable unexpended balance at the close of the year.....	350,000,000 00	
Leaving total amount, actual and estimated, for the current year.....	\$895,729,135 75	
Deducting from the total of expenditures the total of receipts, actual and estimated.....	363,354,947 73	
There will remain.....	532,374,188 02	
If Congress should adopt measures for increasing the internal revenue at an early day, the Secretary believes there may be added to the receipts from that source.....	50,000,000 00	
Which being deducted, there would remain to be provided.....	\$482,374,188 02	

The public debt, matured and maturing, during the year, is, as before stated.....	\$163,353,320 09
From this may be deducted, as likely to be provided by new certificates of indebtedness.....	75,000,000 00
	\$88,353,320 09
Add this sum to balance to be provided for expenditures of the year, viz:.....	482,374,188 02
It makes whole amount to be provided from loans.....	\$570,727,508 11
But as this would include so much of the existing public debt as would be redeemed, exceeding certificates issued within the year, viz:.....	88,353,320 09
This sum is to be deducted from the amount to be obtained by loans, viz., \$570,727,508 11, showing the probable increase of the public debt during the year to be.....	\$482,374,188 02
Which added to.....	1,740,690,489 49
Would make the public debt on July 1st, 1865.....	\$2,223,064,677 51
subject to such increase as may be occasioned should Congress not provide for additional revenue, or should the income from ordinary sources fall short of the estimates submitted.	

The increase of duties on imports has had the effect to decrease importations to a considerable extent; this effect will be likely to continue. In view of this circumstance, the Secretary estimates the receipts from customs for the fiscal year ending June 30th, 1865, at only \$70,000,000. This disadvantage he considers more than counterbalanced by the stimulus afforded to domestic industry and the consequent increased revenue from internal taxes. The amount from this source, he says, will be at least \$250,000,000, and should be made to reach \$300,000,000. He therefore recommends that a commission be properly constituted for the purpose of inquiring as to profitable sources of revenue, and devising improvements in the mode of its collection. A commission of this character in a country of such varied production and among a people of such diverse industrial pursuits, would elicit much information suitable to materially assist the deliberations of Congress and lighten its labors on a subject so new to legislative experience in this country.

The total amount of internal revenue received from all sources to June 30th, 1864, according to the report of the Commissioner, was as follows:

Received by collectors.....	\$102,214,165 10
Receipts from banks, railroad companies, &c., paid directly to commissioner.....	7,017,547 03
Receipts from salaries.....	1,705,124 63
Receipts from sale of stamps.....	5,894,945 12
Receipts from passports through Department of State.....	10,513 00
Receipts from suits on account of office.....	408 32
Receipts from warrants of distress.....	7,967 22

Total receipts..... \$116,850,672 44

The amount of collections from each specific source of revenue in each State, as compared with the ten months ending June 30th, 1863, is given as follows:

STATES.	Total collections for fiscal year ending June 30, 1864.	Refunded.	Net Total.
Maine.....	\$1,172,021 94	\$7,835 35	\$1,164,686 59
N. Hampshire..	1,003,957 58	4,157 41	999,800 17
Vermont.....	359,387 78	6,691 95	352,695 78
Massachusetts..	11,193,473 76	32,821 60	11,160,652 16
Rhode Island..	1,831,075 37	40,180 48	1,790,894 89
Connecticut...	2,918,885 38	5,818 23	2,913,567 15
New York.....	24,688,804 37	52,753 60	24,636,050 77
New Jersey....	2,907,392 37	6,775 93	2,900,616 44
Pennsylvania...	13,001,845 17	41,362 38	12,950,482 79
Delaware.....	353,643 67	1,529 12	362,122 75
Maryland.....	2,769,450 08	7,501 50	2,761,948 49
Dist. Columbia.	348,242 46	88 25	348,154 21
Virginia.....	137,314 92	198 35	137,116 57
West Virginia..	323,010 75	45 40	322,965 35
Kentucky.....	3,800,867 32	1,277 30	3,799,589 52
Missouri.....	3,220,972 28	5,540 72	3,215,431 56
Tennessee.....	598,145 97	.....	598,145 77
Louisiana.....	2,181,300 87	50,100 13	2,134,200 74
Ohio.....	11,802,272 02	10,938 34	11,791,333 63
Indiana.....	3,265,666 79	8,265 15	3,257,401 64
Illinois.....	9,758,351 46	1,860 09	9,756,491 37
Michigan.....	1,183,671 48	1,509 14	1,182,162 28
Wisconsin.....	983,461 09	894 29	982,566 80
Iowa.....	601,953 33	1,645 23	600,337 70
Minnesota.....	84,075 81	224 25	83,851 56
Kansas.....	65,164 85	287 27	64,877 58
California.....	1,646,556 30	4,917 57	1,641,638 73
Oregon.....	103,905 40	206 04	103,698 46
Nebraska.....	26,548 41	150 00	26,398 41
New Mexico....	10,941 09	.....	10,941 09
Utah.....	13,748 14	.....	13,748 14
Colorado.....	40,953 83	393 99	40,529 84
Nevada.....	79,784 33	.....	79,784 33
Washington...	22,394 92	143 33	22,251 50
Total.....	\$102,509,241 18	\$295,076 08	\$102,214,165 10

STATES.	Collections of ten months ending June 30, 1863.	Net total collections to June 30, 1864.
Maine.....	\$481,637 10	\$1,648,323 69
New Hampshire..	471,712 80	1,471,512 97
Vermont.....	190,826 72	543,522 00
Massachusetts..	4,443,359 80	15,604,611 96
Rhode Island..	774,200 61	2,565,095 50
Connecticut....	1,486,707 19	4,400,284 34
New York.....	8,578,779 28	33,206,830 05
New Jersey....	1,198,558 74	4,099,175 18
Pennsylvania...	4,956,870 82	17,917,353 61
Delaware.....	163,084 93	525,207 68
Maryland.....	960,506 19	3,722,454 68
District of Columbia.....	43,701 49	391,855 70
Virginia.....	757 68	137,874 25
West Virginia..	87,884 57	410,849 92
Kentucky.....	1,361,358 64	5,160,948 16
Missouri.....	1,161,739 83	4,377,171 39
Tennessee.....	.....	508,145 17
Louisiana.....	159,254 90	2,290,455 64
Ohio.....	3,195,866 67	14,987,290 35
Indiana.....	983,709 05	4,246,110 69
Illinois.....	2,057,663 43	11,814,154 80
Michigan.....	460,210 30	1,612,372 58
Wisconsin.....	402,326 50	1,384,893 30
Iowa.....	279,181 91	879,519 61
Minnesota.....	59,561 27	143,412 83
Kansas.....	38,906 47	103,784 05
California.....	624,954 51	2,266,593 24
Oregon.....	61,304 39	165,902 85
Nebraska.....	12,419 65	38,817 86
New Mexico....	9,318 00	20,259 09
Utah.....	6,140 96	19,889 10
Colorado.....	21,073 85	61,638 69
Nevada.....	22,904 61	102,688 94
Washington...	15,160 57	37,412 16
Total.....	\$34,769,257 73	\$136,938,422 83

The total amount of taxes collected on incomes other than that derived from being an officer of the Government, was \$14,919,279.58. Of this New York paid \$4,918,369.67; Pennsylvania, \$2,035,166.03; Massachusetts, \$1,904,732.03; Ohio, \$1,117,691.18; Illinois, \$586,435, and California \$580,327.01. The

balance of the States, with the exception of Maryland, which is returned \$501,765.27, paid less than \$500,000 each. The District of Columbia paid \$146,689.24, which is more than the revenue derived from the same sources in New Hampshire, Vermont, Minnesota and Kansas combined.

Licenses.—The total amount derived from licenses for business, exhibitions, &c., was \$7,178,205.26. From retail liquor dealers' licenses the amount collected was \$1,612,736.25; from retail dealers, \$1,336,345.95; from wholesale dealers, \$21,229,787.01; from wholesale dealers in liquor, \$176,764.76; from commercial brokers, \$204,098.26; manufacturers, \$471,091.45; physicians, \$232,774.04; from peddlers of all descriptions, \$264,111.54; lawyers, \$129,186.20; hotels, \$238,081.82; brokers of cattle, \$106,337.29; and money brokers, \$98,678.05. The amount derived in the District of Columbia from this source of revenue was \$104,937.47.

Manufactures and Productions.—The gross amount of taxes received from manufactures and productions was \$75,403,386.60. Of this New York contributed \$16,814,455.90; Pennsylvania, \$9,585,964.65; Ohio, \$9,453,335.95. Illinois, \$8,338,949.33; Massachusetts, \$8,250,872.92; Kentucky, \$3,061,489.64; Indiana, \$2,549,890.66; Louisiana, \$1,893,911.41; Maryland, \$1,842,728.42; Rhode Island, \$1,340,387.28; Maine, \$882,980.14; and the District of Columbia, \$71,341.33.

Slaughtered Animals and Gross Receipts of Steamers, Express Companies, &c.—The total amount of revenue derived from slaughtered animals was \$695,201.68; from gross receipts of steamers, express companies, &c., \$2,895,998.63; from sales by auction, &c., \$138,082.43; from legacies, \$310,836.18.

From Fermented Liquors.—The receipts from fermented liquors, such as ale, beer, cider, &c., was \$2,223,719.73. To this sum New York contributed \$780,255.78; Pennsylvania, \$310,287.98; Ohio, \$209,685.97; Illinois, \$155,570.21; and District of Columbia, \$9,216.13. The First District of Illinois paid a tax on fermented liquors of \$100,379.64, a greater amount than was paid by any other district in the country.

Cigars.—The amount derived from cigars was \$1,255,424.79. Of this sum New York paid \$365,461.47; Pennsylvania, \$292,784.07; Ohio, \$115,650.60; and Massachusetts, \$97,547.27.

Iron.—In the manufactures of iron Pennsylvania takes the lead. The total amount collected in that State on this article was \$955,880.97. New York paid \$606,988.49; Massachusetts, \$480,180.51; and Ohio, \$208,546.46. The Twenty-second District of Pennsylvania, on its manufactures of iron, was taxed \$212,281.98—a larger sum than was paid by any other district of the country.

Rock and Coal Oil.—The revenue derived from these two kinds of oil was \$2,255,328.80.

Of this Pennsylvania paid \$1,335,156.66; New York, \$243,430.39; Ohio, \$241,136.82.

Distilled Spirits.—From distilled spirits there was received \$28,431,797.83. Illinois contributed the largest amount, \$7,262,433.15; Ohio comes next, \$6,442,408.03; New York next, \$2,194,425.94. The Fifth District of Illinois paid a tax of \$2,601,342.62, a larger sum than was paid by any other district.

Paper and Manufactures of Paper, Leather, &c.—The amount derived from paper and manufactures of papers was \$901,914.17; from leather, \$3,697,433.87; from all kinds of tobacco, \$7,086,684.74; from manufacturers of wool, \$3,007,885.73; from manufacturers of wood, \$1,679,940.25; from sugar produced directly from the sugar cane, \$1,267,616.28; from manufacturers of cotton, \$1,835,027.75; from raw cotton, \$1,268,412.56; from cotton cloths and all textile fabrics before they are prepared, \$1,713,148.76; from cigars, \$1,255,424.79; from gunpowder, \$155,302.07; from incomes on interest of United States securities, \$75,373.93; and for miscellaneous manufactures, \$6,285,076.32.

The increase in the number of National Banks based on Federal securities has been large during the year. From October 22d to December 17th the number increased seventy-five, and the circulation more than \$16,000,000.

The number of these banks, and the amount of their capital, circulation, and bonds deposited with the Treasury on November 25th, was as follows:

National Banks.

STATE.	No.	Capital stock paid in.	Circulation.	Bonds.
Maine	18	\$2,749,800 00	\$1,887,880	\$2,244,500
New Hampshire..	9	1,120,000 00	552,700	944,000
Vermont	10	1,490,000 00	1,311,800	1,636,000
Rhode Island....	2	700,000 00	414,000	560,000
Massachusetts....	67	25,909,040 00	12,536,850	16,888,650
Connecticut	20	5,176,638 00	4,084,050	4,525,500
New York.....	100	20,599,175 03	12,584,950	14,064,600
Pennsylvania.....	109	21,120,148 88	10,193,880	14,964,100
New Jersey.....	16	2,141,249 00	1,756,170	2,011,000
Delaware.....	1	300,000 00	200,000	250,000
Maryland.....	3	1,560,000 00	1,245,000	1,400,000
District Columbia.	2	600,000 00	477,000	534,000
Virginia.....	1	95,025 00	95,000	112,000
West Virginia....	2	206,950 00	140,000	230,000
Ohio.....	84	10,035,165 86	7,505,880	8,749,850
Kentucky.....	1	200,000 00	162,000	134,000
Indiana.....	34	4,201,671 26	3,148,400	3,924,100
Illinois.....	38	4,147,837 25	3,296,560	3,794,600
Michigan.....	15	1,165,090 00	797,800	943,500
Wisconsin.....	15	1,040,277 00	774,500	903,050
Minnesota.....	4	590,000 00	442,000	603,000
Iowa.....	20	1,215,000 00	945,900	1,092,000
Neb. Territory....	1	40,000 00	27,000	30,000
Kansas.....	1	100,000 00	49,000	55,000
Missouri.....	7	1,621,530 00	722,000	865,000
Tennessee.....	3	340,000 00	234,380	263,000
Louisiana.....	1	500,000 00	180,000	200,000
Total.....	584	\$108,964,597 28	\$65,864,650	\$81,961,450

The conversion of the old State banks into National banks was becoming very rapid, and the prospect is that nearly all the former will merge themselves under the new laws. In the cities, these banks held stock enough to

lodge with the Comptroller of the Treasury for circulation, without purchasing any more. The old banks of New York City showed, at the end of the year, a decline in their circulation of \$2,646,397; in specie, \$4,298,167. The increase in loans was nearly \$30,000,000, caused by the Government loans taken during December.

The old banks of Philadelphia and Boston showed a decrease in specie at the end of the year as follows:

	Philadelphia.	Boston.
January 4.....	\$4,158,585	\$7,503,889
December 12.....	1,983,502	3,353,121
Decrease.....	\$2,175,083	\$4,150,768

The value of gold and bankers' sterling, as compared with legal tender notes at different periods during the year, has been as follows:

MONTHS.		Gold.	Sterling.
January	2.....	151½ @ 151½	166 @ 166½
"	9.....	152 @ 152½	166½ @ 167½
"	16.....	155 @ 155½	169½ @ 170½
"	23.....	156 @ 158	170 @ 171
"	30.....	156½ @ 156½	171 @ 172
February	6.....	159 @ 159	174 @ 175
"	13.....	159½ @ 159½	173 @ 174½
"	20.....	159 @ 161	172½ @ 174
"	27.....	159 @ 161	173½ @ 174
March	5.....	161½ @ 161½	174½ @ 175½
"	12.....	162½ @ 162	177 @ 178
"	19.....	162 @ 162½	176 @ 177
"	26.....	169½ @ 179	179½ @ 182
April	2.....	166½ @ 167½	177½ @ 181
"	9.....	169½ @ 170	184 @ 185
"	16.....	173 @ 189	189 @ 191
"	23.....	174½ @ 179	190 @ 192
"	30.....	179½ @ 179½	195 @ 198
May	7.....	173½ @ 173½	192 @ 195
"	14.....	172½ @ 172½	192 @ 187
"	21.....	183 @ 183½	196 @ 198
"	28.....	186 @ 186½	201 @ 203½
June	4.....	190½ @ 191	218 @ 210
"	11.....	198½ @ 198½	215 @ 218
"	18.....	195½ @ 196	216 @ 219
"	25.....	212 @ 216	235 @ 233
July	2.....	235 @ 240	270 @ 295
"	9.....	266½ @ 267	292 @ 298
"	16.....	244 @ 255	268 @ 290
"	23.....	250 @ 268	273 @ 282
"	30.....	251 @ 251½	270 @ 274½
August	6.....	260 @ 260½	279 @ 283
"	13.....	256½ @ 256	274 @ 277
"	20.....	257½ @ 257½	278 @ 279½
"	27.....	254 @ 255	275 @ 276
September	3.....	254 @ 254½	260 @ 275
"	10.....	234 @ 233	253 @ 256
"	17.....	222½ @ 222½	245 @ 248½
"	24.....	212½ @ 212½	230 @ 240
October	1.....	194½ @ 194½	208 @ 210
"	8.....	200½ @ 200½	210 @ 213
"	15.....	213½ @ 214	218 @ 230
"	22.....	209½ @ 210	108½ @ 109½
"	29.....	216½ @ 216½	108½ @ 109
November	5.....	239½ @ 240	109½ @ 109½
"	12.....	244 @ 245	109½ @ 109½
"	19.....	216½ @ 217	109½ @ 109½
"	26.....	219 @ 219½	109½ @ 109½
December	3.....	231½ @ 232	109½ @ 109½
"	12.....	240 @ 241½	109½ @ 109½
"	19.....	234½ @ 234½	109½ @ 109½
"	26.....	217 @ 217½	109½ @ 109½

The total value of the bullion deposited at the mint and branches during the fiscal year 1864, was \$24,920,808.47, of which \$23,986,989.92 was in gold, and \$933,818.55 in silver. Deducting the redeposits, there remain the actual deposits, amounting to \$24,012,741.49. The coinage for the year was, in gold coin

\$21,649,345.00; gold bars, \$2,333,403.31; silver coin, \$548,214.10; silver bars, \$301,872.89; cents, \$463,800.00; total coinage, \$25,296,635.30. The number of pieces of all denominations coined was 46,983,396. Of this coinage \$3,560,436.30, in 45,114,276 pieces, was at Philadelphia; \$19,536,809.02, in 1,869,120 pieces, at San Francisco; and \$1,876,377.04, in gold and silver bars, at New York.

The advance in the price of nickel made the expense of coining the nickel cent greatly exceed its value. Congress, therefore, provided for the coinage of new cent pieces, and also two-cent pieces. The standard weight of the new cent is forty-eight grains, or one-tenth of one ounce troy, and the cent is composed of ninety-five per cent. of copper and five per cent. of tin and zinc, in such proportions as shall be determined by the Director of the Mint; and from time to time there is struck and coined at the mint a two-cent piece, of the same composition, of the standard weight of ninety-six grains or one-fifth of one ounce troy, with no greater deviation than four grains to each piece of the cent and two-cent coins. These coins are to be a legal tender in any payment, the one-cent coin to the amount of ten cents, and the two-cent coin to the amount of twenty cents; and these coins may be paid out in exchange for the lawful currency of the United States, except cents or half cents issued under former acts of Congress, in suitable sums, by the Treasurer of the Mint, and by such other depositaries as the Secretary of the Treasury may designate. A three-cent coin was subsequently authorized and made a legal tender to the amount of sixty cents.

FLIEDNER, THEODORE, a Prussian clergyman and philanthropist, founder of the Protestant order of Deaconesses, born in Rhenish Prussia, in 1798, died at Kaiserswerth, on the Rhine, Rhenish Prussia, October 4th, 1864. Of his early education and training nothing is known. At the age of twenty-two, having passed through his university course, he became pastor of Kaiserswerth, a small town on the Rhine, where, in 1812, a manufactory of cotton goods had been established and a considerable number of operatives employed. In 1822, two years after he entered upon his pastorate, the manufacturing company failed, and the people, far from being able to support their young pastor, were plunged in the deepest penury from the want of employment. Pastor Fliedner, unwilling to abandon them, set out in 1823 on a journey to Holland and England, to obtain a sufficient sum of money to endow with a moderate income the little parish church of Kaiserswerth. He succeeded in this, but this was the smallest part of the result of his journey, which was extended to nearly two years. In England he became well acquainted with Mrs. Elizabeth Fry, and interested in her efforts to reform the prisons and the female prisoners. Soon after his return he founded at Dusseldorf, in 1826, the first German society

for improving prison discipline, a society which contributed powerfully to reform the character of the prisons of Prussia, which had previously been only schools of vice. This led him to observe the condition of discharged convicts, especially females, who, when released, were left without the means of subsistence; and thus, shunned by the virtuous, were forced back into a life of crime. He commenced, therefore, a refuge for discharged female convicts in September, 1833, beginning with a single inmate, in his own house, assisted by his wife and a female friend. By the 1st of June, 1834, he had nine of these unfortunates in his refuge, and had found it necessary to employ a second assistant. In May, 1836, he added an infant school to his establishment, and in October of the same year rented the abandoned manufactory, and established a free hospital there, which grew in process of time to have one hundred and fifty beds. For service in this and his other institutions he received volunteer nurses, who were thus trained for service in other infant schools, hospitals, prisons, and the like. Gradually, from this volunteer service was developed the idea of a body of women bound by no life-long vows or adherence to any rigid system of rules, but who should be trained to benevolent labor among the sick, the wounded, the vicious, the ignorant, and the poor. To those who, after a period of training and instruction, religious as well as medical, desired to devote themselves for some years to the work of benevolence, he gave the name of Deaconesses, and sent them forth as he had calls for their services, to teach among the poor, to manage hospitals, infirmaries, and asylums, to be matrons of prisons, etc. They were required to assume a particular dress, to report at stated times to the institution, and were expected to remain in the work for five years, and longer if they chose. If sick, infirm, or disabled, they could return to Kaiserswerth, where he established a home for them. In process of time Pastor Fliedner added to his institutions a normal school, for the instruction of his neophyte deaconesses, an orphan asylum, and an insane asylum. These institutions are sustained by the Lutheran synods of Rhineland and Westphalia. The number of deaconesses in active service, in 1864, was four hundred and fifteen, and they were scattered in all parts of Europe, Asia, and America, and many of them have been instrumental in founding other similar institutions elsewhere. One thousand and seven schoolmistresses and teachers, not deaconesses, have been trained and sent out by the institute, and very many nurses for military hospitals and other establishments, who have not joined the sisterhood, have received their training here. Among these Florence Nightingale in England, and some of our own most efficient hospital nurses, may be named. The Deaconess' Institute forms one of the establishments which make up the "Inner Mission" in Germany, which, under

the direction of Wichern, Fliedner, Harms, and others, has been productive of so much good. Pastor Fliedner had prosecuted this great work under the pressure of constant ill-health, and finally died of bronchitis, the disease from which he had suffered from youth.

FLORIDA. With the exception of two or three points on the coast, Florida has been abandoned by the Federal forces during nearly the whole of 1864. The disastrous expedition of Gen. Seymour (*see* ARMY OPERATIONS), early in the year, resulted in retaining possession only of Jacksonville. Fernandina has been constantly occupied since its first capture. Pilatka was also held a short time. At all points, however, the enemy were found in some force. The organization of the State militia, as recommended by the Governor in 1863, brought every man and boy capable of bearing arms into the field for home defence. They were not subject to be ordered into the Confederate army, or to be sent away from their ordinary pursuits, except to repel invasions and to maintain suitable police regulations. During the spring the regular army force in the State was large. The body of the enemy near Jacksonville was estimated at ten thousand infantry and about four thousand cavalry. At the same time there was a large camp at Baldwin, the junction of the Florida and Cedar Keys Railroad.

During the winter of 1863-'64 the extensive salt works at Lake Ocola and in West Bay, in the neighborhood of St. Andrew's Sound, were destroyed by orders from acting Rear-Admiral Bailey. The works at Ocola made one hundred and fifty bushels per day, and those of the Confederate Government at West Bay four hundred bushels. The private works down the bay were also destroyed, and the entire damage was estimated at three millions of dollars.

About July 20th a raid was made by Gen. Birney, under orders of Gen. Foster, from Jacksonville to the mouth of Trent Creek. Two bridges over one of the forks of the creek were destroyed, and the force pushed forward to Callohan station, on the Fernandina Railroad, and destroyed two cars, a telegraph office, and other public property. A few days afterward, the same force with others embarked on transports at Jacksonville, and moved to Whitesville, a point on the south fork of Black Creek. Here a skirmish ensued with a body of the enemy, who disputed their passage, but were driven off and disappeared. At the same time another small body marched to the south fork of the St. Mary's River, and cut the trestlework, and destroyed a bridge about twelve miles in the rear of Baldwin. Subsequently a force from Jacksonville occupied Baldwin and Camp Milton, a point beyond which other movements of a similar character were made with some loss of life on both sides, but without any important military result.

On May 18th a convention was called by

persons in Jacksonville, on the ground "that Florida was still a State of the Union, and had a right to a voice in the great councils of the people," to appoint delegates to the Presidential Convention at Baltimore, on June 7th. The convention assembled on the 24th, and appointed as delegates: Buckingham Smith, of St. Augustine; John W. Price, of Jacksonville; C. L. Robinson, of Fernandina; John S. Sammis, of Jacksonville; Philip Frazer, of St. Augustine; Paran Moody, of Jacksonville.

The affairs of the State, as a member of the Confederacy, presented nothing of unusual importance during the year.

FLUSSER, CHARLES W., a lieutenant-commander in the United States navy, born in Maryland about 1832, killed near Plymouth, North Carolina, in a naval engagement, April 18th, 1864. Commander Flusser belonged to one of the oldest and best families in Maryland, but during his childhood his parents removed to Kentucky, from which State he was appointed a midshipman in the navy, July 19, 1847. His first cruise was made in the *Cumberland*. In 1849 he was sent to the *Raritan*, 40 guns, where he remained until the latter part of 1850. In 1851 he was ordered to the *Saratoga*, sloop-of-war, and in her made a cruise which lasted two years. In 1853 he was at the Naval Academy at Annapolis, preparatory to passing as passed midshipman. His warrant to that grade bore date of June 10, 1853.

At the close of the examination, after a brief recreation, he was ordered to the frigate *Savannah*, where he remained during the entire cruise, which ended on the 26th of November, 1856. During the cruise he was promoted to a lieutenancy, his commission bearing date September 16, 1855. In 1857 he was granted a leave of absence. Toward the close of the year, however, he was ordered to the Naval Academy as an assistant professor. He remained in that position until ordered to the brig *Dolphin*, in 1859. He made a cruise in her, returning late in 1860. He then was granted a leave of absence, in which position he was when the war broke out. He applied for active duty at once, when it was seen that war must ensue, and the Navy Department assigned him to the command of the purchased gunboat *Commodore Perry*, and with this vessel he took part in the naval attack by *Commodore Goldsborough* which preceded the capture of Roanoke Island on the 7th of February, 1862, by General Burnside.

On the 3d of October, 1862, he took part in the shelling of Franklin, Virginia. More recently he has been in command of the gunboat *Commodore Perry*, in the North Atlantic Blockading Squadron, being stationed in North Carolina waters. At the time of his death he was in command of the *Miami*, in Albemarle Sound.

He was a skilful and intelligent sailor, a thorough and gallant officer, and a genial, accomplished, and high-toned gentleman. In

habits he furnished an example of temperance and moderation.

He had been urgently besought by his Maryland friends, many of whom were secessionists, as well as by Commander Hollins, and other Southern officers, to join the South, and was offered a high command; but he refused firmly and indignantly, and threw his whole soul into the cause of the Union.

FORTIFICATIONS. The principles involved in the construction of masonry forts, and the immense expenditure required for their erection and arming, are very fully and satisfactorily treated in the *NEW AMERICAN CYCLOPEDIA*, vol. vii., p. 612, article FORTIFICATION. That article, which was exhaustive on the subject so far as military experience then extended, the readers of the *ANNUAL CYCLOPEDIA* may consult with advantage. But the war now existing has to a great degree revolutionized the whole science of offensive and defensive warfare, and in no department more completely than in the matter of fortifications. The newly-developed powers of modern artillery, both as respects the greatly enlarged calibres of siege and naval guns, and the application of the principle of rifling to guns of the largest calibres have proved destructive to masonry forts, even when so constructed as to be regarded as impregnable. Fort Sumter, one of the strongest forts of its class ever erected on this continent, and Fort Morgan in Mobile Bay, also a work of great strength, were both completely reduced by artillery fire, the one from land batteries at a distance of from two to three miles, and the other by the concentrated fire of the naval squadron of Admiral Farragut. In the case of Fort Sumter this result was the more remarkable as after its capture in 1861 it was strengthened by all the resources known to engineering art, and its gorge wall, which previously was more than ten feet in thickness, was protected by an inner brick wall of twelve feet, and for a considerable portion of its height by a covering of sandbags on its outside. All its casemates were also strengthened, the traverses on its terre-plain enlarged, and every precaution possible made use of to make it impregnable. Yet seven days' bombardment at the long distances named, were sufficient to reduce it to a ruin incapable of bearing any important part in the defence of the city or harbor. On the other hand, the sandwork Fort McAllister effectually resisted the assault of the three iron-clads in March, 1863, and the sandwork Fort Wagner, though badly located, and not judiciously defended, yet resisted two vigorous and well-conducted assaults, a severe and almost continuous bombardment from Admiral Dahlgren's squadron and a constant cannonade from heavy batteries on Morris Island, and was only abandoned when approached and mined by a regular siege, and was found to be but little injured. Fort Fisher, a more recent example of an earthwork of great strength, though situated too near the channel so as to be exposed to the fire of the monster guns of the Monitors at short

range, yet withstood with but slight injury the first assault of the squadron, which concentrated upon it a fire of 539 guns; and though it might have been silenced by the fire of the fleet at the second bombardment, would hardly have been captured but for the feint of a seaward attack, which called off the attention of the garrison from the actual assault by Terry's force.

From these and other trials of the comparative powers of resistance of masonry and earthwork fortifications, the ablest engineers of the country have come to the conclusion that the best material for fortifications in general is a pure quartz sand with natural slopes; and that where the batteries of fortifications are much exposed or can be approached within short range, they should be protected by heavy iron plating.

Major-General Gillmore, who ranks as one of the highest authorities on this subject, regards the erection of revolving iron turrets in the centre of the channels of approach to large cities as a very desirable addition to their means of harbor defence, as combining the advantages of long range and wide field of fire.

While there has been so marked a revolution in the minds of military men in regard to the subject of permanent fortifications, a change almost as marked has taken place in regard to the method of giving or receiving battle. Heretofore, when two armies have been opposed to each other in the field, and neither of them disposed to take advantage of the defences of a fortified town, they have met each other on the open plain or slope of hillside or valley without fortification, and the fortunes of the day have often been decided by a dashing charge of cavalry or the sudden assault of infantry with the bayonet. Such was the case in the earlier battles of the present war; but the troops on both sides have learned that a barricade even of the rudest character will stop many of the balls, shot, and shell which are sent on an errand of destruction toward them, and at every halt for the night or for a few hours the men, before attending to any other duty, run up barricades of rails which they cover with earth, and thus protect themselves in part from a sweeping assault like those at Shiloh and at Stone River, which would destroy or capture thousands. The primary barricade is thrown up with wonderful rapidity, and is tolerably complete within five or ten minutes. If not immediately assaulted, the men proceed to perfect it by digging a trench inside and throwing the earth outside, thus making the protection greater; by felling the trees and undergrowth in front and arranging it as an abatis; by palisades and wire entanglements, and by placing heavy logs on the top of the barricades for protection to the sharpshooters. During General Sherman's campaigns from Chattanooga to Atlanta, and from that city to Savannah, as well as in General Grant's campaigns in Virginia, these temporary fortifications were constantly erected; and in General Sherman's report of the Atlanta campaign he says of this practice: "The skill and

rapidity with which our men construct them is wonderful, and is something new in the art of war."

Though but remotely connected with the subject of fortifications, yet as pertaining to the matter of coast defences, the introduction of stationary torpedoes as a subaqueous protection merits attention. In no previous war have they been used to the same extent as in this. Various forms have been devised, and the contrivances for exploding them at the right moment for destroying the vessels which approached them, have displayed a rare ingenuity. Though considerable injury has been done by them, five or six vessels having been destroyed, yet they cannot, on the whole, be regarded as successful, as not one in five hundred, and perhaps hardly one in one thousand, have accomplished the purpose for which they were designed. Their use as a means of harbor defence seems to be conceded as justifiable by all military authorities; and if they can be made more certainly effective, they will form a very formidable addition to the means of protection to the approaches to large cities.

FOSTER, STEPHEN C., an American songwriter and musical composer, born in Pittsburgh, Pennsylvania, July 4th, 1826, died in New York City, January 13th, 1864. When seven years of age he exhibited musical precocity enough to learn to play the flageolet well without instruction, and as he grew older he mastered most of the other musical instruments, but never sought or attained renown as a performer. He had studied music very thoroughly, and was familiar with the works of Mozart, Beethoven, and Weber. He was also a proficient in French and German, painted well, and, though a man of extreme modesty and a retiring disposition, possessed extensive and general intellectual culture. His taste in the composition of music was for simple, sweet, and unpretending melodies, and his earlier songs and airs were mostly for the negro minstrels, then so popular in this country.

George Willig, the Baltimore music publisher, published his first song in 1842. It was called "Open thy Lattice, Love," and was followed by "Old Uncle Ned" and "Oh! Susanna," which were issued by Peters of Cincinnati. Then appeared "Louisiana Belle," "Nelly was a Lady," "Camptown Races," "My Old Kentucky Home," "Massa's in the Cold, Cold Ground," "Nelly Bly," "Oh, Boys, Carry Me 'Long," "Old Folks at Home," and others. With these Foster established his reputation as a writer of negro minstrelsy, and at the same time made considerable money, his New York publishers, Firth, Pond & Co., paying him over \$15,000 on "Old Folks at Home" alone—the most profitable piece of music ever published in this country. E. P. Christy paid Foster five hundred dollars for the privilege of having his name printed on one edition of this song.

During the past ten years Foster's compositions were of a more sentimental and refined character. He dropped the burlesque negro

words, and wrote and composed such pieces as "Willie, we have Missed You," "Ellen Bayne," "Maggie by my Side," "Come where my Love lies Dreaming," "Little Ella," "Jennie with the Light Brown Hair," "Willie, my Brave," "Farewell, my Lillie Dear," "Oh, Comrades, fill no Glass for Me," "Old Dog Tray," "Mollie, do You love Me?" "Summer Breath," "Ah! may the Red Rose live Alway," "Come with Thy sweet Voice again," "I see Her still in my Dreams," "Suffer little Children to come unto Me," "Ella is an Angel," "I will be true to Thee," and over a hundred others.

His ballads have been translated into most of the European and some of the Asiatic languages, and published with his music. His later works exhibit greater grace and tenderness than the earlier ones, and in these particulars he continued to improve until the close of his life. His best compositions have been collected in a volume since his death.

FOX, WILLIAM JOHNSON, an English preacher, author and politician, born in Wrentham, Suffolk, in 1786, died June 3, 1864. He was the son of a Norwich weaver, and being designed for a dissenting minister, was educated in the Homerton Independent College at London, an institution under the direction of the Orthodox Nonconformists. He soon broke loose from this connection, however, and became a Unitarian of a somewhat advanced type, passing rapidly "from Orthodox dissent through the various stages of a kindly and philanthropic but external Unitarianism, to the position of a deistical heresiarch, who preached more on politics than either on ethics or the religion called natural." For a number of years he preached in a chapel at Finsbury, London, where his remarkable eloquence and the unique character of the services drew large congregations; but finding politics and journalism a more congenial field of employment he gradually withdrew from the ministry, and became connected with various periodicals. For several years he edited the "Monthly Repository," and he was one of the chief writers for the "Weekly Dispatch," while that paper was at the height of its reputation and influence. He was connected with the "Westminster Review" from its foundation, having written the first article for the first number, and was also a regular contributor to the "Retrospective Review," and other periodicals. His pen was uniformly employed in behalf of the extreme liberal party, and as a speaker before popular bodies he was inferior to no political agitator of his day. His eloquence was of the rhetorical order, nervous and cultivated, abounding in fine phrases and humorous illusions, nicely adjusted to the comprehension of his hearers, and characterized by telling hits. These qualities commended him to the Anti-Corn Law League as an opponent of the protective system. He entered heartily into the cause, addressed meetings in all parts of the kingdom, and contributed powerfully to the success of the movement. The reputation he

thus acquired carried him into Parliament in the general election of 1847, as member for Oldham, formerly represented by William Cobbett. He was returned again for the same borough in 1852 and 1857, and held his seat until 1862, when failing health, combined with impaired eyesight, amounting almost to blindness, impelled him to resign. He spoke on comparatively few occasions in Parliament, his peculiar style of eloquence being less suited to a deliberative body than to a miscellaneous audience, and during the latter part of his legislative career he lapsed into almost complete silence, his spirit seeming to become singularly softened and cleared by old age. He was a man of fine literary tastes, possessed no mean acquaintance with old English authors and the ancient classics, and throughout his life was thoroughly honest and earnest, being described as one "who loved the people without feeling any passion for the aristocracy, though he made them food for his rhetoric." His publications, apart from his numerous contributions to the periodicals, comprise, "Letters of a Norwich Weaver-Boy," "Lectures to the Working Classes," a philosophical work on "Religious Ideas," &c., &c.

FRANCE, an empire in Europe. Emperor, Napoleon III., Louis Napoleon, born April 20th, 1808, the third son of Louis Napoleon, formerly King of Holland, and of Queen Hortense; elected President of the French Republic for four years by 5,562,834 votes; November 10th, 1848, dissolved the National Assembly by a *coup d'état*, December 2d, 1851; elected President of the Republic for ten years by 7,439,216 votes, December 20-21, 1851; chosen hereditary emperor by a "plébiscite" of 7,864,189 votes against 231,145 votes, November 21st, 22d, 1852; accepted the imperial dignity and assumed the title of Napoleon III., Emperor of the French, December 1st, 1852. Son: Napoleon Eugene Louis John Joseph, born March 16th, 1856.

According to a decree of the Senate of Nov. 7th, 1852, the imperial dignity is hereditary in the male and legitimate line of descendants of the present emperor, in the order of primogeniture. Napoleon III. also reserved the right, in case he should leave no male children, to nominate as his successor a member of the family of Napoleon I., and he accordingly nominated his uncle Jerome, ex-king of Westphalia, and his male descendants, from his marriage with Catherine, Princess of Wurtemberg. The same right of nominating a successor does not, however, belong to any of the successors of Louis Napoleon. If this imperial line should become extinct, the members of the council of state, together with the presidents of the senate and the legislative chamber will elect an emperor, whose election must be ratified by the popular vote.

The present French constitution bears date of January 14th, 1852, and has subsequently been modified by Senate decrees of November 7th, 1852, February 2d, 1861, and December

31st, 1861, by an imperial decree of December 2d, 1852, and an "organic decree" of December 18th, 1852. According to the statutes there are five divisions in the state government: the Emperor, the Ministers, a Council of State, a Senate, a Legislative Body. The ministers, the members of the council of state and of the senate, are all nominated solely by the emperor. The cardinals, marshals and admirals of the empire belong, by right of their dignity, to the senate, whose total membership shall not exceed 150. The senate alone has the right to receive petitions, and no act of the legislative body is valid without the approval of the senate. The members of the legislative body are elected by general suffrage, at the rate of one member to every 35,000 electors. The legislative body, which was chosen in 1863, contains 383 members, of whom 35 belong to the opposition party, while all the other members were the official candidates of government. France is at present divided into 89 departments, with 373 arrondissements, 2,938 cantons, and 37,510 communes. The area amountsto 207,232 English square miles. The total population of France amounted, in 1861, to 37,382, 225 souls.

According to a Belgian paper, *La Discussion*, the following languages are spoken in France, besides the French: German, by 1,160,000; Breton, by 1,070,000; Provençal, by 14,000,000; Italian, by 200,000; Catalanian, by 100,000; Flemish, by 200,000; Basque, by 160,000 persons. The area and population of the French colonies, in 1864, was as follows:

PROVINCES.	Hectares.*	Population.
I. Asia:		
India, Pondichery, Karrikal. Yanaon, Mahe, Chandernagor....	48,962	220,078
Lower Cochín China; The Provinces Bien-Hoa, Giadinh, Mytho.....	2,000,000	1,500,000
Total in Asia.....	2,048,962	1,720,478
II. Africa:		
Senegal, Gorce, and dependencies.....	25,000,000	272,800
Establishments on the Gold Coast.....	?	?
Gaboon.....	?	?
The Island of Reunion.....	213,550	183,471
Islands of Ste. Marie and Nos-sibe.....	113,975	16,570
Island of Mayotte.....	30,000	6,000
Islands of Paul and Amsterdam.....	?	?
Adulis.....	?	?
Obook.....	?	?
Total in Africa.	25,357,525	478,841
III. America:		
Martinique.....	98,782	135,991
Guadeloupe and dependencies..	108,590	138,069
Guyana.....	18,000,000	25,687
St. Pierre and Miquelon.....	21,023	2,011
Total in America.....	18,228,395	302,058
Oceanica:		
Archipelago of Marquesas Islands.....	130,000	12,000
New Caledonia and Pine Islands	2,000,000	50,000
Loyalty Islands.....	?	15,000
Total in Oceanica.....	2,130,000	77,000
Total of French Colonies	47,764,882	2,578,877

* 100 hectares = 1 geographical square mile.

Under the protectorate of France are the following countries:

COUNTRIES.	Hectares.	Population.
Asia: The kingdom of Cambodia.	?	1,000,000
Africa: Porto Novo (Gold Coast).	?	20,000
Oceanica: Society Islands.....	150,000	9,000
The Islands of Pomatu, Wallis, Gambier, Troubonai.....	200,000	18,460
Total.....	350,000	1,047,460

The budget for 1865, as voted by the senate and the legislative body, was as follows:

	Expenses.	Receipts.	Deficit.
	<i>fr.</i>	<i>fr.</i>	<i>fr.</i>
Ordinary Budget....	1,980,415,618	1,981,529,097	....
Extraordinary Budget.....	118,852,000	108,015,236	....
	2,099,267,618	2,089,544,333	9,723,285

The Emperor has five times raised loans from the population at large. The loans thus created are specified in the following statement:

	Nominal Capital.	Capital Subscribed for.	Number of Subscribers.
First Loan, March 14th, 1854, (Crimean war).....	2,250,000	486,315,400	99,224
Second Loan, Jan. 3d, 1855 (Crimean war).....	500,000,000	2,198,356,170	180,460
Third Loan, July 18th, 1855 (Crimean war).....	750,000,000	3,652,724,125	316,976
Fourth Loan, May 7th, 1859 (Italian war).....	500,000,000	2,509,639,193	690,230
Fifth Loan (Jan. 12th, 1864 (Consolidation of the floating debt)-....	300,000,000	4,847,000,000	542,061

The public debt of France, was, on January 1st, 1864, as follows:

Funded debt.....	9,719,000,000
Floating debt.....	1,250,000,000
Ancient special debts and annuities.....	50,000,000
Obligations, treaties, etc.	150,000,000
Life rents and pensions, representing a capital of.....	733,000,000

Total..... 11,902,000,000

According to the budget of the minister of war, for 1865, the army was composed as follows:

	Peace footing.		War footing.	
	Men.	Horses.	Men.	Horses.
Staff.....	1,773	160	1,841	200
Infantry.....	252,652	324	515,937	450
Cavalry.....	62,798	48,143	100,221	65,000
Artillery.....	39,882	16,646	66,132	49,838
Engineers.....	7,486	884	15,443	1,400
Gendarmes.....	24,535	14,769	25,688	15,000
Troops of the Administration.....	15,066	5,442	33,365	12,000

The navy, on January 1st, 1864, was, according to the Gotha Almanac for 1865, as follows:

VESSELS.	Number.	Guns.	Horse-power.
Iron-clad screw steamers (built or building).....	46	1,068	22,685
Screw steamers, not iron-clad.	239	4,912	64,583
Side-wheel steamers.....	95	508	18,915
Sailing vessels.....	104	2,162	....

According to P. Barry (the Dockyards, Ship-yards, and Marine of France, London, 1864), France possessed in the summer of 1864, the following iron-clad men-of-war, either afloat or about to be launched:

IRON CLADS.	Guns.	Horse-Power.	IRON CLADS.	Guns.	Horse-Power.
Magenta	52	1,000	Jaureau (cupo-		
Solferino.....	52	1,000	la).....	..	500
Couronne	40	900	Tonnante	13	225
Normandie	36	900	Devastation....	16	225
Invincible	36	900	Lave.....	16	225
Gloire.....	36	900	Foudroyante ..	16	225
Provence.....	36	900	Congreve.....	16	225
Heroine	36	900	Saigon	14	300
Savoie	36	900	Palestro.....	14	300
Revanche	36	900	Peiho.....	14	300
Surveillante....	36	900	Paixhans	14	300
Flandre	36	900	Prospective ..	4	150
Guienne.....	36	900	Impregnable ..	4	150
Gauloise	36	000	Embuscade....	4	150
Valoreuse	36	900	Refuge	4	150
Magnanime.....	36	900	Arrogante	4	150
Jaureau (cupo-			Implacable....	4	150
la) .....	..	500	Opiniâtre.....	4	150

The general and special commerce of France with the countries of America, during the year 1862 was as follows (value expressed in millions of francs):

COUNTRIES.	Importations.		Exportations.	
	General Commerce	Special Commerce	General Commerce	Special Commerce
United States.....	92.5	96.2	121.3	99.9
Mexico.....	3.9	3.6	20.5	16.1
Guatemala.....	0.7	0.7	0.4	0.4
Haiti.....	28.0	21.1	12.1	9.1
Brazil.....	89.6	45.5	92.2	63.1
Argentine Republic....	63.8	31.5	33.7	26.7
Uruguay	27.7	24.6	19.2	14.8
Chili.....	9.2	8.5	24.6	18.5
Peru.....	16.4	22.1	36.3	23.3
Bolivia.....	....	....	0.5	0.5
Ecuador	1.4	0.6	1.1	0.7
New Granada	1.1	1.0	2.3	2.
Venezuela.....	9.3	6.4	4.7	3.9

The commerce with some of the leading countries of Europe was as follows:

Russia.....	94.8	92.9	43.3	31.5
German Zollverein	220.8	129.7	232.7	209.8
Great Britain.....	056.1	521.7	834.0	619.5
Belgium	321.3	259.3	229.9	206.4
Switzerland	238.8	58.6	295.0	187.8
Italy	226.4	191.8	274.6	175.3
Turkey	177.2	139.4	82.6	50.0

The total commerce of France, during the year 1862, was (value expressed in millions of francs):

Importations.—General Commerce.....	2,899.2
“ Special Commerce.....	2,198.6
Total Importations.....	5,949.1
Exportations.—General Commerce.....	3,049.9
“ Special Commerce.....	2,242.7
Total Exportations.....	4,441.3

The movements of shipping during 1863, were as follows:

VESSELS.	ENTERED.		CLEARED.	
	Ships.	Tonnage.	Ships.	Tonnage.
French	13,479	1,963,944	13,706	1,992,456
Foreign.....	18,367	2,779,482	18,571	2,853,575
Total.....	31,846	4,743,426	32,277	4,846,031

The merchant navy, on December 31st, 1826, consisted of

	Ships.	Tonnage.
Sailing vessels.....	14,794	903,570
Steamers.....	338	78,981
Coasting vessels.....	8,242	61,933
Total.....	23,374	1,044,484

The session of the Corps Législatif, which was opened in Nov., 1863, continued until May 28, 1864. The opposition, though small, embraced the first talents of France, and the masterly addresses by Jules Favre, Jules Simon, Thiers, Berryer, Emile Olivier, and many others, produced an immense sensation at home as well as abroad. They offered a series of amendments to the draft of an address to the emperor, in which they embodied the most important demands of the liberal party. Though unable to influence the votes of the majority of the Corps Législatif, they greatly improved the prospects of their party. The address, as finally adopted by the Corps Législatif, states that the people are profoundly attached to Imperial institutions, and applauds the resolution of the emperor to anticipate public opinion in the path of industrial and commercial liberty. It expresses a wish that the public works should not be diminished, and that interior reforms should be developed. The address then says that the Corps Législatif believes with the emperor that the most wisely governed nations cannot always escape foreign complications, and that they should regard them without illusion as without weakness. The document then proceeds:

“The distant expeditions to China, Cochin China, and Mexico, have greatly disturbed the public mind of France on account of the obligations and sacrifices they entail. We acknowledge that these expeditions must inspire respect for our countrymen and for the French flag, and that they may also develop our mercantile commerce, but we should be happy to see realized shortly the good results for which your Majesty has led us to hope.” On the Polish question the address says:—“The recollections of our history and the feelings of humanity which animate us excite the most earnest sympathies for Poland, and we have seen with grief the failure of the combined efforts of three great powers; neither can we, however, disregard that the sincere and cordial support of Russia has been useful to France on important occasions. We hope that the spirit of conciliation which animates the two sovereigns will succeed in removing all that can create any obstacle to the satisfactory relations between the two powers, and have therefore accepted with profound satisfaction the idea of a European Congress, which will be a lasting honor to your reign. France, on whom you have bestowed splendor and glory, is grateful to you for not having committed her treasures and the blood of her children in causes in which her honor and interests are not at stake. Leave without regret, Sir, the few unjust prejudices against accepting your loyal and pacific propositions. Noble and sound ideas make way in the world, and take root in the heart of the peoples. Await calmly the effect of your generous words. France, homogeneous, compact, strong, and confident in you, fears no aggression, and now has no other ambition than to assure her repose and develop her material welfare by labor and peace, and her moral welfare by the sincere and gradual practice of civil and political liberties.”

The address was presented to the emperor on Feb. 1. The emperor, in reply, said, that the debates upon the confirmation of the members' elections and on the address had been long and profound, and though they had taken nearly three months from the legislative business of the House, they had not been useless. To an impartial mind the result had been to annihilate the accusations which had been skilfully spread. The Emperor then continued:

"The policy of the Government is better appreciated. We have a more compact majority, and one more devoted to our institutions. These are great advantages. After the fruitless efforts of so many forms of government, the first want of the country is stability. Nothing durable can be founded on an ever-shifting base without consistence. For sixty years liberty has become an army in the hands of parties to overthrow the existing Government; thence have resulted incessant fluctuations—power succumbing to liberty, and liberty succumbing to anarchy. This must no longer exist. The example of recent years proves the possibility of conciliating what has long appeared irreconcilable. Really fecund progress is the fruit of experience. Its advance will not be hastened by systematic and unjust attacks, but by the intimate union of government with a majority inspired by patriotism and unseduced by vain popularity. Let us await, from agreement and from time, such ameliorations as are possible. Do not let a delusive hope of chimerical future unceasingly compromise the present good which we have at heart to consolidate together. Let us each remain in our right sphere. You, gentlemen, enlightening and controlling the progress of the Government, I taking the initiative in all that may promote the greatness and prosperity of France."

The session of the Corps Législatif was closed on May 28, by its President, the Duke de Morny, who, in his closing speech, alluded to the conciliatory part he acted, and invited all parties to observe conciliation one toward another.

In January, 1864, a great excitement was produced by the discovery of a conspiracy against the emperor's life. The police arrested on Jan. 7th, four Italians,—Greco, Imperatori, Trabuco, and Scaglioni. At their residences were found a great quantity of English gunpowder, four poignards, four revolvers, four air-guns of a new and ingenious construction, phosphorus, percussion caps, fuses several metres in length, and eight hand-grenades, made on the Orsini pattern. They had entered France at Mulhouse, whence they were followed by the police to Paris. One of the prisoners, Greco, with a readiness which created a general distrust, avowed an intention to assassinate, and confessed all the details of the plot. According to his statements, he and his accomplices had, in September, 1863, been summoned to Lugano by Mazzini, with whom they had been for some time in correspondence. It was then and there arranged that they should proceed to Paris to assassinate the emperor. Mazzini gave them four shells, which he had received or brought from England; four shells of a similar description which he had caused to be made at Genoa, four revolvers, and four poignards. On leaving Lugano, Mazzini gave him 4,000 fr., telling him he was going to London, to await the result of the attempt, and then

send him more money. Mazzini was consequently included in the indictment, though he emphatically denied all the statements of Greco. Judgment on the conspirators was passed on February 26th. Greco and Trabuco were condemned to transportation for life, and Imperatori and Scaglioni to twenty years' imprisonment.

Supplementary elections for the Corps Législatif took place in two districts of Paris, and in several provincial districts, in the month of March. At most of the elections the Opposition was successful. It gained, in particular, a signal victory in Paris, where its candidates were two members of the provisional government of the French Republic in 1848, Carnot and Garnier Pages. Carnot received 9,938 votes against the government nominee, Pinard, for whom only 3,378 persons voted. Garnier Pages had 11,721 votes recorded in his favor, while Levi, one of the Paris maires put forward to oppose him, only received 4,641. At Cambrai, Stievant, the Opposition candidate, obtained 16,159 votes, and Boitele, the government candidate, 13,425 votes. In July, elections for the renewal of the Councils-General were held, with a result similar to that of the general election in 1863. In a number of large cities, the opposition elected their candidates, and in some places, as Marseilles, the government even desisted from recommending official candidates; but on the whole, the government gained the official candidates in an overwhelming number of districts. At the opening of the Councils-General several of the ministers who had been appointed by the emperor presidents of the councils, delivered speeches in which they promised the introduction of liberal reforms. Mr. Rouher intimated that a new law would be promulgated affecting the Councils-General, which would have a largely decentralizing character. It would also be very liberal, and confer upon the Councils-General the most entire authority over departmental affairs, restraining their subordination to the State solely to the subjects affecting general interests, the unity of the territory or the right of political sovereignty. The speech of Mr. Rouland, at Rouen, expressed the same views. At St. Etienne, the Duke de Persigny, who presided over the Council-General for the Department de la Loire, gave a complete review of the theory of the imperial constitution. He called Louis Napoleon "the founder of liberty in France." The form of liberty he contended varied with every free people. "The present physiognomy of liberty, properly so called," said M. de Persigny, "may be recognized by the striking signs of the solidity and duration of government, which it founds, and above all by the passion it inspires for great things." M. de Persigny then demonstrated that the institutions of England are not suitable for France, "it not being possible, he continued, "for authority or liberty to remain in the hands of one class, as in England. Instead of subordinating one class to another,

it was natural to render them independent, and this is the fundamental principle of our institutions." The speaker further said, "In order that the liberty of the press may be a benefit, it is necessary, in a country newly constituted, that a new, vigorous, and independent political generation should arise to replace the minds enervated by revolutions." At Marseilles, M. Behic, minister of agriculture, commerce, and public works, announced that the time approached when custom-dues will be assessed, with a view to the financial interests of the country only. He also stated that the completion of the whole system of railways in France would be hastened. He likewise promised the establishment of a new code of commercial legislation, an extension of the right of association, and an organization for professional tuition. The hopes raised by these promises were, however, not fulfilled. The laws prohibiting more than twenty persons to assemble without previous permission, and those concerning the press were enforced with the usual rigor. The applications made for the authority to establish new papers were almost always denied to men known to belong to the Opposition. The Government also made an effort to undersell the independent papers, by the establishment of a cheap evening edition of the *Moniteur*.

Important reforms have been carried through in the postal department. The *Moniteur* states that in 1847, a few months before the postal reform of that period, the number of letters which passed through the French post-office was 126,000,000 a year. It is now nearly 300,000,000. In 1847 the receipts of the post-office were 53,287,190 fr. In 1863 they exceeded 72,000,000 fr. Hereafter all France will be divided into six districts, with a resident inspector in each, whose duty it will be to see that the postal service in his department is properly performed, and to take measures for ensuring the most rapid transmission of correspondence by railway and other conveyances. The *Moniteur*, in conclusion, says that it is a decentralizing measure, by which the improvement suggested by experience may be introduced without previous arrangement with the central administration.

The *Journal des Débats*, referring to an official blue-book lately published, with an account of the commercial transactions of France in 1863, congratulates the country on its rapid tendency, during the last three years, to approach the greatness of the commerce of Great Britain. The amount of England's commercial transactions in 1862 was stated at 9,500,000,000 of francs, while in 1863 that of France was 6,763,000,000. The difference is still about a third to the disadvantage of France, but ten years back it was more than one half. Compared with the preceding year, the increase in France during the year 1863, amounts to 814,000,000, and during the last five years the augmentation amounts to 1,236,000,000. The

commercial relations with the ports of Asia have made but little, and those with the French colonies hardly any progress. The greatest improvement has been in the commerce with England. Two years before the reforms the general commerce of France with the United Kingdom (of Europe) kept at the average of 1,000,000,000. The following is the progress it has since attained: in 1860, 1,261,000,000; 1861, 1,175,000,000; 1862, 1,490,000,000; and 1863, 1,752,000,000.

The most important events in the foreign relations of France during the year 1864 were the Convention of April 10th, which founded the throne of Mexico, and that of September 15th, by which France agreed to withdraw within two years her troops from Rome, while Italy, in return, took the solemn engagement not to attack it, and even to defend it against all aggression from without. (*See MEXICO and ITALY.*) The relations of France to the United States during the year 1864 were thus reviewed in the "Yellow Book" (volume of diplomatic correspondence), which was laid before the Corps Législatif in February, 1865: "War still continues in the United States, and the indomitable resolution of the two belligerents does not permit us now, any more than a year ago, to see the end of this bloody and disastrous struggle. The Government of the Emperor has not departed from those principles of strict neutrality which it has laid down as the rule of its conduct since the commencement of the war. Decided, so long as circumstances were not more favorable, not to renew our efforts to open a way to an understanding, we have remained inactive but not indifferent spectators of a conflict in which so much ruin is accumulated. We have thought it our duty to turn our attention solely to the condition of our French subjects, as worthy of our interest. Owing to the peculiar situation of the Confederate States of the South, with which we do not keep up official relations, we can often do nothing but register the claims of French subjects in those States, reserving to ourselves the right of enforcing them at some fitting opportunity. We have, at the same time, neglected no means to bring the Federal Government to admit that it ought, in strict equity, to distinguish between those damages suffered by our countrymen, resulting from military operations, and those which the authorities, by irregular and forced requisitions, have gratuitously inflicted upon them: and we have insisted that proper reparation should be granted for the latter injuries. We wish we could add that our efforts had obtained the result we were entitled to expect."

On April 8th, 1864, an insurrection broke out in the province of Oran, in Western Algeria, among the tribes of Ouled-Sidi-Sheikh, Fraras, Flittas, and others. The chief cause of it was said to be an old prediction that the year 1864 would be a momentous one for the Arabs—the date of the recovery of their inde-

pendence. The leader of the revolt was the great Marabout Si-Seliman-Ben-Hamza. The French believed at first that it would be checked at once, and that Si-Seliman would return to his allegiance. He had been invested with one of the highest dignities in Algeria, that of Bach-Agha; for in the hierarchy of the Arab chiefs, which counts six hundred and fifty-six Caid's and thirty-four Aghas, there are but nine Caliphats and eight Bach-Aghas. Two months after being raised to that rank, Si-Seliman, who had retired for some time to the desert, returned toward the north, followed by large numbers, and by easy marches advanced on Geryville. These movements left no doubt as to his intentions. The French sent reinforcements to Geryville; a column consisting of one hundred infantry, a body of Turcos, and soldiers of the Battalion of Africa, one hundred spahis, and a large force of regular cavalry, set out from Tiaret. Colonel Beauprêtre, commandant of the circle of Tiaret, left with the column for Geryville, with the object of maintaining tranquillity in the country he was to pass through, and punishing the emissaries of the rebel leaders, who were doing their best to raise the country. On the evening of April 7 he encamped about ten leagues from Geryville. At four o'clock in the morning of April 8th, the cry "to arms!" was heard close to his tent. He found that some of the irregular cavalry had gone over to the insurgents, and that he was furiously attacked on all sides. The chief of the insurgents was shot dead by the colonel, but, after a desperate fight, lasting seven hours, the French troops were overpowered. The colonel was cut in pieces; of the foot soldiers not one was left alive; only one of the spahis, about half a squadron, escaped and reached Geryville. The number of insurgents rapidly increased, and soon amounted to from 12,000 to 15,000 men. The French troops, however, reinforced by some 10,000 men, and numbering altogether some 54,000 men, defeated the natives in almost every engagement. On June 5th the Marabout Si-El-Azerey, was killed at the battle of Dar-Ben-Abdallah, where, supported by numerous insurgent tribes, he attacked the camp of Gen. Rose. His death was followed by dissension among the insurgents, and some tribes, as the Flottas with their chief, the Marabout Abd-el-Aziz, made their submission. For some time it was thought that the insurrection was nearly over, and on July 23d, a report of the minister of war, followed by an imperial decree, was published, modifying the administration of Algeria. The report says, the insurrection was not only caused by fanaticism, but still more by an unfounded hope of surprising the vigilance of the authorities, who were believed to have been disarmed because divided in their action. The report therefore proposes to increase the power and responsibility of the generals commanding divisions, making the prefects subordinate to them, and entrusting them with the administra-

tion of the natives established beyond the limits of the communal districts. Soon, however, the insurrection began again to spread, and although the natives were unable to gain any lasting advantages over the French, and most of the tribes were compelled to submit, the insurrection had at the end of the year not yet altogether ceased.

The *Moniteur* denies that the French Government has ever had the least thought of restricting French domination in Cochin China. On the contrary, every act of the Governor, Rear-Admiral de la Grandière, bears witness to the intention of maintaining authority and extending its influence. The treaty of protectorate concluded in 1863 by Rear-Admiral de la Grandière with the king of Cambodia, who applied to France for protection against the King of Siam, when the latter threatened to annex his territory, has been ratified by the French Government. It was reported, at the close of the year 1864, that another sovereign of Farther India, the King of Laos, had applied for a French protectorate.

FRANCIS, Hon. JOHN BROWN, was born in Philadelphia, during the temporary residence of his parents in that city, May 31, 1791, died at Spring Green, in Warwick, R. I., August 9, 1864. His father, who belonged to Philadelphia, died in his infancy, and he was reared mainly under the care of his maternal grandfather, John Brown, of Providence, R. I., one of the "Four Brothers" of that name, whose liberal enterprise laid the foundations of the commercial prosperity of that city. He was prepared for college in the schools of Providence, entered Brown University in 1804, where he graduated in the class of 1808. He spent a year in the counting-house of his kinsmen, Messrs. Brown and Ives, of Providence, in order to acquire a mercantile education, subsequently attended the Law School at Litchfield, Conn.,—though rather for the purpose of intellectual culture than with any intention of professional practice. In 1821, he went to live at Spring Green, a family estate on the shores of Narragansett Bay, a few miles from Providence, and here he passed his life engaged in agricultural pursuits, and in a long series of public services. In the same year he commenced his political career as a representative in the State Legislature, from the town of Warwick; and was annually chosen till 1829, when he resigned his seat. In 1831, he was a member of the Rhode Island Senate; and in the spring of 1832, he was elected Governor of that State by a coalition of the Anti-masons and the Democrats. Up to this time he had been a Federalist and a National Republican. Henceforward he was known as a Democrat. He was reelected Governor every year till 1838, when the State fell into the hands of the opposite party. In the free-suffrage troubles of 1842, he again appeared in the State Senate as a member of the "Law and Order" party, and in 1844 he was chosen by the Legislature of Rhode Island to fill the vacancy in the United States Senate

occasioned by the resignation of the late Hon. William Sprague. He held a seat in that body during the remainder of the long session then pending, and the whole of the short session of the succeeding winter, his time expiring March 4, 1845. He was subsequently, for eight or nine years, a Senator in the State Legislature, from the town of Warwick, and continued to wield an important influence in the politics of Rhode Island. In 1856 he declined a reelection and withdrew from public life. From 1828 to 1857 he was a member of the Board of Trustees of Brown University, and from 1841 to 1854 he held the office of Chancellor in that body. His character, his manners, and his social position, combined to give him unusual popularity and influence among all classes of his fellow-citizens.

FREEDMEN OF THE SOUTH. The question of the proper disposition to be made of the vast number of persons of African descent who by the operation of the Emancipation proclamation, by the progress of the Union armies in various parts of the South, or the acts of Emancipation passed by the Constitutional Conventions of several of the States, have become free, has continued to excite the anxious attention of the Government and of the citizens of the United States. While some progress has been made toward the solution of the difficulties, it cannot be said that any entirely satisfactory policy has yet been adopted. Different sections require differences in detail in the management of freedmen, but the general policy should be the same. Even this, however, does not seem to be settled. The number who have already obtained their freedom is not easily ascertained. In September last the Philadelphia "North American" published a carefully-prepared estimate for each State, making the aggregate amount 1,368,600. Mr. J. R. Gilmore (Edmund Kirke) had previously estimated the number at 1,555,225, while Jefferson Davis in the summer stated the number at 3,000,000, about three-fourths of the whole number in the country. Since that time, Sherman's march through Georgia, South and North Carolina, has resulted in setting at liberty hardly less than 200,000, and victories in other quarters have materially added to the number elsewhere. Whatever may have been the case last summer, it hardly admits of a doubt that, including those set free by the Emancipation acts in Maryland, Western Virginia, and Missouri, the whole number of freedmen now does not fall much if at all short of 3,000,000. Of these nearly 250,000 are in the army, either as soldiers or teamsters, and probably more than twice as many more women, children, or old men are employed as servants, cooks, washerwomen, etc., etc., in the various camps, military posts, hospitals, etc., throughout the country. Of the remainder a large number pick up a living, more or less precarious, in the larger cities and towns of the West and South. Very few of them come North, the severe climate

being disliked by the negro. Not far from a million and perhaps more than that number are employed upon plantations leased or permitted by the General Government, or work for wages for farmers and planters in Missouri, Maryland, or Western Virginia, or have themselves become lessees of plantations, or are gathered in Freedmen's Home Colonies if feeble, aged, or infirm, and there supported from the proceeds of the labor of those who are able-bodied.

It is in the management of and provision for these that there has been the greatest difficulty. In the *ANNUAL CYCLOPEDIA* for 1863 the systems adopted during that year in the Mississippi Valley, in the Department of the Gulf, and in the Department of the South, were fully detailed. In general it may be said that these plans, though devised from humane motives, have proved unsuccessful. In the Mississippi Valley and the Department of the Gulf they very generally failed, for several reasons. The lessees, in many instances, were mere speculators, who obtained possession of plantations and the services of the freedmen without adequate means for carrying out their contracts, hoping to obtain such means by the profit on the cotton or sugar crops, and who did not pay their employes promptly; furnished food of poor quality, and clothing which was nearly worthless, and, in defiance of their contract, charged exorbitant prices for both; established no schools, and did not, as they had agreed, provide suitable cabins for their people or support the feeble and helpless. Under these circumstances the negroes worked unwillingly, were absent many days, and often procured their food by stealth. Thus dissatisfaction sprung up on both sides, and complaints were frequent. In addition to these causes of trouble, the army worm nearly destroyed the cotton crop on many plantations, and the guerrillas visited and plundered those not readily or fully protected by troops. Those who carried out in good faith the provisions of their agreement with the Government, as well as most of the loyal citizens who hired the services of the freedmen, did better, but in many cases the army worm greatly diminished their profits. In some hundred or more instances negroes themselves, either singly or in company, leased plantations and cultivated them or hired other freedmen to aid them. These, almost without exception, did well, notwithstanding the drought and the army worm. Some of them made but a few hundred dollars beyond their expenses and support; some two, four, or six thousand dollars, and one over ten thousand dollars. They were very desirous of having schools for their own instruction and that of their children, and contributed liberally to their maintenance. This plan would seem to have been capable of further extension, but no efforts were made to increase the number of this class of lessees.

Finding that the plan adopted in February,

1864, had failed of success, and that the system of Gen. Banks had also proved a failure, the new Secretary of the Treasury, Mr. Fessenden, prescribed, under date of July 29, 1864, a new Series of Regulations, which, however, were not expected to take effect till the winter of 1864-'5. These provided that the supervising special agents of the Treasury Department in each district should also have charge of the freedmen of their respective districts, and that one or more "Freedmen's Home Colonies" should be established in each special agency district, and that a superintendent of freedmen should be appointed for each colony, under the general direction of the proper supervising special agent. The duties of this superintendent were to provide temporary care and shelter for persons received there, and also such buildings as were proper for the permanent use of those retained there; and to obtain such working animals and other agricultural implements of labor and other supplies as might be necessary and proper for the economical conduct of these establishments. They were also to keep books of record, in which should be entered the name, age, and condition, former owner, residence, and occupation of each person received in these colonies; also the marriages, birth, and deaths occurring therein; also all departures, and by whom those departing are employed, for what purpose, at what place, and on what terms.

The freedmen who were able to labor were to be divided into three classes: 1st. Those between 18 and 40 and in sound health, who were to receive, males \$25, and females \$18 per month; 2d. Those between 14 and 18, and between 40 and 55, whose wages were to be, males, \$20, and females \$14; 3d. Those over 12 and under 14, and those over 55, who were to receive, males \$15, and females \$10. Persons suffering from any defect or infirmity but able to work, were to be classed as the superintendent thought proper. Mechanics and others who could on contract obtain higher wages were at liberty to do so. In addition to these wages it was stipulated that a tenement with good and sufficient rooms and an acre of ground should be furnished to each family, together with tools and a reasonable use of animals; that they should not be required to work more than ten hours a day, nor at all on Sundays or on Fourth of July, and that all extra work should be paid for on such terms as might be agreed. Good food and clothing to be furnished at cost. The superintendent was to see that all these persons were provided promptly with employment, and applications for laborers were to be received and recorded. A form of written agreement between employers and employes was provided, stating in full the conditions and obligations assumed by each, which they were respectively required to sign. Provision was also made that the freedmen might, where both parties agreed, receive an interest in the profits of their labor instead

of wages. The superintendent was made a judge between the parties when there was complaint on either side, and an appeal could be taken from his decision to that of the special supervising agent, whose decision should be final. Where civil courts were established within reach, redress might be sought there. Aged and infirm persons who could not otherwise be provided for, were to be retained and cared for by the superintendent, and provision was made for his retaining as many hands at regular rates as were necessary to cultivate the lands attached to the colonies, in order to secure the support of the aged and infirm, these themselves performing such labor as they were able. Freedmen's associations (*i. e.* such as were established to improve the condition of freedmen) were to have Freedmen's Home Colonies assigned to their care, where they could give satisfactory assurance of their ability to provide for them, and labor colonies were also to be assigned to these associations under proper guarantees for their good management. Penalties for ill usage of freedmen were provided, and the establishment of schools insisted upon. Monthly reports were required from each supervising special agent, with copies of all records, agreements, and other papers under his charge, and all expenses must be authorized and approved by him. The General Agent of the Treasury Department at New Orleans, W. P. Mellen, issued in connexion with these regulations a series of local regulations for the better enforcing those of the Secretary of the Treasury. The tendencies to fraud and dishonesty and the oppression of the poor and ignorant being what they are, it is hardly to be expected that these regulations will answer perfectly their purpose, for they necessarily leave too many points indefinite.

General Sherman and Secretary Stanton, soon after the arrival of the former at Savannah, had an interview with the leading men of color in that region to ascertain from them their views of what would be the best plan for providing for the freedmen of the Atlantic States, and their suggestions, that those who were not able to go into the army should be colonized, under proper protection, on the islands of the coast and allowed to provide for themselves, receiving in the beginning such supplies of food, clothing, and agricultural implements as were necessary, is to be acted upon. Its results will appear in our volume for 1865.

The Freedmen's Aid Societies, Commissions, and Associations, of which there are eighteen or twenty in the United States, have been active and efficient in furnishing supplies, teachers, and religious instruction to the freedmen. They have expended for these purposes during the three years ending January, 1865, nearly one million of dollars. Through their efforts a bill was introduced into Congress providing for the Establishment of a Freedman's Bureau in connexion with the War Depart-

ment. This bill passed Congress just at the close of the session of 1864-'5.

FREEDOM OF THE PRESS. Two of the prominent daily journals of New York were suddenly suppressed on the evening of May 18. This suppression was continued for two days, when they were restored to the proprietors. The following is the explanation of facts made by the editors at the time of the seizure, and published in the other city papers on the next morning:

To the Editor of the "Herald":

Will you oblige us by publishing in your columns the following statement of the proceedings of the Government this evening toward the "World" and the "Journal of Commerce," regarding the publication in our morning's issues of the forged proclamation, purporting to be signed by President Lincoln, appointing a day of fasting and prayer, and calling into the military service 400,000 men.

The document in question was written on their manifold paper, such as is used for all the despatches sent to the several newspapers of our association, and had every external appearance and mark to identify it as a genuine despatch arriving in the regular course of business.

It was delivered at our office late at night at the time of the receipt of our latest news, too late, of course, for editorial supervision, but, as it happened, not before our printing offices were closed.

It was delivered at all, or nearly all, of the newspaper offices, and published in a part of the "Journal of Commerce," and "World," and, as we are informed, in a part of the editions of one or more of our contemporaries.

Early this morning the fact that the despatch had not been sent by the agent of the Associated Press became known to us, and its fraudulent character was at once announced upon our bulletin boards, and a reward of five hundred dollars offered by us for the discovery of the forger. The Executive Committee of the Associated Press also offered a similar reward of one thousand dollars, as the fraud had been attempted to be perpetrated upon all the journals composing our association.

We took pains in the afternoon to apprise Gen. Dix of the facts in the case, and gave him such information in regard to the circumstances of the forgery as might assist him in the discovery of its author. The Government was at once put in possession of the facts in the case. Nevertheless, this evening Gen. Dix, acting under peremptory orders from the Government, placed our offices under a strong military guard, and issued warrants for the arrest of the editors and proprietors of the "World" and "Journal of Commerce," and their imprisonment in Fort Lafayette. A vessel was lying, under steam, at one of the wharves to convey us thither.

Chancing to meet one of the officers of Gen. Dix's staff, charged with the execution of this order, we proceeded in his company to the headquarters of the Department of the East, and were informed by Gen. Dix that the order for our arrest had been suspended, but that the order for the suppression of the publication of the "World" and "Journal of Commerce" had not been rescinded, and that we could not be permitted to enter into our offices, which continue under the charge of the military guards.

We protest against this proceeding. We protest against the assumption of our complicity with this shameless forgery, implied in the order for our arrest. We protest against the suppression of our journal for the misfortune of being deceived by a forgery not less ingenious nor plausible than the forged report of the Confederate Secretary of War, which Secretary Seward made the basis of diplomatic action. **PRIME, STONE, HALE & HALLOCK,**
Journal of Commerce.

New York, May 16, 1864. **MANTON MARBLE,** *World.*

At the same time the office of the Independent Telegraph Line, in New York, was occupied by a military force in the name of the Government. The operators were taken into custody and all business at once suspended. The offices of the company in Philadelphia and Pittsburg were also closed.

It was on Wednesday morning, the 18th, that the following spurious proclamation appeared in the above-named sheets, and it was only by superior vigilance, or some fortunate circumstances, that its appearance in nearly all the city papers at the same time, did not take place:

EXECUTIVE MANSION, May 17, 1864.

Fellow-Citizens of the United States:

In all seasons of exigency it becomes a nation carefully to scrutinize its line of conduct, humbly to approach the throne of Grace, and meekly to implore forgiveness, wisdom, and guidance.

For reasons known only to Him, it has been decreed that this country should be the scene of unparalleled outrage, and this nation the monumental sufferer of the nineteenth century. With a heavy heart, but an undiminished confidence in our cause, I approach the performance of a duty rendered imperative by my sense of weakness before Almighty God and of justice to the people.

It is not necessary that I should tell you that the first Virginia campaign, under Lieut.-Gen. Grant, in whom I have every confidence, and whose courage and fidelity the people do well to honor, is virtually closed. He has conducted his great enterprise with discreet ability. He has crippled their strength and defeated their plans.

In view, however, of the situation in Virginia, the disaster at Red River, the delay at Charleston, and the general state of the country, I, Abraham Lincoln, do hereby recommend that Thursday, the 26th day of May, A. D. 1864, be solemnly set apart throughout these United States as a day of fasting, humiliation, and prayer.

Deeming, furthermore, that the present condition of public affairs presents an extraordinary occasion, and in view of the pending expiration of the service of (100,000) one hundred thousand of our troops, I, Abraham Lincoln, President of the United States, by virtue of the power vested in me by the Constitution and the laws, have thought fit to call forth, and hereby do call forth the citizens of the United States, between the ages of (18) eighteen and (45) forty-five years, to the aggregate number of (400,000) four hundred thousand, in order to suppress the existing rebellious combinations, and to cause the due execution of the laws.

And, furthermore, in case any State or number of States shall fail to furnish by the fifteenth day of June next their assigned quotas, it is hereby ordered that the same be raised by an immediate and peremptory draft. The details for this object will be communicated to the State authorities through the War Department.

I appeal to all loyal citizens to favor, facilitate, and aid this effort to maintain the honor, the integrity, and the existence of the National Union, and the perpetuity of popular government.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed. Done at the city of Washington this 17th day of May, one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-eighth.

By the President: **ABRAHAM LINCOLN.**

WILLIAM H. SEWARD, Secretary of State.

It was immediately contradicted by the Government as follows:

TO THE PUBLIC.

DEPARTMENT OF STATE, WASHINGTON, May 18, 1864.

A paper purporting to be a proclamation of the President, countersigned by the Secretary of State, and bearing date of the 17th day of May, is reported to this department as having appeared in the New York "World" of this date. This paper is an absolute forgery. No proclamation of this kind has been made, or proposed to be made, by the President, or issued, or proposed to be issued, by the State Department, or any other Department of the Government.

WM. H. SEWARD, Secretary of State.

The excitement occasioned in the city was great, and gold advanced four or five per cent., and receded again when the spurious character of the paper was known. Its author was discovered and arrested during Friday, subsequent to which the journal and telegraph offices were surrendered to their proprietors.

The telegraph company received the following certificate from the Secretary of War:

WASHINGTON, May 24, 1864.

SIR: The investigation of this department relieves your company of all suspicion of being concerned with the transmission or publication of the recent forgery purporting to be a proclamation by the President, and countersigned by the Secretary of State. The satisfactory arrangements made by your company with this department will, I hope, do much toward inspiring the public with a just confidence in your telegraphic line, and the loyalty, prudence, and discretion of its management.

Your obedient servant,

EDWIN M. STANTON, Sec'y of War.

The author of the proclamation was ordered to be taken to Fort Lafayette, where he remained about three months, and was discharged without any public investigation or further punishment.

In relation to the seizure and suppression of the two newspapers, Governor Seymour, of New York, on May 22d, addressed the following letter to the District Attorney:

STATE OF NEW YORK,

EXECUTIVE DEPARTMENT, ALBANY, May 22, 1864. }

To A. Oakley Hall, District Attorney of the County of New York.

SIR: I am advised that on the 19th inst. the office of the *Journal of Commerce* and that of the *New York World* were entered by armed men, the property of the owners seized, and the premises held by force for several days. It is charged that these acts of violence were done without due legal process, and without the sanction of State or national laws.

If this be true, the offenders must be punished.

In the month of July last, when New York was a scene of violence, I gave warning that "the laws of the State must be enforced, its peace and order maintained, and the property of its citizens protected at every hazard." The laws were enforced at a fearful cost of blood and life.

The declaration I then made was not intended merely for that occasion or against any class of men. It is one of an enduring character, to be asserted at all times and against all conditions of citizens, without favor or distinction. Unless all are made to bow to the law, it will be respected by none. Unless all are made secure in their rights of person and property, none can be protected. If the owners of the above-named journals have violated State or national laws, they must be proceeded against and punished by those laws. Any action against them outside of legal procedures is criminal. At this time of civil war and disorder, the majesty of the law must be upheld, or society will sink into anarchy.

Our soldiers in the field will battle in vain for constitutional liberty if persons, or property, or opinions are trampled on at home. We must not give up home freedom, and thus disgrace American character, while our citizens in the army are pouring out their blood to maintain the national honor. They must not find, when they come back, that their personal and fireside rights have been despoiled.

In addition to the general obligation to enforce the laws of the land, there are local reasons why they must be upheld in the city of New York. If they are not, its commerce and greatness will be broken down. If this great centre of wealth, business, and enterprise is thrown into disorder and bankruptcy, the National Government will be paralyzed. What makes New York the heart of our country? Why are its pulsations felt at the extremities of our land? Not through its position alone, but because of the world-wide belief that property is safe within its limits from waste by mobs and spoliation by Government. The laborers in the workshop, the mine, and in the field, on this continent and in every other part of the globe, send to its merchants, for sale or exchange, the products of their toil. These merchants are made the trustees of the wealth of millions living in every land, because it is believed that in their hands property is safe under the shield of laws administered upon principle and according to known usages.

This great confidence has grown up in the course of many years by virtue of painstaking honest performance of duty by the business men of your city. In this they have been aided by the enforcement of laws based upon solemnly-recorded pledges that "the people's right to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and that no one shall be deprived of liberty or property without due process of law." For more than eighty years have we as a people been building up this universal faith in the sanctity of our jurisprudence. It is this which carries our commerce upon every ocean, and brings back to our merchants the wealth of every clime. It is now charged that in utter disregard of the sanctity of that faith, at a moment when the national credit is undergoing a fearful trial, the organs of commerce are seized and held, in violation of constitutional pledges, that this act was thus done in a public mart of your great city, and was thus forced upon the notice of the commercial agents of the world, and they were shown in an offensive way that property is seized by military force and arbitrary orders. These things are more hurtful to the national honor and strength than the loss of battles.

The world will confound such acts with the principles of our Government, and the folly and crimes of officials will be looked upon as the natural results of the spirit of our institutions. Our State and local authorities must repel this ruinous interference. If the merchants of New York are not willing to have their harbor sealed up and their commerce paralyzed, they must unite in this demand for the security of persons and property. If this is not done, the world will withdraw from their keeping its treasures and its commerce. History has taught all, that official violation of civil law and disorder goes before acts of spoliation and other measures which destroy the safeguards of commerce.

I call upon you to look into the acts connected with the seizure of the *Journal of Commerce* and of the *New York World*. If these acts were illegal, the offenders must be punished. In making your inquiries and in prosecuting the parties implicated, you will call upon the Sheriff of the county and the heads of the police department for any needed force or assistance. The failure to give this by any official under my control, will be deemed a sufficient cause for his removal.

Very respectfully, yours, &c.,

HORATIO SEYMOUR.

On receiving these instructions the subject

was referred to the Grand Jury of the city and county, by the charge of the Judge of the court. This body reported that it was "inexpedient to examine into the subject." The Governor then further instructed the Attorney as follows:

EXECUTIVE CHAMBER, ALBANY, June 25, 1864.

A. OAKLEY HALL, Esq., *Dist. Att'y of the City and County of New York*:

SIR: In the matter of the seizure of the offices of the *World* and *Journal of Commerce*, the Grand Jury, in disregard of their oaths "to diligently inquire into and true presentment make of all such matters and things as should be given them in charge," have refused to make such inquiries, and declare that "it is inexpedient to examine into the subject referred to in the charge of the court," with respect to such seizures. It becomes my duty under the express requirements of the Constitution "to take care that the laws of the State are faithfully executed." If the Grand Jury, in pursuance of the demands of the law and the obligations of their oaths, had inquired into the matter given them in charge by the court and the Public Prosecutor, their decision, whatever it might have been, would have been entitled to respect. As they have refused to do their duty, the subject of the seizure of these journals should at once be brought before some proper magistrate. If you wish any assistance in the prosecution of these investigations it will be given to you.

As it is a matter of public interest that violations of the laws of the State be punished, the views or wishes of the parties immediately affected must not be suffered to influence the action of public officers. If through fear or other motives, they are unwilling to aid you in getting at facts, it will be your duty to compel their attendance as witnesses in behalf of the people.

Respectfully, yours,

HORATIO SEYMOUR.

On the 28th of June the District Attorney made an affidavit before A. D. Russell, a Judge of the City and County, by whom subpoenas for witnesses were issued. Upon hearing the testimony of the witnesses warrants were issued for the arrest of Maj.-Gen. John A. Dix, Capt. Barstow, Maj. Bowles, Capt. Cundy, and Lieut. Tuthill, and placed it in the hands of the sheriff.

The parties voluntarily appeared by their counsel on July 6th, and the argument on the case was set down for the 9th, and the parties were relieved from custody on the parole of Gen. Dix. Ex-Judge Pierrepont, who appeared for the defence, said: "Since this warrant was issued, the President of the United States has issued another order to Gen. Dix, which he came to see me upon late last night, which directs him that while this civil war lasts he must not relieve himself from his command or be deprived of his liberty for obeying any order of a military nature which the President of the United States directs him to execute." On the next day instructions were sent by Gov. Seymour to the district-attorney to enforce the laws of the State, irrespective of the alleged orders of the President to Gen. Dix to resist the process of the court.

On July 9th the argument was made before City-Judge A. D. Russell. The case was opened by ex-Judge Pierrepont, who made a statement of the facts, and read the order of the President

to Gen. Dix, directing the arrest of the editors of the *World* and *Journal of Commerce*, and the closing of their respective offices.

There was no question that Gen. Dix had performed his duty with delicacy and courtesy, and released the persons and premises as soon as notified of their innocence. Mr. Hall objected to the reception of the orders of the President as a defence on the part of Gen. Dix. They admitted such orders to be in existence, but claimed that they could not be used as a part of the case.

Mr. Evarts said that all they wanted was the fact to appear that these orders were the basis on which Gen. Dix acted.

The Judge remarked that he would note the objections, and pass upon their force at the conclusion of the case.

Ex-Judge Pierrepont said that if, after hearing all the facts in the case, his Honor came to the conclusion that an offence had been committed against the laws of the State, Gen. Dix would bow to the supremacy of the law. If, at his age, so loyal a man as Gen. Dix had been guilty of kidnapping and inciting to a riot, then it was time he was punished. When the grand jury had declined to indict, then the majesty of the law ought to have been satisfied. With respect to what the attorney-general had said respecting that these Northern States were in no state of war, he must differ. We were no separate sovereignties, but all part of a great nation, in whose midst it would be confessed there was no foreign war, but a great and vast civil war. Though there was no martial law in Pennsylvania, yet when the rebels were in Chambersburg would it be deemed that the State of Pennsylvania was in a state of war? "No state of war in the Northern States!" What meant then the trappings of woe on every third house in this great city? What meant then the sable weeds which clothed the forms of those who thronged Broadway? Did famine cause this woe? Did pestilence form this grief? No state of war! Let the learned attorney-general carry the glad tidings that New York was in a state of peace to one thousand of bereaved families. In whom did the great war-power exist if not in the President of the United States? "Ah," cried his learned friend, "but he is a dictator." That was a fanciful cry. If he usurped his power impeach him, remove him, assassinate him; but do not trammel this Government in their efforts to overcome this great, mighty, and stupendous rebellion. He had nothing to say about the action of the President—all he had to do was with Gen. Dix. All the court had to do was to determine whether Gen. Dix, in obeying the orders of the Chief Executive like a soldier and a patriot, had kidnapped his fellow man and incited a riot in this city. In a case growing out of the Dorr rebellion, the doctrine had been clearly laid down that the President had the war-power, and might use all his authority under that power.

After some further observations, Mr. District-Attorney Hall said he was glad to agree with his learned friend that they were before a fearless Judge. His Honor was not sitting there to find out whether the accused was guilty or not, but simply to find out whether probable cause existed to believe Gen. Dix had committed an offence against the State.

Mr. Hall, after referring to the facts in the case, and insisting they established—1. Inciting to a riot; 2. Forcible entry and detainer; 3. False imprisonment, proceeded to argue that the orders of President Lincoln were inadmissible in evidence. He read the section:

SEC. 4, March 3, 1863, chap. 81, laws of thirty-seventh Congress.—"And be it, &c., that any order of the President, or under his authority, made at any time during the exist-

ence of the present rebellion, shall be a defence in all courts to any action or prosecution, civil or criminal, pending or to be commenced, for any search, seizure, arrest, or imprisonment, made, done, or committed, or acts omitted to be done under and by virtue of such order," &c.

He remarked that this act might be entitled "An act to authorize the commission of wrongs;" for the very next section speaks of them *eo nomine*, as applied to the case at bar, thus:

SEC. 5. *And be it further enacted*, That if any "criminal prosecution" has been commenced in any State court against any military officer, for any wrong done by virtue of any authority derived from the President of the United States, &c., &c.

On the defence he argued: 1. It cannot be disputed that each of the acts complained of was a trespass at common law. 2. If Congress possessed the constitutional power, by express statutory terms, to direct the defendants to commit the trespasses in question, Congress cannot constitutionally delegate that power to the President in such general terms as are employed in the section quoted. 3. Each of the acts complained of in this prosecution is repugnant and odious to the common law of England and the constitution of the United States, and the President's command to commit them was, therefore, still the command of a trespasser and a superior wrong-doer, and quoted Little *vs.* Barreme (2 Cranch, 179). The effect of the defence proposed is to set the Executive "higher" than the fundamental law. The plea for the orders is probably to be found in the President's reply to the address of the Chicago clergy, 1862, viz.: "As Commander-in-Chief of the Army and Navy, in time of war I suppose I have a right to take any measure which may best subdue the enemy." But the plea is a bold defence of usurpation. Mr. Hall adroitly quoted from the Republican address at Pittsburg, February 22, 1856, which well says on this head: "All usurpations in countries professing to be free must have the color of law for its support. No outrage committed by power upon popular rights is left without some attempts at vindication. The partition of Poland, the overthrow of the constitution of Hungary, the destruction of Irish independence, &c., &c., were consummated with a scrupulous observance of the forms of law." The effect of the section is to delegate to the Executive the right to practically legislate the exception to an act else unlawful. Congress generally authorized him to perform unknown, illimitable, immeasured, boundless wrongs, and he is to select or create the specialities of them. Caligula wrote his laws, but hung them up so high they could not be read, and the citizen was punished when he could not know the law. But Congress does not even specify the law. It allows the President to frame it within his own breast, and apply it after an offence has been committed. Suppose the President should, by telegraph, order Marshal Murray to arrest Gov. Seymour, and if he resisted, shoot him. Suppose the Governor did resist, and the Marshal killed, and was tried in Albany for homicide, would that order absolve him? A legislative body, when it clothes with legality an act otherwise unlawful, must specify the act. A New York legislature might grant the corporation of this city power to legalize or permit an otherwise nuisance by specifying it. Could it grant such power by saying "may permit any nuisance"? When a legislative body acts specifically, but makes its enactments contingent upon an event beyond its control, that enactment is unconstitutional, because its power is *sub modo* delegated (quoting Barto *vs.* Himrod, 8 New York, 496). When the editor of the *Louisiana Courier* published (Friday, March 3, 1815) the famous article about Gen. Jackson—martial law prevailing—the latter did not suppress the paper, but, upon obtaining from the editor the name of the writer, arrested him. At that time "New Orleans was a camp, and 'Judge' Hall a soldier." (2 Parton's Jackson, 314.) These seizures and destruction of

May, 1864, were clearly in the light of punishments in advance of investigation or trial. At this time New York was not a camp, and none of the parties who were injured were soldiers. New York was in full possession of all her civil immunities. The case of Gen. Jackson was one occurring within warlike lines, and in the presence of an enemy. It was a case of military necessity, *per se*.

He further said: I understand our opponents to claim that the arrest and seizures were made by virtue of overruling military necessity, because New York was at war as an integral portion of the Union, and he claimed that this "overruling military necessity" cannot occupy a better vantage ground than that held by martial law; that as martial law cannot operate beyond the field of actual warlike operations, no more can "military necessity," and that both are unconstitutional unless in face of an enemy or of insurrectionists. (Luther *vs.* Borden, 7 Howard United States, 45.) "Even where there is martial law, and it is exercised for the purposes of oppression, or any injury is wilfully done to person or property, the party by whom, or by whose order it is committed, would undoubtedly be answerable." (Ibid., p. 46.) But there is no ground for saying that New York city, in May, 1864, was in a legal condition to allow of military necessity. Can martial law and civil exist together? To be sure the President, in his recent Kentucky proclamation, assumes this legal coexistence; but in what treatise on international law is the assumption substantiated? Not in Halleck. Nor is it compatible with their nature. This is clearly indicated by the course of reasoning of the United States Supreme Court, in Luther *vs.* Borden, 7 Howard—a case under the Dorr rebellion. Will any one be bold enough to say, in view of the history of our ancestors and ourselves, that the President of the United States can extend martial law over the entire country or over any defined geographical part thereof, save in connection with some particular military operations which he is carrying on there? (Curtis [ex-Judge] on Ex. Power, p. 23.) The prize cases are relied upon by our opponents (2 Black, U. S. Rep., p. 635), to prove that the whole nation is in a state of war. But the prosecution claim that the decision in question expressly limits the lines of war within the lines of bayonets and blockading squadrons—leaving all beyond such lines within the unfettered exercise of the civil power. New York is no more at war than she was during the whiskey insurrection or the Dorr rebellion. But, suppose the point be conceded, then, it is argued that when we were engaged in war with England, the courts of this State decided that the law of military necessity could not constitutionally act upon the citizen, but only upon the soldier. During the last war with Great Britain Chief-Justice Kent discharged a military prisoner held by Gen. Morgan Lewis. The prisoner was named Samuel Stacy, Jr. Commodore Chauncey verbally ordered one Captain Smith to arrest Stacy for being treasonably connected with the enemy. Smith delivered him to Gen. Lewis, who confined him, through his provost marshal, under the following order: "Receive into custody, &c., Samuel Stacy, charged by the said commodore with an act of high treason against the Government of the United States, committed within the territory of the King of Great Britain. J. Chambers, Ass.-Adj.-Gen." In delivering the opinion (10 John. 331), Judge Kent recognized the fact that a commander-in-chief had no more lawful authority to hold all the citizens of the entire country outside of the sphere of his actual operations in the field amenable to his military edicts, than he had to hold all the property of the country subject to his military requisitions; that he is not the military commander of citizens of the United States, but of its soldiers. To the same effect has the argument of Senator Linn, on the bill to refund Jackson's fine (14 Ben., p. 627). In parity of illustration are Huckle *vs.* Money (2 Wilson, 205), and Sir Chas. Gould's

case (2 Hen. Bl. Rep., p. 98). Unless, therefore, the plea of military power overriding the fundamental law from the necessities of a present and overwhelming warlike force can be sustained, then the acts of the President were unconstitutional. Because he arrested "without due process," and "his seizures were unreasonable." But the constitutional question has been expressly determined in favor of the prosecution by the Supreme Court of Indiana. The court held the section in question unconstitutional. (*Griffin vs. Wilcox*, 21 Indiana; 370.) Mr. Hall read this case at length, especially emphasizing this passage: "If those sacred rights, among which are the liberty of speech, of the press, and freedom of elections—which are the three great bulwarks of free institutions—are to be stricken down and permanently destroyed by armed force; or if that force is not to be used to restore the just authority of our once glorious Government, but merely to establish, by wading through seas of blood, a single consolidated Government, having for its corner-stone certain chimerical ideas of philanthropy, fraternity, and equality, social and political, of all races of men without respect to color, then it might not be so readily conceded that imperative necessity would require that the force should be kept up solely for such purpose."

Attorney-General Cochrane, after a brief allusion to the importance of the case, proceeded in an elaborate argument to give his views upon the questions at stake. The order of the President having been interposed as a justification for the act of his agent, the question was whether the agent was justifiable for that act by virtue of the order of the President. Gen. Cochrane then quoted apposite passages from the Constitution of the United States, defining the duties of the President and the restrictions put upon him as to abridging the liberties of the press and the people by the amendments to that instrument. The passages which he quoted he contended had prohibited in language as strong as could be used the act which abridged the freedom of the press or which inhibited the liberty of the press without due process of law. He might be answered that the letter of the record was to that effect, but the spirit of the Constitution was to the effect that the President was empowered by the law of Congress, and that such authority was duly and properly exercised. He (General Cochrane) refused the suggestion, and denounced it as treasonable to the rights of the people and ruinous to general liberty. The speaker then gave a succinct history of the nature of martial law from the earliest period of English history down to our own time. He contended that as there was no power within the Constitution, and as the history of antecedent and contemporary time proved that it was not intended there should be any power, either in the Congress or in the President to declare martial law, the act of Mr. Lincoln, under which Gen. Dix justified himself, was unjustifiable, and had no foundation in law or warrant in the Constitution.

Gen. Cochrane passed to the consideration of the question whether the President in any other constitutional capacity than that of a civil officer, was endowed with the power, under any circumstances, of proclaiming martial law. He quoted reliable authorities to sustain his position that no martial law can prevail without proclamation, and that, in the language of the Duke of Wellington, martial law was no law at all.

In conclusion Gen. Cochrane contended that in order to justify the proclamation of martial law it was not sufficient that the country should be in a state of war, but that the particular district should be invaded and the courts suspended.

Wm. M. Evarts made the closing speech, contending that the suspension of the writ of habeas corpus conferred upon the President ample power to do whatever he thought was necessary for the preservation of the country in time of war.

The decision of the Judge was delivered on Aug. 1st. After a careful examination of the matter, he concluded to hold Gen. Dix and those concerned with him in executing the mandates of the President subject to the action of the grand jury of the city and county. He said:

It is unnecessary for me, in deciding this matter, to rehearse the facts of this case. The defendants, through their counsel, place themselves under the protection of section 4 of the Act of Congress of March 3, 1863, entitled "An act relating to habeas corpus, and regulating judicial proceedings in certain cases." If that provision is constitutional, it assimilates the President of the United States, during the existence of the present rebellion, to an absolute monarch, and makes him incapable of doing any wrong. This is a very novel and startling doctrine to advance under a republican form of government.

I have given the case a most careful consideration; on the one hand, seeking to avoid an undue interference with the agents of the Government in the performance of their duty, and, on the other, keeping before me my own obligation to uphold and enforce the laws of this State. I do not deem it proper to state in detail the view I entertain upon the legal principles so ably discussed before me by the counsel on both sides. Such an exposition of the law would be more appropriate should the case come before the court for trial. It strikes me, however, as a fit occasion to enable the great questions of time involved in it to be brought up in such a shape as to admit of their being absolutely and finally settled.

No further proceedings have taken place in the case.

The defendants placed themselves under the protection of Section 4 of the Act of Congress of March 3d, 1863, entitled "an Act relating to *habeas corpus* and regulating judicial proceedings in certain cases." (*See ANNUAL CYCLOPÆDIA*, vol. 1863, p. 255.)

The following are some further incidents connected with the publication of newspapers during 1864:

Constitution and Union, Fairfield, Iowa. Destroyed February 8, 1864.

Crawford Democrat, Meadville, Penn. Mobbed February 5, 1864. Saved by editor's defence.

Northumberland Democrat, Penn. Destroyed by mob, February 7, 1864.

Volksblatt, Belleville, Missouri. Destroyed a second time, May 18, 1864.

Democrat, Sunbury, Penn. Mobbed January 18, 1864. Office destroyed. Property stolen.

Eagle, Lancaster, Ohio. Mobbed February 3, 1864. Partially destroyed.

Mahoning Sentinel, Youngstown, O. Mobbed January 28, 1864. Attempt to assassinate the editor. Office totally destroyed.

Crisis, Columbus, Ohio. Threatened February 15, 1864. Saved by being armed.

Statesman, Columbus, Ohio. Threatened February 15, 1864. Saved by being armed.

Democrat, Laporte, Indiana. Destroyed February 15, 1864.

Democrat, Wauscon, Ohio, destroyed Feb. 20, 1864.

Advertiser, Lebanon, Penn., attacked March 15, 1864; defended successfully.

Dayton Empire, Dayton, Ohio, completely destroyed March 3, 1864.

Picket Guard, Chester, Ill., totally destroyed August 20, 1864.

Herald, Franklin County, Indiana, demolished March 20, 1864.

Democrat, Greenville, Darke County, Ohio, demolished March 5, 1864.

Union, Louisiana, Mo., destroyed March 6, 1864.
St. Mary's Gazette, Leonardtown, Ind., warned April 12, 1862.

Picayune, New Orleans.

Courier, New Orleans, suppressed May 23, 1864, and editors banished for republishing the bogus proclamation received via Cairo. The order was never revoked.

Metropolitan Record, New York, circulation forbidden at the West, March 26, 1864.

Transcript, Baltimore, Md., suppressed May 18, 1864, for publishing a despatch saying the loss of the Army of the Potomac was not less than seventy thousand, and crediting it to the Associated Press.

Democrat, Cambridge, Md., suppressed September 9, 1864.

Metropolitan Record.

Freeman's Journal, burned at Nashville, September 12, 1864.

Democrat, Gallatin County, Ill., editors seized and imprisoned August 19, 1864.

Crisis, Columbus, O., editor seized and imprisoned May 10, 1864.

Register, Wheeling, Va., editors seized, paper suppressed July 20, 1864.

Journal, Belfast, Me., editor seized August, 1864.

News, Memphis, Tenn., suppressed July, 1864.

Bulletin, Baltimore, Md., suppressed July, 1864.

Gazette, Parkersburg, Va., editor seized by Gen. Hunter, July 27, 1864.

Kentucky, June, 1864, all Democratic papers excluded the State.

All Democratic newspapers excluded from Memphis (except the *Missouri Republican*) September 16, 1864.

On September 30th, the "Loyalist" at Baltimore was discontinued by order of Gen. Wallace, and on November 29th, the "True Presbyterian" at Louisville, by order of Gen. Burbridge.

FRY, WILLIAM HENRY, an American musical composer and editor, born in Philadelphia in August, 1815, died at Santa Cruz, W. I., December 21, 1864. He received his early education partly at the schools of his native city and partly at the Roman Catholic College of Mount St. Mary's at Emmittsburg, Md. His first orchestral compositions were four over-

tures performed by the Philharmonic Society of Philadelphia, for which he was complimented with an honorary medal. In 1845 he wrote the opera of "Leonora," which was produced by the Seguin company at the Chestnut Street Theatre in the month of June of that year, and an Italian version was performed at the Academy of Music in New York in the spring of 1858. After a connection of several years with the Philadelphia press, in 1846 Mr. Fry visited Paris and other European capitals, where he remained for six years. His correspondence from the former city with the "N. Y. Tribune" attracted not a little attention. After his return to this country in 1852, he delivered in New York a remarkable series of lectures on the history of music, illustrated by two new symphonies of his own composition, which, with two other symphonies, "Santa Claus" and "Childe Harold," were soon after played by M. Jullien's orchestra in many of the principal cities of the United States. His next original work was the music to an ode written for the opening of the Crystal Palace in New York in 1853. In 1855 he composed a "Stabat Mater" with full orchestral and vocal score for performance at the New York Academy. During the past year, his "Leonora" was produced with great splendor in Philadelphia for the benefit of the Fair of the Sanitary Commission. For the last twelve years Mr. Fry had been attached to the editorial corps of the "Tribune," and its columns richly attest his rare abilities as a critic. For several years he had been the victim of consumption, and had gone to Santa Cruz early in the autumn for the alleviation of his disease, though himself regarding his case as hopeless; but soon after arriving there his symptoms became alarmingly worse, and he finally succumbed to the fatal disease.

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GEOGRAPHICAL EXPLORATIONS AND DISCOVERIES. The year 1864 has added less than some of the years which preceded it to our knowledge of the surface and productions of the earth. No great and long-concealed discovery has been made, no problem which had tasked the wisdom and research of ages has been solved; yet whiloso many active and enterprising students have been engaged in all parts of the world in investigating natural phenomena, in exploring unknown regions, and in examining carefully for new facts and new theories the already beaten paths of topographical research, many new facts have been gleaned, some new discoveries made, and the way opened for more.

Beginning, as usual, with OUR OWN CONTINENT, we notice the publication of Captain C. F. Hall's interesting narrative of his Arctic explorations. Allusion was made to some items of his discoveries in the volume of the ANNUAL

CYCLOPEDIA for 1863. He estimates the moral character and the intelligence of the Innuits or Esquimaux much higher than previous explorers have done, giving them credit for honesty, affection, quickness of perception, and docility. His experiences of arctic life were deeply interesting. In June, 1864, Captain Hall sailed again, and this time much better provided, for a further voyage and journey of exploration in the arctic regions. He has still strong hope of finding some of Franklin's men alive, believing that if they adopted the Innuir mode of life, they might prolong their existence and even live in tolerable comfort for many years.

In BRITISH AMERICA there has been little of geographical exploration to chronicle.

The British survey of Vancouver Island has been completed, and that of the coast of British Columbia vigorously prosecuted, and charts of the island survey published. Memoirs on both

were read before the Royal Geographical Society in 1864, that on Vancouver's Island being prepared by Dr. C. Forbes, Surgeon of the *Hecate*, H. M. Surveying ship, and that on British Columbia by Lieut. H. S. Palmer, R. E., who had been engaged in the survey. Dr. Forbes represents the climate of Vancouver as much like that of Great Britain, though rendered somewhat colder by the cold winds from the snow-clad hills of the Olympus range on the main land. The whole surface is reckoned at 12,000,000 acres, of which, however, only about 1,000,000 are suitable for culture or grazing. Coal is found in very considerable quantities, and of good quality. The timber is excellent, and the trees of immense size. There are several excellent land-locked harbors, the best being Esquimalt Bay, Nanaimo, and one in Tooke district abutting on San Juan de Fuca Straits. The harbor of Victoria, the present capital of the colony, is not so good, lacking depth, and having an unsafe anchorage. Nanaimo Dr. Forbes considered as destined to be the great centre of business. Lieut. Palmer, in his paper on British Columbia, described, with great clearness and beauty, the course of the Fraser River, the extensive mining region of Cariboo, with its confused congeries of hills of an altitude of 6,000 or 7,000 feet, thickly timbered, whence subordinate ranges radiated, and the gulches or streams descending from each in all directions. Gold was found throughout a district extending over 7° of latitude and 3° of longitude. The climate is disagreeable, the winter being long and the cold intense, and only two months in the year being bright and pleasant. A tract about 100 miles in breadth along the Fraser and its tributaries, is the only portion of arable land, but this is very fertile.

In the UNITED STATES the progress of the war has led to the production of some excellent maps and topographical charts of the regions traversed by the contending armies. The Cumberland range of mountains, and the spurs and auxiliary chains of mountains connected with it, have been more thoroughly explored than ever before, and their peculiar formation and characteristics carefully noted. These mountains are rich in mineral wealth. Iron (the hematitic ores), copper, gold, salt, and coal, are found in large quantities, and when peace returns they will doubtless prove attractive, from their mineral deposits, to a large and enterprising population. The geological and geographical survey of California has made progress during the year, under the energetic labors of Professor Whitney and his associates, and interesting discoveries have been made relative to the height of the peaks of the Snowy Range (the Sierra Nevada). It has been ascertained, very unexpectedly, that there are several of these peaks, some in California and others probably within the boundaries of Nevada, which exceed in height Mount Shasta, hitherto supposed to be the highest point in the United States. Of these Mount Tyndal, about lon. 118° , lat. $36^{\circ} 30'$

to 37° , is, according to the barometrical measurements of Messrs. King and Brewer, 15,090 feet high, Mount Shasta being 14,440. Mount Whitney, in the same vicinity, is over 15,000 feet, and perhaps a few feet higher than Mount Tyndall. The White Mountains, in the same meridian, but fifty or sixty miles further north, have one cone estimated at 14,600 feet.

Turning to Mexico, we find that the Franco-Austrian occupation of that country has been the means of inciting the publication of several treatises and maps, giving very full accounts of the topography, geography, soil, climate, and mineral productions of that country. None of these are narratives or charts of very recent explorations, but they possess considerable value from the thoroughness with which the investigations were prosecuted, and the minute and careful accuracy of the maps and charts. One of the most admirable of these works is a volume compiled by the Baron F. W. Von Egloffstein, and published by Messrs. D. Appleton & Company of New York, entitled "Contributions to the Geology and Physical Geography of Mexico, including a Geological and Topographical Map, with profiles of some of the principal Mining Districts, together with a graphic description of an ascent of the volcano Popocatepetl." The Topographical map was compiled by Charles de Berghes, and the Geological map and profiles by Frederick Von Gerolt, at the suggestion of Alexander Von Humboldt. The explanations were drawn up by Von Gerolt, and the account of the ascent of the volcano by him and his friend Baron L. Gros, who accompanied him. Views of the valley of Mexico from actual landscapes painted by Rugendas, also embellish the volume. The Geological and Topographical maps and profiles are inserted both plain and colored, according to the geological formations. These explorations were made in 1833 and 1834.

A series of interesting experiments made in 1863, by the late Raymond Thomassy, a Fellow of the French *Société de Géographie*, in regard to the saltiness of the Atlantic Ocean at different points, and also a memoir containing observations on the structure and geological character of the BAHAMA ISLANDS, were published in the November (1864) Bulletin of that Society. M. Thomassy ascertained, by careful exploration, that those islands are undermined by the ocean, and that the tides penetrate through the porous rocks (an oölitic chalk) which underlie them with every rise of the tide; and that at even a distance of a mile or more from the shores the wells rise and fall with the tide, and are either salt or brackish if of any considerable depth. M. Thomassy's observations on the saltiness of the ocean developed some remarkable facts. The saline constituents, instead of being constant in quantity, varied materially in different localities, and sometimes under circumstances which gave little clue to the diversity. It was of course to be expected that near the mouths of large rivers, or in the vicinity of harbors, the

water would contain less salt. His observations were made with Baumé's areometer. In lat. 27° N., lat. $74^{\circ} 10'$ west from Greenwich, the water showed $3^{\circ} 95'$ in the salometer. In lat. $31^{\circ} 17'$ lon. $66^{\circ} 21'$ W., or between 30 and 40 miles from the Bermudas, the salometer registered only $3^{\circ} 50'$. In lat. $51^{\circ} 10'$ N., lon. $14^{\circ} 47'$ W., the saltness was $4^{\circ} 10'$. In lat. $51^{\circ} 15'$ N., lon. $8^{\circ} 55'$ W., about eight miles from the lighthouse at Cork, it was $3^{\circ} 30'$, and when near the first floating light of Liverpool, at high tide, $3^{\circ} 20'$. These are but examples of thirty observations made in a voyage from Nassau to Liverpool.

The projects for an inter-oceanic canal to connect the Atlantic and Pacific Ocean, are still multiplying, and though some have been relinquished, others are taking their places. In all there have been eighteen distinct routes proposed for such a canal. Of these, eight have taken the river San Juan as their port of departure on the Atlantic side; the Pacific terminus being respectively the bay of Fonseca, the port of Realejo, the river Tamaruedo, Port Brito, San Juan del Sur, the bay of Salinas, the river Tampisque, and the Gulf of Nicoyo, and the river San Carlos and the Gulf of Nicoya. The well-known Tehuantepec route proposed to cross higher up on the continent, west of the Peninsula of Yucatan, and the proposed route by the Gulf of Dulce and the river Cuyabon, coincided almost exactly with the boundary between Costa Rica and New Granada. Four routes have been surveyed across the Isthmus of Panama, two nearly parallel with the railroad, one taking advantage of the Chagres River, the other extending from Navy Bay to Panama Bay; one by the Trinidad and Cuymeto Rivers, and another near the 79th meridian west from Greenwich, from Port San Blas by the river Chepo. Three routes have been proposed, beginning in the Gulf of Darien; one by the Arquia and Tuyta Rivers, terminating in the Gulf of San Miguel; another by the Atrato and Truando Rivers, terminating in Humboldt Bay; and a third by the rivers Atrato and Tapipi, terminating in the bay of Cupica. Still another route in this vicinity, originally surveyed by Mr. Gisborne in 1852, has, during the year, been resurveyed by an eminent French engineer, M. Bourdiol, who reports very favorably upon it. This route, starting from the Pacific side in the Gulf of San Miguel, ascends the Savannah River to its confluence with the Lara, and thence crosses the Cordillera to the bay of Caledonia. The length of the canal would be about three miles, and the height to be surmounted about 500 feet.

In SOUTH AMERICA, the greater share of interest, as connected with geographical exploration, centres in the more southern States of the continent. An effort is making by an American company, under the sanction of the U. S. Government, to establish navigation on the *Orinoco*, and to explore the higher waters of that river; and a prominent citizen of Venezuela, Don J.

M. Torres Caicedo, has attempted to interest the French Government in the enterprise. In his memorial, he states that the basin of the Orinoco has an extent of 300,000 square miles, that it has 400 navigable affluents, and that by way of its tributary the Meta, it not only connects with the entire river system of New Granada, east of the Andes, but also, through the Cassiquiare and Negro, with the Amazons and its navigable branches, and that a steamer can sail from the mouth of the Orinoco by its connections to southern Brazil or the centre of Bolivia. In the valley of the Orinoco, or its immediate vicinity, are found gold both in placers and veins, mines of copper, tin, coal, uranium, and quicksilver, petroleum springs, deposits of sulphur, sulphate of lime (plaster of paris), chalk, asphaltum, and jade, rock crystal, and garnets. The forests of this region abound in mahogany, ebony, rosewood, Brazil wood, guaiacum, fustic, vanilla, sarsaparilla, and all kinds of resins, balsams, and gums. The cotton of the country is of good quality, and the soil is admirably adapted to its cultivation. This region, as well as the upper tributaries of the Amazons, have been very fully explored by Mr. Richard Spence, an English geographer, who has spent fifteen years in investigating the commercial possibilities of the country.

Don Antonio de Raimondi, the Peruvian geographer, has communicated to the Royal Geographical Society some further memoirs relative to Loreto. The eastern slope of this province is drained by the Marañon, the Hualaga, and the Ucayali and their affluents, most of them navigable. The mineral products of the region are rock salt, sulphate of lime, alum, sulphur, iron ore, lignite, and some gold. The production of beeswax, and of straw goods from the Panama grass, are the principal industries carried on by the very sparse and scattered population which, with the exception of Moyabamba, the capital of the province, which has a population of about 8,000 souls, does not exceed one person to every four square miles.

Height of the principal Peaks of the Bolivian Andes.—On this question, Petermann's Mittheilungen for January, 1864, gives the following corrected table, which may be accepted as the latest and most accurate statement on the subject. Sir David Forbes, the English geologist, is its authority, though Ondarza's chart of the Andes has also been compared. The heights are given in English feet:

	Feet.
Illampu or Sorata.....	24,812
Illimani.....	24,155
Sajama (volcano).....	23,014
Chololo (in Apolobamba).....	22,374
Huayua Potosi.....	21,882
Cachacomani (volcano).....	21,588
Quenuata } (volcanoes).....	21,252
Chepicani } wood mountains of Tacora.....	22,687
Mururata.....	20,418
Callinsani.....	20,580
Potosi.....	15,724
Tunari de Cochabamba.....	15,608
Hermoso de Aullagas.....	15,747
Portugaleti.....	14,720
Espejos.....	9,387
Misti (a volcano of Arequipa, Peru).....	20 150

The scientific commission appointed by the Brazilian Government to explore the interesting mining region of Matto Grosso, and to report upon the best modes of access to it, have returned and sent in their report, which has not yet been published. It is understood, however, that they found it accessible through the Juinheima, an affluent of the Parana, and its tributary, the Brilhante, both navigable streams. The Government of Brazil, though now attempting to act with more liberality and a wiser policy than formerly, has hitherto pursued an extremely narrow and impolitic course in relation to the navigation of its great river, the Amazons, prohibiting in effect any maritime power from ascending it except in Brazilian vessels. There is reason to believe that the monopolies and restrictions hitherto maintained, and which have proved so injurious to its own prosperity, will ere long be removed.

A Brazilian engineer, Señor da Silva Coutinho, has, during the year, explored the Purus, one of the larger affluents of the Amazons, and ascertained that it does not, as had been reported, communicate with the Madeira River. Mr. Nathaniel Plant, an English traveller, who has been exploring the Province of Rio Grande do Sul, has discovered the existence of extensive beds of excellent coal in the basin of the Jaguaço, and its two affluents, the Candista and the Tigre, navigable streams which discharge their waters into a lake near the Atlantic coast.

The Argentine Confederation has been for the past few years a favorite region of study with European and American geographers. No one has been more patient and indefatigable in his researches than the French geographer, Dr. Martin de Moussy, who has spent twenty-two years in the exploration of this country, and who during the past year has given to the public the results of his patient investigations in a work of three 8vo volumes, (accompanied by an atlas) entitled *Description géographique et statistique de la Confédération Argentine*, a work of great merit and interest, which fairly exhausts the subject of the physical geography, minerals, vegetable and animal productions, population, resources, government, and history of the Confederation in general, and of each of its provinces. The climate he regards as eminently salubrious, and the soil is rich and fertile. The pampas or prairies are, for the most part, productive of rich and nutritious grasses, though the clay lands are often covered with the mimosa and different species of cactus. The lack of forests in extensive districts he attributes rather to the dryness of the air, the constancy of the wind in a single direction, and the want of rain, than to any deficiency in the soil. Wherever trees are planted in any considerable numbers on the pampas they grow and flourish. The population of the confederation is largely European. Nearly 150,000 Italians have emigrated thither within the past twenty-five years, and they still continue to

come in large numbers. There are also considerable German colonies. In a memoir read before the French *Société de Géographie*, in June, 1834, M. de Moussy gave some account of a journey he had made a few months previous to the Indian frontier of Buenos Ayres (now again one of the States of the Confederation). This frontier now extends from near Cape Corrientes along the northern slope of the Vulcan Mountains to the foot of the Andes. It has only been within the past four or five years that the Indians have yielded the territory south of the Southern Salado River to the whites. The amalgamation of the white and red races, the awakened and developed intelligence of the Indians, who are really a race of high character and abilities, the desire for the education of their children, and the more winning manners of the Italians and Germans, whom they do not regard so much their hereditary enemies as the Spaniards, have tended to influence these independent and brave Araucanians, Querandis, and Guaranis, to abandon their predatory life, and settling down to the cultivation of the soil, to endeavor to vie with the whites in the arts of peace. The coming over of several of their chiefs to an alliance with the whites has greatly aided in this change. The Confederation has also planted some colonies and small forts far within their territory, as for instance at Bahia Blanca, Carmen, St. Matthias Bay, and Fort Villarino.

An enterprising Englishman, Mr. Wheelwright, has interested English capitalists in the matter of opening the remote provinces of the Confederation to a market, and by the assistance of the Government of the Confederation, has already constructed a railroad from Rosario to Cordova, and proposes to continue it through Tucuman, Salta, Jujuy, and into Bolivia, and also to extend a line westward from the La Plata to Mendoza, to cross the Andes there into Chile. In this connection the various enterprises recently undertaken to find a practicable route across the Andes, assume a greater significance. It is supposed that the pass south of Mendoza, about lat. $34^{\circ} 40'$ south, will be the most feasible for railroad purposes. This pass, though having an altitude of 6,000 feet above the sea-level, is approached by a gradual slope, and in that latitude is not liable to serious or permanent obstruction by snow. It was known, though until recently it had been forgotten, that during the last century the Jesuit fathers succeeded in crossing the Andes at points still further south, in lat. 39° — 41° , and that the passes by which they then crossed were much lower and more practicable. Since that time, however, the Indian tribes had jealously guarded these passes against the intrusion of white men, and it was not until 1863 that exploring parties have been able to obtain access to most of them. In 1856 an engineer and a German physician from Chili, MM. Fonck and Herz, made an attempt to cross by way of Lake

Llanquihue, Lake Todos los Santos, and Lake Naguelhuapi. They were successful, though encountering great difficulties, and passing over the mountain at an elevation of about 4,800 feet. On their return they found that by ascending the Rio Frio (a stream originating from the glacier of El Tronador, and feeding Lake Naguelhuapi) for a distance of nine miles, they could pass through the valley of Perez Rosales, and thus effect a passage at an elevation of not more than 2,730 feet.

A young Chilian, Don Guillermo Cox, determined to find a still more feasible route, but crossing first by the pass which Messrs. Fonck and Herz had discovered, descended the Rio Negro, a river 700 miles in length, discharging into the Atlantic, and having its source in Lake Naguelhuapi. The stream, though having considerable descent and some rapids, was navigable from the lake; but at a distance of about eighty-five miles from the lake his frail boat was shipwrecked by striking a rock, and he and his companion escaped only to be made prisoners by the Indians, who, however, were speedily pacified by his playing upon a flageolet, and suffered him to go back to Valdivia to obtain some presents to redeem himself and his friend. He availed himself of the opportunity to explore other routes, and to learn from his Indian companions particulars in regard to them. The most practicable he believed to be that of Barloche, in about lat. 41° , passing south of El Tronador, but terminating in Lake Naguelhuapi. It is about seventy-five miles in length from the mouth of the Petrohue, where it commences, to the lake, but it is so easy that the Indians pass it daily with their beasts of burden. Its altitude is believed not to exceed 2,500 feet. He also obtained full information of three other passes. One from Lake Ranco, through the valley of Sifen, which eventually reaches through a considerable forest one of the affluents of the Rio Negro. This is a little below the line of 40° south latitude; another, the pass of Villa Rica, about lat. 39° south, follows the Tolten, a Chilean river, up to its source in Lake Villa Rica, thence passing through the narrow valley of Villa Rica, passes down the valley of the Huechum, a tributary of the Encarnacion, one of the affluents of the Rio Negro. This pass, a convenient one and not of great altitude, is carefully guarded by the Indians, and no white man has been allowed to pass through it during this century. The third pass, that of Rinihue, is very remarkable, and has been explored also by Mr. William Frick, a German engineer, but is too narrow to be of much service, and the streams which unite to form it are mere mountain torrents, and none of them navigable. The physical conformation of this pass is very peculiar. The Lake Rinihue is one of a chain of lakes lying along the western versant of the Andes, of which the principal are Lakes Villa Rica, Calafquen, Panguipulli, Rinihue, Ranco, Puyegue, Rupunco, and Llanquihue, nearly all

of them connected with each other, and at the same time with streams falling into the Pacific; but the Lake Rinihue is also connected with a chain of lakes crossing the Andes by a stream having a rapid descent; and while the principal outlet of that lake is the Valdivia River, flowing into the Pacific, it also finds an outlet through Lake Pachucico and Lacar, eastward, and it is said into one of the affluents of the Rio Negro, though this is somewhat uncertain.

In Chile, the eminent geographer M. Pissis, of Santiago, has continued to prosecute his geodesic investigations in regard to the summits of the Andes within that republic, and has developed recently two interesting facts, one that Aconcagua has wrongly been placed among the volcanoes, a fact which the English geologist Sir David Forbes has also ascertained concerning Sorata and Illimani in Bolivia. Neither of these three summits manifest any evidences of volcanic action. M. Pissis has also definitively settled the height of Aconcagua at 22,422 feet. The Chilean Government has continued to establish and strengthen its colonies in Southern Chile or Araucania, and has now new but strong settlements at Mulchen (mostly of German emigrants), at Lebu and Augol.

In EUROPE the geographical progress of the year has consisted mainly in the new and more complete geographic, geologic, and geodesic surveys of the principal States, in the fixing by new observations the height of some of the mountain summits, and in the measurement of several arcs of meridian of greater or less extent. Among the most admirable contributions made to geographical science during the year, are Petermann's series of Physical and Statistical Charts of the empire of Austria, nine in number, and comprising the hydrography, orography, geology, climatography, hyetography, ethnography, population, religions, agriculture, manufactures, and mines of Austria. By a skilful use of the colors of chromo-lithography he has succeeded in presenting all these points to the eye in the most interesting and impressive manner. Mr. Petermann has also executed a bird's-eye view of Switzerland, giving by variety of colors the comparative elevation of each section, and a still more distinct chart of the region of the Upper Rhine from Glarus to Todi and Vorab, in which each increase of elevation of 1,000 feet is designated by a different shade of green.

In an essay on the geography of Switzerland accompanying these charts, Mr. Petermann gives extended tables of the meteorology, temperature, pressure of the atmosphere and winds of Switzerland, as well as statistics of the height of the mountains, population, wealth, and resources of the little Confederation. His statement of the nationalities, or rather of the national affinities of the Swiss, is as follows: 1,681,000 may be reckoned as Germans, speaking that language ordinarily; 540,000 French; 129,300 Italians; 42,400 Roumanians or gypsies.

The Ordnance and Admiralty surveys of the United Kingdom of Great Britain and Ireland have been vigorously prosecuted, and the Government has ordered a large cadastral survey of England, Wales, and Ireland, to correspond with that already undertaken for Scotland, on the scales of 25 inches and of 6 inches to the mile. The Ordnance survey have made a new measurement of several of the mountains of the Cairngorm group in Scotland, and give the height of Ben Macdhui, which has hitherto been stated as 4,390 feet, as only 4,296 feet. This restores the title of Ben Nevis to rank as the highest mountain in Great Britain, being, according to one measurement, 4,373 feet, and according to another 4,406 feet in height. The estuary of the Thames, the Scilly Islands, Bristol Channel, the Western Hebrides, and a part of the Channel Islands, have been surveyed during the year; the principal triangulation and the initial levelling of the United Kingdom have been published, and the triangulation of Great Britain having been connected with that of France and Belgium, the Russian astronomers Forsch and Jilinski have been engaged in the measurement of an arc of parallel in latitude 52° N., extending over about 72° of longitude. Denmark has continued the publication of its topographical survey, which is most admirably executed. The surveys in the Mediterranean and the Grecian Archipelago, under Capt. Spratt, C. B., and Commander Mansell, were vigorously prosecuted during the year, and Malta Channel, the bay of Tripoli, and the Island and Channel of Corfu completed.

In Russia there has been great activity in geographical research. The surveys connected with the measurement of an arc of meridian by Struve and Tenner, from the North Cape to the Black Sea, have been completed, and though Struve has passed away (*see* STRUVE, WILHELM) late in the year, other kindred spirits remain to follow out his plans.

The Emperor Napoleon III. purchased, three or four years since, the Palatine Hill in Rome, and has since that time employed M. Pietra Rosa, an eminent Italian archæologist, to superintend the exploration of the ruins of this celebrated locality. M. Rosa has recently published a photograph of the plan of the exploration, with full notes of the results attained. These may be briefly stated as follows: he has ascertained that an *intermontium* or ravine, as the ancient authors said, did exist, dividing the hill into a northern and southern portion; that the northern portion constituted the entire territory of *Roma Quadrata* the earliest city, and that portions of the walls of that city, 2,500 years old, still exist, and have been disintegrated by his direction. The southern portion of the hill was the ancient *Velia*. He has also discovered the two gates *Mugonia* and *Romana* of the time of the early empire, and beneath the imperial pavement, in nearly a perfect condition, the pavement of the time of the republic.

Turning to ASIA, we find much that is interesting in the explorations of geographers in its central zone, to which most of the discoveries have been confined. During the year 1864 several parties explored very fully portions of Palestine. The Duc de Luynes, a French nobleman of enterprise and high intelligence, organized an expedition early in the year to explore more fully than had yet been done the Dead Sea and the Jordan. Amply provided with boats, instruments, and apparatus for doing their work thoroughly, they spent four or five months (from March to July) in a careful investigation of the physical geography, geodesy, and geology of the entire region of the Jordan and the Dead Sea. They visited the sources of the Jordan, of which there are three principal ones, the Wady (or valley of) Hasbany, near Hasbeya, 1,847 feet above the sea level; the Wady Banias, 1,257 feet, and the Wady Tell-el Kady, 607 feet above tide water. The first of these is in the Anti-Libanus chain, and much above the valley of the Jordan, into which it falls in a succession of cataracts. The valley of the Upper Jordan at the waters of Merom (Lake Samechonitis) has an elevation of only 469 feet above the sea level.

From this upper valley the descent of the Jordan is very rapid to the Sea of Tiberias, which is 620 feet below the level of the sea, or 1,089 feet below the Valley of the Jordan above the waters of Merom. From the Lake of Tiberias its course is still rapid to the Dead Sea, which is, by the careful measurement of the French explorers, 1,286 feet below the level of the Mediterranean. The party also ascertained, with great accuracy, the latitude, longitude, and elevation of the city of Jerusalem. The latitude is $31^{\circ} 46' 30''$. The longitude E. (from Paris, probably) $32^{\circ} 53' 8''$; altitude above the Mediterranean, 2,556 feet; above the Dead Sea, 3,842 feet.

M. de Sauley, a French explorer, has been examining the topography of the country to the north of the Dead Sea, and has prepared new charts and drawings of it. One of the most interesting contributions to geographical discovery for many years is the narrative and subsequent address before the Royal Geographical Society, of Mr. W. Gifford Palgrave, who after spending eighteen years in the East, and possessing so thorough a familiarity with Arabic as to be able to speak it like a native, resolved, in 1862, to penetrate into and traverse the entire interior of the *Arabian peninsula*. His journey, which, with the various delays, occupied somewhat more than a year, has resulted in a far more complete knowledge of the States in the interior of Arabia than we have hitherto possessed. It has been generally supposed that Central Arabia was a desert of moving sands, with its fertile patches or oases, scattered at intervals over it, and inhabited only, or mainly, by wandering tribes of Bedouins, often at war with each other, and always hos-

tile to all strangers. It was known, indeed, that there was, somewhere in the interior, a sect of Mohammedan purists, called Wahabis or Wahabites, but these, since their defeat and the destruction of their capital by Ibrahim Pasha in 1818, were believed to have resumed the nomad life, and to be practically Bedouins. Mr. Palgrave has been able, from actual observation, to confute these ideas. There are two extensive deserts on the peninsula: one the Syrian Desert, extending southward to about the 32d parallel north latitude; the other, in the south of the peninsula, extending from about the line of the tropic of Cancer to latitude 17° N., and known as the Desert of Ahkaf. The intermediate region is an elevated plateau, with deep fertile valleys and precipitous rocks, having few or no perennial streams, but watered by the torrents which flow in the rainy season from the hills and mountains. The Bedouins are not found in considerable numbers south of the Syrian Desert, and leaving the lower border of that desert in about latitude 32°, Mr. Palgrave, who travelled as a physician (which insured him kind reception), entered at once the kingdom of Jebel Shomer, on the mountains of Shomer. This kingdom lies between 32° and 26° 30' north latitude, and between 33° 40' and 44° E. longitude. Its inhabitants are part nomad and part stationary. About two-thirds of the area of the kingdom is barren and sandy. The defiles, which form a marked feature of the country, are fertile, and are inhabited by an agricultural population, who were Christians before Mohammed's time, and long resisted El Islam. The State religion is now Mohammedan, but except in the towns the adherence to it is merely nominal, the mass of the people being sun-worshippers, though some worshipped fire also, though not approximating in their other tenets to the Parsees. The sun-worshippers, also, paid homage to the North Star, and prayed to it by the name JAH, the title given in the Old Testament Scriptures to Jehovah. The capital of Jebel Shomer is Hail, where Mr. Palgrave and his companions remained for six weeks, being received very cordially by King Jelab or Zelal Ebn Rashed. The people were very finely formed, and the capital is the seat of a considerable amount of trade, and has about 20,000 inhabitants. This kingdom has existed about sixty years. The Government seemed to be vigorous and well organized and the people contented and happy. On the 8th of July, 1862, Mr. Palgrave and his associates, sixteen in number, left Hail, and the next day commenced crossing the Jebel (mountains of) Salma, which form the southern boundary of the kingdom of Jebel Shomer. These mountains were in pre-Islamite times the seat of Koleib Waäl, a monarch whose sway extended over half Arabia. On the 13th the travellers entered the kingdom of the Wahabites, which extends from 26° 30' north latitude south to the Desert of Ahkaf, and from the Persian Gulf on the

East to the province of Hejaz (which contains Mecca and Medina) on the West. The Wahabites are the strictest of Mohammedans, adhering to the precepts of Mohammed in every particular, and rejecting all traditions or precepts of Mohammed's successors. They were organized as a nation and sect by Mohammed Ibn-abd-el-Wahab, a reformer, who flourished in the middle and latter part of the 18th century, and who established the Wahabite kingdom in 1770. He did not himself become the ruler, but while putting the temporal power into the hands of the Chief of Derayah, Abd-Allah-Ebn-Saoud, one of his earliest disciples, he retained the prophetic or priestly power in the hands of his own family. The people are intensely fanatical, and oppose with great bitterness all other sects of Mohammedans. They excited the hostility of the Egyptian viceroy early in the present century, and after a long series of battles, in which the Turco-Egyptian force was at first worsted, they were defeated in 1818 by Ibrahim Pasha, and their capital, Derayah, burned; but though crippled for a time Mr. Palgrave found them now stronger than ever. Their new capital, Riadh, is a very beautiful and populous town, surrounded on all sides by gardens, and the dwellings are mainly of sun-burned bricks, which make them a very solid and durable dwelling. Many of these dwellings possess considerable architectural beauty, and they are furnished comfortably and abundantly, in the oriental style, with carpets, cushions, &c. The Government is an absolute monarchy, very despotic and fanatical. Polytheism and smoking tobacco are, in their creed, the greatest and most unpardonable of sins, while murder, theft, perjury, &c., are merely venial offences. Any man, however high his rank, who is convicted of smoking tobacco, is publicly and severely beaten. Even the brother of the king and one of the ministers of state were beaten, the latter to death, for this offence. Mr. Palgrave remained fifty days in Riadh, but was finally compelled to leave because the king was offended at his refusal to give him strychnine, with which he wished to poison some of the members of the Court who were hostile to him. Mr. Palgrave had the opportunity of examining the stud of the Wahabite king, which consisted of between one and two hundred horses of the purest *Nejed* breed, and were, he says, remarkable for their beauty. Their average height was between fourteen and fifteen hands; none of them were above fifteen hands two fingers. The prevailing color was gray, but some were chesnut, a few mottled, very few white, and still fewer black. There were no bay horses among them. Leaving Riadh, and being obliged to avoid the large towns, the travellers concealed themselves in the small valley of Yamanieh, till Khalif, the chief guide of the Persian pilgrims to Mecca, who had already aided them, could rejoin them, they passed on, when he overtook them on fine and well-watered plains, till they came to

the Dohur Desert, an elevated plateau, an offshoot from the great Southern Desert, which they crossed in two days, and descending rapidly entered Hasa, the richest and most populous of the Wahabite provinces, where were workers in metals of great repute, and large quantities of textile fabrics were manufactured. Early in December the party reached El Khatif, a beautiful town on the Persian Gulf, surrounded with gardens, and having a network of rivers in its vicinity. Here Mr. Palgrave took boat, and, crossing the Persian Gulf twice, reached Sohar, the ancient capital of Oman, on the 3d of March, 1863. Coasting southeastward from this point, he was shipwrecked just as his voyage seemed at an end, and only nine out of twenty-one persons on board the boat were saved. Mr. Palgrave and his companions reached Watiejeh on the 9th of March, where they visited the king of Oman at his country palace, in their forlorn condition, but were kindly received, and the next day went on to Muscat, crossing, with considerable difficulty, the Jebel Akhdar, where they remained twelve days, and proceeding up the Persian Gulf, arrived at Bagdad on the 19th of April after a severe access of fever and delirium, and on the 11th of July reached Beirut. Mr. Palgrave ascertained that the Wadi Aftân, which Jomard and some other geographers have regarded as a river, did not exist either as a river or a valley; and he states further, in all the Nejed (the mountainous plateau of Central Arabia) he saw but one running stream during the summer, and that flowed not more than thirty or thirty-five miles.

The progress of the telegraph lines to India by way of the Persian Gulf, has led to investigation of the capabilities of that gulf as an area the trade. The coast of the Persian Gulf is stated to be one of the best cotton-growing regions in the world. The Sea Island cotton can be produced there in great perfection.

Proceeding eastward, we find most worthy of note the expedition of Mr. Arminius Vambéry, a Hungarian geographer and philologist, through *Turkestan to Bokhara, Khiva, Samarcand, and Hérât*. This journey was made in 1863-'4, and Mr. Vambéry's narrative was published in England in the autumn of 1864, and in the United States by Messrs. Harper and Brothers in April, 1865. Though a young man, being but 31 years of age when he set out upon this journey, Mr. Vambéry had already attained a high reputation as a man of science, and especially as a philologist. He was especially familiar with Turkish and Arabic, and was desirous of investigating among the Turanian tribes the origin of his native tongue (the Magyar). The fate of Conolly and Stodart, and the narrow escape of Dr. Wolff, warned him that there was great peril to a European in penetrating among the savage and fanatical inhabitants of Bokhara, Khiva, and Herat, and he therefore determined to qualify himself to pass as a dervish through that region. He accordingly spent a considerable period in Constantinople in study-

ing the character and customs of the dervishes, and after spending a little time at Teheran joined a company of them, and assuming the appearance of the most extreme poverty, took his place in a caravan going from Teheran to Khiva. Their first stage was to Asterabad, from whence they crossed the Caspian Sea in a Turcoman corsair's vessel, landing at Gomush-Tépé. Having followed for a little distance the river Attreh, the caravan plunged into the Hyrcanian Desert, and after twenty-two days of terrible suffering from the want of water they reached *Khiva*, a smaller city than he had supposed, and in a miserable condition, as indeed was the entire Khanat of which it was the capital. The reigning prince, Said Mohammed, a bigoted and fanatical tyrant, takes great delight in the murder of hundreds of his subjects for the slightest departure from what he assumes to be the laws of Mohammed. Here a malicious Affghan who had accompanied the caravan, endeavored to excite suspicion against Mr. Vambéry as a spy; but by a bold and politic stroke, the traveller succeeded in winning to his protection the prime minister of the Khan, who had resided long in Constantinople, and who pronounced him an eminent Mollah of that city. Remaining a month in Khiva, Mr. Vambéry explored the adjacent country as far as Kongrad, which he represents as a region of great fertility, surpassing in this respect any portion of Central Asia. From Khiva, the *soi-disant* dervish and his companions followed the left bank of the Amoo Daria (the ancient Oxus), toward Bokhara, ten or twelve days' journey distant; but to escape a band of Turcoman robbers, were obliged to take refuge in the desert of Djan Batiran (*the destroyer of life*), where, not having been able to provide a sufficiency of water, they suffered horribly with thirst for six days, and two of their number died. The city of Bokhara, though larger in extent than Teheran, has not so many inhabitants. From a distance it has a fine appearance, but is, like most oriental cities, very filthy. The population of the Khanat is about two millions, a large number of whom are Persian slaves. The reigning Khan, Muzaffar ed-ed-Din, is the son of the murderer of Conolly and Stodart, a man naturally amiable, but compelled by the policy of his Government to commit barbarous and tyrannical acts. The dervishes were well received, but Vambéry was suspected of being a spy, and compelled to exercise great adroitness to repel the suspicion. After remaining here a month, he went with his companions to Samarcand, traversing a populous and well-cultivated region. Samarcand, the ancient capital of Timour, is a decaying city, and Mr. Vambéry believes that its past renown was greatly exaggerated. From Samarcand, Vambéry turned to the southwest and visited first Karshi, and afterward Hérât, where he was again in peril of discovery from the young prince, who declared he was an Englishman. Evading this danger he returned to Teheran, and after suf-

fering from a severe illness, the result of the hardships he had undergone, made his way to Pesth and thence to England. His work is valuable for the information it imparts on the language, customs, and manners of the Turcomans, who have hitherto been comparatively unknown to the nations of the West. He was unable, in the character he assumed, to make any scientific observations, or to take any notes. To have attempted either would have led to his death by torture.

The Russian explorers have been very active, and have brought to light much that has hitherto been unknown in this central zone of the great Asiatic continent. With the prestige of the Russian Government (which is fast bringing these Tartar and Tungusian tribes under its sway) to sustain and protect them, they have been able to penetrate into regions hitherto inaccessible to civilized man. During the last year MM. Carl Struve, Babkof, and Zriakoff have visited Lake Tszaizan (the Saisan-nor of the old maps), which they ascertained to be the source of the river Irtysh. This lake, once frequented by the Chinese, as it is within the bounds of the Chinese Empire, is now visited only by the Aknaiman Kirghis, who come hither during the winter to fish. The lake is accessible only on the north side, being surrounded elsewhere with a marsh and a dense growth of reeds. Its bottom is sandy, and toward the south the Black and the White Irtysh both flow from it. The basin of the Black Irtysh is entirely distinct from that of the Ulangur. East of this they found the Lake Marka, not inserted on the maps generally, which is the source of the river Koldjir. This beautiful lake is surrounded on all sides by high mountains covered with forests of birch. During the summer the Kara-Kirey Kirghis pitch their tents around it, and in the autumn Russian fishermen from the source of the Tarim succeed them, and obtain from its waters a supply of food for the winter. The Koldjir is a very rapid stream, having a descent in the space of ninety miles of 3,937 feet. They also ascended the mountain summit called by the Tartars Sara-Taou, and ascertained its height to be 9,842 feet. Coal, though not of the best quality, has been found in the mountains of Karatau by Colonel Tcherniaeff, and will prove of importance to Russia, as it can be brought down the Syr-Daria (ancient Jihon) to supply her new steam flotilla on the Sea of Aral, which has been supplied hitherto at immense cost from Donetz in South Russia, over 1,200 miles of transportation, a part of it a desert. Another expedition, organized under the direction of the Imperial Geographical Society of St. Petersburg for the exploration of *Eastern Siberia*, has accomplished its work. In this expedition the explorers, amply supplied with all that was necessary for their work, divided it among themselves; M. Schwartz, of Dorpat, and his assistants preparing all the topographical maps and drawings; MM.

Schmidt and Glehn taking upon them the geological and mineralogical inquiries, and M. Radde and his assistants being responsible for the botanical and zoological departments. The great basin of the Upper Amoor and its affluents was found to be very incorrectly represented on all existing maps. The lofty *Yablonoy* Mountains, so long represented as forming the connecting link between the Altai range and the Stanovoy Mountains in N. E. Siberia are now found to have no existence, a low plateau to the north of Lake Baikal, from which the affluents of the Lena on the north and those of the Amoor on the south have their source, forming the real water shed of Eastern Siberia. The Amoor makes a sudden deflection southward from the Cossack station of Pashkoff, forcing its way through a profound fissure with precipitous cliffs on either side, in a mountain ridge, striking from east to west and not from north to south as has formerly been represented. The form of the Saian Mountains which range eastwardly from the Altai is materially different from previous representations. The Island of *Sakhalin* has also been explored by the expedition, and its physical geography ascertained. A chain of mountains extending from north to south without interruption along the eastern shore, forms its principal frame. In the streams which water the island as in those of Eastern Siberia, the right bank of the river is uniformly steep and precipitous, the left bank low and flat. The northeastern shore presents the flora of Kamtschatka and the Sea of Okhotsk, the southwestern that of Japan. The small fruits, the grape, raspberry, blackberry, whortleberry, and strawberry abound. The Gilanes people the north of the island and the Ainos the south. The latter are the original inhabitants. They are shy, timid, and simple, small of stature and badly formed, but possess great strength. Their complexion is white, and their hair and beard heavy. They are of mild and amiable disposition. Their language is peculiar, differing from that of the people of the adjacent coasts radically. It has never been reduced to writing. They are said to pay religious homage to the bear and to the different kinds of fish which furnish them food. Their dwellings are mere huts of poles covered with boughs.

The telegraph line from St. Petersburg west to the mouth of the Amoor, and thence across Sakhalin and the Kurile and Aleutian Islands, and down the coast of Russian America and British Columbia through Washington Territory and Oregon, to San Francisco, is in rapid progress from both ends. The mouth of the Amoor will be reached during the summer of 1865, and the connection made probably in 1866.

Passing southward we find less activity in geographical research in China than two or three years ago, though some new portions of it have been described. At the session of the American Geographical and Statistical Society

of Oct. 6, 1864, a paper was read, communicated by W. P. Jones, Esq., U. S. Consul at Macao, giving a narrative of a voyage which he had made in August, 1863, up the Pearl or North Canton River to Shan Chan Foo, a large city three hundred and thirty miles above Canton. He noted the great density of the population, large cities occurring at every few miles, one of them, Fat-Shan, having a population of 500,000 inhabitants, and another, Tsing-Une, 300,000, and the whole shores being lined with populous villages. The country was very fertile, and bore evidence of high cultivation. The scenery was beautiful, often grand, from the lofty mountains which approached the banks, and the narrow and abrupt passes through which the river forced its way. A little more than a hundred miles above Canton they came upon a remarkable natural bridge of blue limestone, called Pik Lank Ngam, of one hundred and twenty-five feet span, from fifty to seventy-five feet in height, and at least two hundred and fifty in length. Beneath this natural arch flowed a stream sixty feet broad and of great depth. Above this bridge the rocks rise in perpendicular walls on each side more than three hundred feet above the water. At one hundred and sixty miles above Canton, they found a cave of vast extent, opening at the base of a precipice eight hundred feet in height. This cave the Buddhists had converted into a temple to the Goddess of Mercy (Koon Yam). At several points the Chinese were burning marble, of excellent quality for lime.

Mr. Robert Swinhoe, H. M. Vice-Consul at Taiwan Foo, the principal city of the island of Formosa, communicated to the Royal Geographical Society a paper on that island in Dec., 1863. It is a district of a province of China, and its government is administered by a special governor, who is responsible only to the Emperor. The coast is considered dangerous, and shipwrecks are frequent, but there are good harbors on the southern end of the island, and the Tam Suy River on the northwest has excellent anchorage and a good depth of water. The capital, Foo Chow, is not far distant from the river. The western coasts of the island are peopled by Chinese, who have driven the aborigines back into the mountains and toward the eastern shore. The Malays and Japanese have also emigrated to the island to some extent. The aborigines are of doubtful origin, but are some of them ferocious and bear the reputation of being cannibals; while others, according to Mr. Swinhoe, understand most of the arts of civilization, and seemed to be a quiet and peaceful people. The principal productions of the island were tea, rice, sugar, barley, jute, grass cloth fibre, rice paper, rattans, wheat of good quality, camphor, petroleum, and dyewoods. In the northeast, at Coal Harbor, is an abundance of excellent lignite coal.

The progress of geographical discovery in Oceania has not been remarkable during the year. Two companies have been formed to effect

settlements of colonists in North Australia; one from South Australia to settle on the banks of the Adelaide in Arnhem's Land, the other from Queen's Land to occupy Point Somerset near Cape York. The British Government have also ordered the establishment of a naval station on Albany Island near Cape York. The inside of the Great Barrier reef has been thoroughly surveyed, and the navigation along the East coast rendered safe. It has been demonstrated that sheep will thrive in Australia up to 19° S. lat. The attempt to acclimatize the Alpaca there has proved a failure. Mr. H. M. Lefroy has penetrated into the interior of Western Australia, in search of new districts adapted to sheep farming, and found an immense tract with abundant and nutritious grasses, never before visited by Europeans. An interior chain of lakes was discovered, and fertile plains bordering on them.

Careful surveys have been continued of considerable portions of the Middle Island of New Zealand, by Drs. Hector and Haast, mentioned in the geological article in the *ANNUAL CYCLOPÆDIA* of last year, and the Lake districts of the Otago province have been explored by Mr. McKerrow. Several of the mountains, as Mount Aspiring and Mount Richard, attain an elevation of over 10,000 feet; and the line of perpetual snow in that latitude is 8,000 feet. Several extensive glaciers in connection with these mountains have been surveyed. Both Dr. Haast and Mr. McKerrow have ascertained that an elevated mountain chain of an altitude of from 9,000 to 10,000 feet extends from northeast to southwest, through the whole length of the island, forming its watershed. The continuity of this chain is broken through only in a very few places, and elsewhere it presents high and abrupt walls of great altitude throughout its whole length in the Canterbury province. Of the few passes through this chain, one explored by Dr. Haast was unique in character, and only 1,062 feet in height. Gold is found in increasing quantities in the province of Otago.

We turn lastly to AFRICA, which during the past year has been more than ordinarily unfortunate in the loss of eminent explorers. Capt. Speke came to his death accidentally in England, Dr. Steudner, Mrs. Tinné and her sister, all belonging to the Tinné party, were victims to the fevers of the Upper Nile, and M. de Heuglin, M. D'Ablaing, and Miss Tinné, of the same party, narrowly escaped with their lives. The botanist Schubert also succumbed to this terrible paludal fever. M. Jules Gerard the lion-killer, who had undertaken to explore the region east of Sierra Leone, was drowned in the river Jong, or, according to other accounts, murdered by the natives; and Dr. Baikie, after completing his long and toilsome explorations in Soudan, and arriving in safety at Sierra Leone, fell a victim to fever there. It was reported that Dr. Livingstone was killed by the natives, but fortunately for geographical science, though wounded, he recovered, and is now in England.

M. Werner Munzinger, long a resident of Egypt, has contributed a valuable memoir to Petermann's *Mittheilungen* on the tribes of Upper Nubia, between the Atbara and the Red Sea. He enumerates four of these tribes: the Bogos, the Mensa, the Barea, and the Kounamas. The last named are called by the other Nubians *Changallas*, that is, *black savages*. They occupy the territory bounded by Dembella on the east, and Adrabo and the Takazza on the west. At the north they extend from the Mareb to Barca, and on the south occupy the wooded slopes of the Abyssinian plateau. They are black, but well formed, muscular, with curly but not woolly hair, a scanty beard, a fine mouth, and seldom any flattening of the nose. They are a grave and sedate people, but courteous and pleasant. Their religion seems to be an indifferent deism. They have no feasts or fasts. Their government is patriarchal, and the elders or aged men are greatly revered. The magician, or rain maker, is also much honored, but if he fails to bring rain he is put to death. The family, as we know it, does not exist among the Kounamas, and the property descends to the sister's son, in preference to any putative child of the owner of property, as in many of the African tribes. They are very industrious farmers, cultivating the various cereals of the country, tobacco and an oleaginous plant called *schebob*. Honey abounds, and they make a fermented drink from it. They live in bell-shaped huts covered with grass. No European had previously penetrated into their country in consequence of their alleged ferocity. Herr Munzinger has ascertained with certainty the identity of the rivers Mareb and Gâche, long supposed to be distinct streams.

The question of the sources of the Nile, which was at first supposed to be settled by the discoveries of Captains Speke and Grant, is not yet quite cleared of mystery, inasmuch as they did not follow the Nile from its source to Gondokoro, and could not tell what affluents it might have received from other lakes. This is now the subject of further exploration by the Baron de Heuglin and Mr. Samuel Baker, who have penetrated to Lake Nyanza, and have obtained information which confirms Capt. Speke's theory of the source of the Nile, and Consul Petherick is also pushing his inquiries in that direction.

The Baron Von der Decken, a well-known German geographer, who ascended Mount Kiliman'djaro, has undertaken his fourth exploring tour, having the geologist Karsten and two other eminent scholars as companions. He reached Zanzibar in the summer of 1864, intending to ascend either the Ozi or the Job River, and, climbing the northern slope of Mount Kenia, seek for a stream which he believes flows thence to join the White Nile above Gondokoro.

Mr. G. Sejeau, a French geographer, has penetrated into Abyssinia, and has prepared a very complete map of that country. Dr. Liv-

ingstone has returned to England after an extended exploration of the upper waters of the Shire, and the west shores of Lake Nyassa. He found in this region a chain of mountains running north and south (not east and west, as our maps have laid them down), and broad fertile valleys at an elevation of about 6,500 feet above the sea level, with a delightful climate, and admirably adapted to cotton culture. He also discovered two rivers, both named Loangwa; one discharging its waters into Lake Nyassa, the other turning toward the west, and after a great *detour* falling into the upper Zambesi. He also learned from the natives of another river, the Moitawa, which flows into a little lake called Bemba. This river, the natives say, is the source of the river Luapula, which flowing west and uniting at first with the Mofué, and passing through the city of Cazembe, falls into Lake Tanganyika. Dr. Livingstone was unable to explore this river, but he ascertained that Lake Nyassa did not communicate with Lake Tanganyika, a point of considerable importance. From the *Western Coast*, M. du Chaillu has undertaken another exploration of the interior of Africa. He has ascended the Femand Vas, and crossed the mountains to the interior, since which we have no information from him. Major Burton, well known as a traveller, made, late in 1863, an official visit to Dahomé, and spending two months there, has given an interesting though characteristic narrative of the people, customs, and human sacrifices of that degraded kingdom. Murder seems to be the principal amusement of the bloodthirsty wretch who rules it. His army of Amazons, Burton thinks, do not exceed 2,500 or 3,000, and he regards them as by no means formidable. Of their morals little can be said. The country is in a pitiable condition; agriculture neglected, no manufactures, and only war and plunder and the preservation of their own lives thought of.

We have already mentioned the death of Dr. Baikie, which occurred in November, 1864. He had added materially to his discoveries in the region of the Niger. Leaving Egga, 360 miles from the mouth of that river, he ascended the Wunagi River, a branch of the Niger, with Lieut. Gambier, for 50 miles to the village of Wunagi, 7 miles from Beda the capital of King Massaba. Here they found an industrious agricultural population, who raise crops of grain, yams, and cotton. The region is healthy. The Christian settlements of Onitscha and Glébé founded by the colored Bishop Crowther, on the Niger, are prospering, as are also the station of Lukoja and the model farm established by Dr. Baikie at the confluence of the Niger and Benué. The Royal Geographical Society of London have extended assistance to M. Rohlfs Gerard, a young geographer who has undertaken to make a journey of exploration from Morocco to Timbuctú, and have received intelligence of his having accomplished the first stages of his journey.

GEORGIA. For military affairs in Georgia during 1864, see ARMY OPERATIONS.

As the armed hosts came within the northern limits of Georgia, which was the granary of the State, dissatisfaction with the Confederate Government and its conduct of the war began to appear and increase. Perhaps no person manifested more of this disaffection than the Governor of the State. In his message to the Legislature in March, Gov. Brown declared that the action of Congress in funding seven hundred millions of dollars in forty days at a less rate of interest than that pledged on the full notes resembled repudiation and bad faith, and that it had shaken the confidence of the people in the justice and capacity of that body. Its discussions in secret sessions, he declared to be a blighting course, convenient for canvassing what will not bear the light. The new military bill he considered to be unconstitutional, and that conscription would not fill the army. The act to suspend the writ of *habeas corpus* conferred powers on the president which were denied by the constitution, and he urged the Legislature to take prompt action to stamp it with the seal of their indignant rebuke. He reviewed the causes of the war, exonerated the northern democrats and moderate republicans, and declared that the responsibility rested exclusively with the "wicked republicans" who denied the compact of the constitution, and demanded an "anti-slavery bible and an anti-slavery God," and said: "We should keep before the Northern people the idea that we are ready to negotiate when they are ready, and will recognize our right to self-government and the sovereignty of the States."

A special message was sent to the Legislature at a later day, in opposition to the conscription act. The Supreme Court of the State had decided the act to be constitutional, but it had not declared, as the Governor said, that the Confederate Government had the power to enrol the whole population of the State who remain at home, so as to place all the people under its military control. He insisted that if all between the ages of seventeen and fifty were placed in the army a sufficient number would not remain to raise subsistence. At a later day he defended the State against attacks for permitting Gen. Sherman to march unmolested through it, by saying she was abandoned to her fate, and neglected by the Confederate authorities, while her army of able-bodied sons were held for the defence of other States, and thus she was compelled to rely only upon a few old men and boys.

The Legislature hardly responded to the sentiments of the Governor. They passed resolutions recommending, after every signal success, an official tender of peace to the Federal Government upon the principle adopted in 1776, and condemned the act suspending the *habeas corpus*, also the act turning over to the Confederate authority all persons between seventeen and eighteen and forty-five and fifty; they also ex-

pressed confidence in the president and thanks to the armies.

The militia law of the State called into service all between sixteen and sixty years of age, and divided them into two classes. The first was composed of those between seventeen and fifty years of age, constituting what is called the militia proper; and the second class, those between sixteen and seventeen years of age, and between fifty and sixty years of age, constituting what is to be known as the militia reserve. The only exemptions provided for in the bill were those created by the constitution in reference to all officers and members of the executive, legislative, and judicial departments of government.

On the march of Gen. Sherman through the State, an act was passed authorizing the conscription of every free white male inhabitant of the State for forty days. The Governor, however, exempted the clergy, who were in charge of parishes.

After Atlanta had been captured by Gen. Sherman, he sent a messenger, William King, to Vice-President Stephens and to Gov. Brown, inviting them to a conference with himself. The invitation, as received, was thus described by Gov. Brown:

Mr. William King, who represented himself as the bearer of a message from Gen. Sherman, called upon him and stated, in substance, that Gen. Sherman had requested him to say to the Governor that he would be pleased to receive a visit from him and other distinguished Georgians, with a view to a conference upon the state of the country and the settlement of our difficulties; that he would give the Governor a passport through his lines with an escort, if desired, to go and return at such time as might be agreeable to him; that he (Gen. Sherman) recognized him (Gov. Brown) as the Governor of the whole State, and as over one hundred miles of the territory of the State is now behind his lines, he (Gen. Sherman) would allow the Governor to go and visit his people in the rear if he desired to look after their condition, and return at his pleasure; that he would receive him and other distinguished Georgians at his headquarters, and treat them with the respect and consideration due their positions during the conference which he invited; that he did not wish to be compelled to overrun and desolate more of the territory of the State.

Mr. Stephens replied as follows:

CRAWFORDSVILLE (GA.), Oct. 1, 1864.

William King, Sr., Esq.:

SIR: I have considered the message you delivered me yesterday from Gen. Sherman with all the seriousness and gravity due the importance of the subject. The message was a verbal invitation, by him through you, to me to visit him at Atlanta, to see if we could agree upon some plan of terminating this fratricidal war without the further effusion of blood.

The object is one which addresses itself with peculiar interest and great force to every well-wisher of his country—to every friend of humanity—to every patriot—to every one attached to the principles of self-government established by our common ancestors. I need not assure you, therefore, that it is an object very dear to me. There is no sacrifice I would not make, short of principle and honor, to obtain it; and no effort would I spare, under the same limitations, with any reasonable or probable prospect of success. But, in the present instance, the entire absence of any power on my part to enter into such negotiations, and the like absence of any such power

on his part, so far as appears from his message, necessarily precludes my acceptance of the invitation thus tendered.

In communicating this intention to Gen. Sherman, you may also say to him that, if he is of opinion that there is any prospect of our agreeing upon any terms of adjustment to be submitted to the action of our respective Governments, even though he has no power to act in advance in the premises, and will make this known to me in some formal and authoritative manner (being so desirous for peace himself as you represent him to have expressed himself), I would most cheerfully and willingly, with the consent of our authorities, accede to his request thus manifested, and enter with all the earnestness of my nature upon the responsible and arduous task of restoring peace and harmony to the country, upon the principles of honor, right, and justice to all parties. This does not seem to me to be at all impossible, if truth and reason should be permitted to have their full sway. Yours, most respectfully,

ALEXANDER H. STEPHENS.

The reply of Gov. Brown was as follows:

Please make to Gen. Sherman an acknowledgment of my obligation for the personal courtesies which you say he proposes to extend to me. But as he is only a general commanding an army in the field, and I the governor of a State, neither the constitution of his country nor of my own confers upon us any power to negotiate a treaty of peace. We probably hold but few sentiments in common; but if we should agree in every particular, we would have power to bind no one by any compact we might make. As our interview could therefore result in nothing practical, I must decline the invitation. While the portion of the State now in the rear of Gen. Sherman's army is held by him, and the execution of the laws of the State is suspended by armed force, I know of no service which I could render to the people of that section by a personal visit. If I could better their condition or mitigate their sufferings, I would, on their account, cheerfully go at the expense of any inconvenience or personal sacrifice which the trip might cost me.

To the remark that Gen. Sherman does not wish to be compelled to overrun and desolate more of the territory of Georgia, I reply that no compulsion rests upon him to attempt this, unless it be the cruel orders of his Government. If he makes the effort, he will find much greater difficulties in the way of his advance for the next hundred miles than those encountered during his march from Dalton to Atlanta. Georgia may possibly be overrun, but never can be subjugated, and her people will never treat with a conqueror upon her soil. As a sovereign State she had the undoubted right to dissolve her connection with the Government of the United States when the compact had been violated by the other States of the confederacy, and to form a new compact, which she has done. She is as sovereign to-day as she was the day she seceded from the old Union, and has the same power, by a convention of her people, which she then had to resume all delegated powers and all the attributes of sovereignty, and then to declare war, negotiate treaties of peace, and do all other acts which a sovereign State may do. While this power rests on her people, who are the original source of all sovereignty, her constitution, formed by them, has conferred no such power upon her Governor.

The fact must not be overlooked, however, that while Georgia possesses the sovereign power to act separately, her faith, which never has, and I trust never will be violated, is pledged by strong implication to her Southern sisters, that she will not exercise this power without consent on their part, and concert of action with them. In league with her Southern sisters, she entered into this contest with full knowledge of all the responsibilities which attached to the act; and come weal or woe, she will never withdraw from it in dishonor. However unequal

may be the proportion of suffering or sacrifice which her people may have to endure, she will never make separate terms with the enemy which may free her territory from invasion and leave her confederates in the lurch. Whatever may be the opinion of her people as to the injustice done her by the Confederate administration, she will triumph with her Confederate sisters, or she will sink with them in common ruin. The intelligent people of Georgia already understand, and our enemy will soon learn, that the independent expression of condemnation of the administration is one thing, and disloyalty to our sacred cause is another and quite a different thing. While the people of Georgia think for themselves, and will not blindly applaud the mismanagement of their rulers, they will never violate principle for expediency, nor accept dishonor for reward.

The foundation of our Government and the liberties of the people rest upon the sovereignty of the States as their chief corner stone. Destroy the sovereignty of the States and the whole fabric falls to the ground, and centralized power with military despotism takes the place of constitutional liberty.

When the passions of the people North and South have subsided we may make peace by negotiation, but never by the sword.

If Mr. Lincoln would have peace and prosperity reestablished upon a firm basis, let him stop the war, and, planting himself upon the principles of the Declaration of Independence of 1776, let him recognize the sovereignty of the States, and agree to leave each sovereign State to determine for herself, by a convention of her people, whose delegates shall be fairly chosen by the legal voters of the State, without military interference or intimidation, what shall be her future connection—whether she will remain in, or, if out, return to the old Union, or adhere to her present league.

There may be doubts whether Kentucky, Missouri, and probably other States, desire to continue their connection with the United States, or to cast their lot with the Confederate States. The only just mode of solving these doubts is the one above indicated. If these or any other of the Southern States should, in solemn convention, decide to go with the United States, neither the Confederate Government nor the other States can object. We cannot govern Kentucky, for instance, against her will, unless we can subjugate her. This we have no power to do with the Northern States at her back; and if we had the power we have no right to coerce a sovereign State into a connection which is not of her own choice. If this were done we must, in future, govern her people by the bayonet, which would convert our republicanism into the worst species of despotism. So it must be with the North if Mr. Lincoln should succeed in his policy of conquering us.

If we were overrun, and for a time subdued, our territory is so vast in extent, and our population so large, that it would take a regular army of two hundred thousand men to govern and hold us in subjection. The support of such an army would not only continue the country in bankruptcy, but in the hands of the Executive it would soon be used to subvert even the form of the Government, and change it from a republic to a monarchy. Thus to destroy our liberties must cost the Northern people their own, and the republicanism of America must in future be a reproach and a byword among all nations.

If President Lincoln and President Davis will agree to stop the war and transfer the settlement of the issues from the battle-field to the ballot box, leaving each sovereign State to determine for herself what shall be her future connection, and who her future allies, the present devastation, bloodshed, and carnage will cease, and prosperity will be restored to the whole country.

On the other hand, if this is not done the war will last for years to come, till both sides are exhausted and overwhelmed with debt and taxation, when it

may degenerate into a guerilla strife, the end of which may not be seen by the present generation, and the hate engendered by which will last through many future generations.

Neither General Sherman nor I can control this, however much we may deplore it.

If those on both sides who have the constitutional power of negotiation, from obstinacy or ambition, refuse to recognize the sovereignty of the States and to leave the settlement of the question to the States when they cannot themselves agree, and insist on continual effusion of blood to gratify their caprice, all the States, North and South, in their official capacity may then be justifiable in taking the matter into their own hands and settling it as sovereigns in their own way.

The views of the Governor on the manner of settling the difficulties were subsequently stated to the Legislature more briefly in his message at the session in November. The plan was openly advocated by several newspapers in Georgia and Alabama, which claimed most of the leading men in Georgia and several other States as favoring it.

From Chattanooga to Marietta, a distance of one hundred and fifty miles, the country was totally swept of its able male inhabitants. A few old and decrepit men, gaunt and half-starved women and children were occasionally to be seen. All along the railroad appear black and charred timbers, and chimneys standing alone that show where houses have been burned down. The few little villages are deserted, and fences and crops have disappeared. Large hotels and stores remain with doors off their hinges, the panes of glass broken, and the furniture removed, from cellar to garret. Appropriations were made by the Legislature to feed the destitute inhabitants of several counties.

GERARD, JULES, a French traveller, explorer, and lion-hunter, born at Pegnan, in the Department of Var, France, June 14, 1817, and drowned in crossing the Jong River, in Upper Guinea, in September, 1864. He was the son of poor parents, but was fond of sport from his youth, being a hunter and somewhat of a pugilist when but sixteen years of age. He volunteered for the Algerian Campaign in 1841, and soon after his arrival in Algeria hearing of the terrible lion of the Archiona he resolved to kill him. He was successful in this, and in subsequent years slew twenty-five other African lions of full size, besides leopards and panthers, though always badly equipped, and received from the Arabs the name of "the terrible Frank." In 1847 he returned to France, and was received with many honors. The Count de Paris gave him a brace of fine pistols. In 1855 he returned again to France with the rank of sub-lieutenant, and received the decoration of the Legion of Honor. Soon after he visited England where he was treated with much attention. In 1857-'8 he published an account of his adventures under the title of *Le Tireur de Lions* ("The Lion Killer"). Near the close of 1863 he went to the western coast of Africa, provided with instructions from the

Royal Geographical Society of London, and with the support of several members of the English nobility, for the purpose of exploring the interior of that country. He first landed at Whydah, and attempted to penetrate into the interior by way of the kingdom of Dahome, but failing in this, came to Sierra Leone, where the English citizens furnished him with the means for his journey, and he went to the neighborhood of the river Gallinas on board an English man-of-war. Soon after landing he was plundered of all his baggage and took refuge in Sherbro County, where the French residents gave him all the assistance in their power. He left the village of Begboun in May or June, but when at only two hours' distance was again completely pillaged and compelled to return to the village, where he remained till the close of the rainy season, when, his resources being exhausted, he determined upon returning to Sierra Leone, but was drowned in attempting to cross the Jong River, which had been much swollen by the rains.

GIDDINGS, JOSHUA REED, an American statesman and author, born in Athens, Bradford Co., Penn., Oct. 6th, 1795, died in Montreal, Canada East, May 27th, 1864. When he was ten years old his parents became settlers of Ashtabula Co., Ohio, in the Western Reserve, since famous by its devotedly anti-slavery politics. When 17 years old, in 1812, he entered the army as a substitute for his brother, and saw service against the Indians near Sandusky Bay. Subsequently he taught school, began the law in 1817, studying with Elisha Whittlesey, and was admitted to the bar in 1820. In 1826 his public political life commenced with his choice as a representative to the State Legislature. Declining a reëlection, he pursued his profession till 1838, and in that year was chosen to Congress to succeed his instructor, Mr. Whittlesey. Henceforward his career became part of the history of the anti-slavery movement.

His principles were settled before he entered Congress. At the beginning of his service as a Representative he became identified with the champions of anti-slavery. By the side of John Quincy Adams, he defended the right of petition, declared for the abolition of slavery and the slave-trade in the District of Columbia, and espoused the cause of territorial freedom. Mr. Giddings's first attempt to be heard against the slave-trade, in 1839, was a vain one. In 1841 he found leave to speak against the Florida War as a pro-slavery contest. In 1842 came the celebrated Creole case, in which slaves on board a vessel of that name, sailing from Virginia for New Orleans, rose against their kidnappers, and carried the vessel into a British port. Mr. Webster, then Secretary of State, demanded indemnification from the British Government, and Mr. Giddings, on the 21st of March, gave notice of the following series of resolutions, which were read twice from the clerk's desk:

1. *Resolved*, That prior to the adoption of the Federal Constitution, each of the several States composing this Union exercised full and exclusive jurisdiction over the subject of slavery within its own territory, and possessed full power to continue or abolish it at pleasure.

2. *Resolved*, That by adopting the Constitution no part of the aforesaid powers were delegated to the Federal Government, but were reserved by, and still pertain to each of the several States.

3. *Resolved*, That by the eighth section of the first article of the Federal Constitution, each of the several States surrendered to the Federal Government all jurisdiction over the subjects of commerce and navigation upon the high seas.

4. *Resolved*, That slavery being an abridgment of the natural rights of man, can exist only by force of positive *municipal law*, and is necessarily confined to the jurisdiction of the power creating it.

5. *Resolved*, That when a ship, belonging to the citizens of any State of this Union, leaves the waters and territory of such State, and enters upon the high seas, the persons on board cease to be subject to the laws of such State, and thenceforth are governed in their relations to each other by, and are amenable to, the laws of the United States.

6. *Resolved*, That when the brig "Creole," on her late passage for New Orleans, left the jurisdiction of Virginia, the slave laws of that State ceased to have jurisdiction over the persons on board, and they became amenable to the laws of the United States.

7. *Resolved*, That the persons on board said ship, in resuming their natural rights to liberty, violated no law of the United States, incurred no legal penalties, and are justly liable to no punishment.

8. *Resolved*, That all attempts to regain possession of, or to reenslave said persons, are unauthorized by the Constitution or laws of the United States, and are incompatible with our national honor.

9. *Resolved*, That all attempts to exert our national influence in favor of the coastwise slave trade, or to place this nation in the attitude of maintaining a commerce in human beings, are subversive of the rights, and injurious to the feelings and interests of the people of the free States; are unauthorized by the Constitution and prejudicial to our national character.

The reading of these resolutions created great excitement in the House, and an attempt was made to compel an immediate vote on them, when Mr. Giddings, at the suggestion of some of his friends, withdrew them, stating that he should present them for action again on the day when resolutions should again be in order.

When they were withdrawn, Mr. J. M. Botts, of Virginia, offered a resolution to censure and condemn Mr. Giddings for offering such resolutions. Objection being made on technical grounds to a Virginian offering a resolution of censure, and a suspension of the rules being denied, Mr. Weller, of Ohio, renewed Mr. Botts's resolutions, which were passed the next day without allowing Mr. Giddings an adequate opportunity of defence, by 125 yeas to 69 nays. Mr. Giddings thereupon resigned his seat in the House at once, and returned to his home, but was reelected by the people of his district by an overwhelming vote, and in five weeks returned to Washington to resume his duties. He was reelected to each successive Congress till 1861, when he declined a nomination and was appointed by Mr. Lincoln Consul-General for Canada, the duties of which office he discharged at Montreal till his death, which was

the result of disease of the heart, by which he had previously been twice prostrated.

He was twenty-one years in Congress. He supported Gen. Harrison and Mr. Clay with great ardor, but opposed the election of General Taylor to the Presidency, and Robert C. Winthrop as Speaker of the House on anti-slavery grounds. In 1850 he opposed, with decided ability and great strenuousness, the compromise measures, and especially the fugitive slave law. In most other cases he voted with the Whigs while they existed as a party, and afterward steadily with the Republicans. Mr. Giddings published works consisting of a series of political essays, over the signature of "Pacifcus," published in 1843; an interesting narrative of the oppression exercised by the slaveholders of Florida over the negroes, Indians and mixed races of that peninsula, under the title of "Exiles of Florida," published in 1858; a volume of his speeches in Congress, issued the same year; and "A History of the Rebellion, its authors and causes," which is mainly a history of the anti-slavery struggle of the last twenty-five years in Congress, and was published just after his death.

GRATTAN, THOMAS COLLEY, a British author, born in Dublin, Ireland, in 1796 (according to some accounts in 1794), died in London, July 4, 1864. At the age of 15 he was articled to a Dublin attorney, but seems to have taken little interest in the law, his attention being absorbed by miscellaneous literature, of which he became a prodigious reader, and by the then all-prevailing enthusiasm for military life and adventure. Having obtained a commission in a British regiment of the line, he left England to enter upon his new duties, but was met at Valenciennes by the news of the battle of Waterloo, which terminated the war. But being still intent upon a military career he determined to join Bolivar in South America. Before this purpose could be accomplished he fell in love with a lady residing in the South of France, his subsequent marriage with whom reconciled him to more peaceful avocations. After living a year or two at Bordeaux, he made his first essay at authorship by the production of "Philibert" (1819), a metrical romance in Scott's manner, which proved a mortifying failure. Nothing daunted by this mishap, he tried his strength in the less ambitious field of magazine writing, and in 1823 reappeared before the public in a three volume book, entitled "Highways and Byways; or, Tales of the Roadside, Picked up by a Walking Gentleman," comprising tales of Continental adventure and wandering, the agreeable and picturesque style of which rendered them very successful. In 1824 he published a second series, and in 1827 a third, each in 3 vols., which were received with equal favor. About 1828 he changed his quarters from France to Belgium, residing principally at Brussels, and during the next ten years pursued a busy literary career. During this period he pro-

duced "Traits of Travel," "The Heiress of Bruges," "Jacqueline of Holland," "Agnes de Mansfeldt," "Legends of the Rhine," &c., &c.; also a "History of the Netherlands" for Lardner's Cyclopaedia, and a "History of Switzerland." His tragedy, "Ben Nazir, the Saracen," written for Edmund Kean, failed owing to the impaired memory and total loss of the power of study in the actor. Having taken an active part in supporting the pretensions of King Leopold to the throne of Belgium, he was at that monarch's special request appointed in 1839 British Consul to Massachusetts, and fixed his residence in Boston. He held this position until 1853, when he resigned in favor of his son. The last ten years of his life were passed in London, where appeared, in 1859, his "Civilized America," a splenetic attack upon American society and institutions. Other works suggested by his residence in America were, the drama, "The Woman of Color," and "England and the Disrupted States of America." His latest contribution to literature was, "Beaten Paths, and Those who Tread them." Besides his acknowledged works he wrote an immense number of magazine and review articles, was a humorous and caustic speaker, and of excellent conversational powers.

GREAT BRITAIN; OR, THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND. Area 112,406 square miles. Population, 1861, 29,834,788. Capital, London. Government, a Constitutional Monarchy. Parliament, two Houses, Lords and Commons. Queen Alexandra Victoria. Heir Apparent, Albert Edward, Prince of Wales, eldest son of the Queen. Cabinet, Viscount Palmerston, first Lord of the Treasury (Prime Minister); Earl Granville, Lord President of the Council; Lord High Chancellor, Lord Westbury; Lord Privy Seal, Duke of Argyll; Chancellor of the Exchequer, Right Hon. W. E. Gladstone; Secretary of State for the Home Department, Right Hon. Sir George Grey, Bart.; Secretary of State for Foreign Affairs, Earl Russell; for the Colonies, Right Hon. Edward Cardwell; for War, Earl de Grey and Ripon; for India, Right Hon. Sir C. Wood, Bart.; First Lord of the Admiralty, Duke of Somerset; Postmaster General, Lord Stanley, of Alderly; President of the Board of Trade, Right Hon. T. Milner Gibson; President of Poor Law Board, Right Hon. C. P. Villiers; Chancellor of the Duchy of Lancaster, Earl of Clarendon.

Aside from diplomatic questions (for which see DIPLOMATIC CORRESPONDENCE), there was but little of special interest in the relations of Great Britain and the United States, during the year 1864. The cases of the *Alexandra* and the rebel rams, built by Laird, of Liverpool, (alluded to in the ANNUAL CYCLOPÆDIA for 1863, p. 457), being thrown out by the House of Lords on appeal, upon technical grounds, were finally settled by the return of the *Alexandra* to her owners, under bond that she should not be used for hostile purposes, and the

purchase by the English Government of the steam rams. In the English House of Lords on the 5th of April, the Marquis of Clanricarde moved for the correspondence with the Confederate States, in reference to the removal of the British consuls from Southern ports, and the enlistment of English subjects in the rebel army. Earl Russell agreed to the motion, after amending it by inserting the words "so called" before "Confederate States," lest it should be imagined that Parliament had recognized the Confederacy. On the 29th of April, a sharp debate took place in the House of Lords, in relation to the measures of the Government in seizing the rams alleged to have been built for the Confederate Government. The Earl of Derby, in a long and elaborate speech, condemned the entire action of the Government in the matter. Earl Russell replied at length, defending the course of the Government. He said that it was every way desirable to maintain relations of amity with the United States; that the Messrs. Laird, the builders of these vessels, had it in their power to commit Great Britain in hostilities with the Northern States, and that it was only the vigilance of the Government which prevented this from having been done. These men and some others, he said, in continuation, "have done every thing in their power, by fitting out ships, by engaging in contracts for supplying vessels of war to the other belligerent, to give to the United States a just cause of war against this country. What I have been apprehensive of, is giving the United States just cause of war; that we should commit such acts that the United States can truly say, 'You, professing to be neutral, are in fact at war with this country, and are carrying on hostilities with us under the guise of friendship and peace.' The only thing with which I should be disposed to reproach myself in the present case is the degree of credulity with which I received the assurances that were made that the iron-clads were not intended for the Confederate States."

On the 13th of May, Mr. Cobden presented to the House of Commons a petition from the ship-owners of Liverpool, praying that in case the existing laws (in regard to war vessels sold to belligerents) were insufficient for the preservation of a strict neutrality, Parliament would make such amendments to the Foreign Enlistment Act as would secure the end desired. Mr. Cobden, on presenting the petition, made a speech, in which he said that "the British Government had already done its worst against the American mercantile marine. The injury, considering merely the amount of property destroyed, amounted to fifteen millions of dollars, but this was not all; that which had not been destroyed, had been rendered useless. In 1860, one-third of the American commerce was carried on in foreign bottoms; in 1863, three-fourths; and this was owing to the privateers armed and equipped in English ports."

On the 19th of June, the naval battle be-

tween the Alabama and Kearsarge took place, resulting in the sinking of the former (*see* NAVAL OPERATIONS), and the commander of the Alabama, Semmes, and a part of his crew, were rescued from capture by an English yacht, the Deerhound. The gunners on the Alabama were Englishmen, and Semmes and his officers were received with sympathy and honored with ovations in England. A strong pressure was brought to bear upon the English Government at this time to induce it to recognize the "so-called Southern Confederacy," and a great outcry was made without cause, as it afterward appeared, in relation to the great increase of emigration to the United States, it being alleged that men were fraudulently enlisted in England and Ireland for the United States Army. Mr. Lindsay gave notice of a motion in favor of interference in Parliament, and it was only postponed at the special request of the Cabinet. A deputation from a body, calling itself a "Society for obtaining a cessation of hostilities," had an audience with Lord Palmerston, and Mr. Mason, the Confederate Commissioner, also had an interview with him. Earl Russell, under a misapprehension of the facts, allowed himself to be betrayed into some harsh language in relation to the emigration, but the Cabinet as a whole maintained its position and dignity, in spite of the pressure. At the proroguing of Parliament on the 29th of July, the royal message held the following language relative to the war. "Her Majesty deeply laments that the civil war in North America has not been brought to a close. Her Majesty will continue to observe a strict neutrality between the belligerents, and would rejoice at a friendly reconciliation between the contending parties." During the autumn, the sympathizers with the Confederates opened a bazaar at Liverpool, in imitation of the sanitary fairs in the United States, to raise money for the purchase of food and clothing for Confederate prisoners in du-rance in the United States, who, it was falsely alleged were suffering for want of both. About seventeen thousand pounds sterling was raised, and Lord Wharncliffe applied to Mr. Adams for permission for an accredited agent to visit the military prisons within the Northern States, and distribute aid to their inmates. Mr. Adams replied, vindicating the Government of the United States against any imputation of having treated with unnecessary or vindictive severity any of the misguided individual parties in this deplorable rebellion, who had fallen into its hands in the regular course of the war; and after expressing a desire that their mental ailments, as well as their bodily sufferings might be ministered to, and thereby an end be put to a struggle which otherwise is too likely to be only procrastinated by their English sympathizers, informed him that he had referred his letter to Mr. Seward. The reply of the Secretary of State was as follows:

DEPARTMENT OF STATE, WASHINGTON, Dec. 5, 1864.

SIR: I have received your despatch of 18th No-

vember, together with the papers therein mentioned, viz.: Copy of a letter which was addressed to you on the 12th of November last by Lord Wharncliffe, and copy of your answer to that letter. You will now inform Lord Wharncliffe that permission for an agent of the Committee described by him to visit insurgents detained in the military prisons of the United States and distribute among them £17,000 of British gold, is disallowed. Here it is expected that your correspondence with Lord Wharncliffe will end.

That correspondence will necessarily become public. On reading it the American public will be well aware that while the United States have ample means for the support of prisoners as well as for every other exigency of the war in which they are engaged, the insurgents who have blindly rushed into that condition are suffering no privations that appeal for relief to charity either at home or abroad. The American people will be likely to reflect that the sum thus insidiously tendered in the name of humanity, constitutes no large portion of the profits which its contributors may be justly supposed to have derived from the insurgents by exchanging with them arms and munitions of war for the coveted productions of immoral and enervating slave labor. Nor will any portion of the American people be disposed to regard the sum thus ostentatiously offered for the relief of captured insurgents as too generous an equivalent for the devastation and desolation which a civil war, promoted and protracted by British subjects, have spread throughout the States which before were eminently prosperous and happy.

Finally, in view of this last officious intervention in our affairs, the American people can hardly fail to recall the warning of the Father of our country directed against two great and intimately connected public dangers, namely, sectional faction and foreign intrigue. I do not think the insurgents have become debased, although they have sadly wandered from the ways of loyalty and patriotism. I think in common with all our countrymen, they will rejoice in being saved by the considerate and loyal government from the fate which Lord Wharncliffe and his associates, in their zeal for the overthrow of the United States, have prepared for the victims of this unnatural and hopeless rebellion.

I am, sir, your obedient servant,

W. H. SEWARD.

In matters not connected with her relations to this country there have been some incidents of importance during the year. Her Royal Highness the Princess Alexandra gave birth, on the 8th of January, to a son, who was baptized on the 10th of March, by the name of Albert Victor Christian Edward. In the war between Denmark and Germany for the possession of Schleswig Holstein, Great Britain maintained a strict neutrality, as she was compelled to do from the relations of the reigning queen and the heir apparent to both belligerents. A conference on Danish affairs assembled in London on the 25th of April, which was attended by the representatives of France, Russia, Austria, Prussia, Denmark, Sweden, and the German confederation; but its proposals were rejected, on the 25th of June, by both parties. (*See* LONDON CONFERENCE).

On the 11th of March, the town of Sheffield, England, and its vicinity, suffered greatly by the bursting of the Bradfield Reservoir. The water rolled in a cataract upon the sleeping villagers in the valley below, into and through Sheffield itself, down to the Don, at Doncaster. Within the space of two or three hours, two

hundred and fifty human beings, from the man of eighty to the new-born babe, were drowned in their beds, or in trying to escape, or were crushed beneath the ruins of their dwellings.

On the 1st of June the Ionian Islands were finally made over to Greece. On the 6th of August the long and destructive warfare which had been maintained with the Maories (the aboriginal tribes) of New Zealand, was brought to a close by their almost unconditional submission. The revolt was punished only by a forfeiture of a small portion of their lands.

A terrible riot occurred in Belfast, Ireland, continuing, with an intermission of two days, from the 9th to the 19th of August. The riot occurred between the Orangemen and the Roman Catholics of that city, and was induced by the act of the Orangemen in burning the effigy of Daniel O'Connell, on the occasion of the installation of his statue in Dublin, and the next day burying the ashes with many solemnities in a Roman Catholic chapel. This exasperated the Catholic party, who retaliated by breaking the windows of Protestant chapels; and as the more violent of both parties became excited street fights occurred and houses were plundered and destroyed; and the police and soldiers, though there were one thousand of the former and three thousand of the latter in the city, were unable to stop the rioting, though many of the ringleaders were apprehended and the mobs fired upon repeatedly, and several killed and many wounded. There was a suspension of the riots from Saturday, Aug. 13th, to Tuesday the 16th, when they broke out more fiercely than ever, and continued till the 19th. Nine persons were known to be killed and one hundred and seventy-six of the wounded were attended in the General Hospital, beside many who were treated privately at their homes.

On the 1st of Oct. there was a terrific explosion of two gunpowder magazines in the Plumstead Marshes, near London, at a little before 7 A. M. The magazines contained from 120,000 to 150,000 lbs. of powder, and occasioned the death of ten persons and injured as many more. A gap of 100 yards was made in the river embankment, and fears were entertained of an extensive and disastrous inundation, but by great exertions on the part of engineers, sappers and miners, the breach was repaired sufficiently to keep out the rising waters. On the 5th of the same month there was a cyclone of extraordinary violence at Calcutta, by which two hundred ships were blown from their moorings in the Hooghly, some wrecked, and many driven ashore. The city was also greatly injured, its churches being greatly damaged, the trees blown down, and the botanic garden uprooted. It was computed that more than two thousand lives were lost in consequence of the storm.

During the autumn there were many heavy failures in Liverpool and London. These, in the former city, were largely connected with the

checking of the blockade-running by the efforts of the blockading squadron.

Some of the most important statistics of the United Kingdom for 1863 and '64 are subjoined. The revenue for the year ending Dec. 31, 1863, was £70,433,620 5s., and the expenditure for the same time £67,810,987 11s. 10d. For the year ending Sept. 30, 1864, the revenue was £70,373,944. The imports of the year ending Dec. 31, 1863, were in value £248,980,942; the exports for the same period £146,489,768. The shipping movements were, inward, British, 30,151 vessels, with a tonnage of 8,430,146 tons; and foreign, 24,757 vessels, tonnage 4,825,917. Outward, British vessels, 29,933; tonnage, 8,589,246; foreign vessels, 25,450, tonnage, 4,893,424.

The amount expended for poor relief in England, in 1863, was £6,527,036, and the number of paupers relieved was 1,079,382, or 5.3 per cent. of the estimated population. The amount expended in Scotland the same year was £736,027, and the number of persons relieved 197,329. In Ireland the expenditure was £716,523, and the number relieved 317,194. The number of births in England, in 1863, was 729,399, of which 373,077 were males, and 356,322 females. During the same year there were 173,388 marriages, and 475,582 deaths, of which 243,249 were males and 232,233 females. The number of persons who emigrated from the United Kingdom in 1863, was 223,758, of whom 129,480 were males and 94,278 females. Of the total number 61,243 were English, 15,230 Scotch, 116,391 Irish, 7,833 foreigners, and 23,061 not distinguished. Of the whole, 146,813, or 65.6 per cent., went to the United States; 18,033, or a little more than 8 per cent., to British North America; 53,000 or 54,000, or nearly 24 per cent., to Australia and New Zealand, and 5,808, or 2.6 per cent., to other places.

The expenditure for public education in England, in 1863, was £721,391; and the amount appropriated for 1864 was £705,404. For public education in Ireland £316,770 was appropriated, and about £290,000 was appropriated to other purposes of science and art, of which £92,127 was for the British Museum. The expenditure on the British Museum for the year ending March 31, 1864, was £95,500.

The amount of claims filed in the Foreign Office by the 1st of May, against the United States, amounted to 451.

They may be divided into two classes: one for injury to persons by imprisonment or other means, and the other for injury to property by seizure of ships or cargoes, chiefly on the ground of breaking the blockade.

The number of cases of personal injury complained of is 73. These include cases of imprisonment, unlawful arrest, ill-treatment on board vessels seized, ill-treatment in prison, alleged forced enlistment, ill-usage while serving on the New York police, murder—in the case of Gray, killed by Lieut. Donovan, of the United States navy, on board the Saxon—and

iil-usage at Hilton Head. In a good many of these cases redress seems to have been granted, and in some of them compensation; but in several of them the complaint is spoken of as under consideration.

The number of complaints of seizures of vessels or interference with their voyages is very great, and has rapidly increased during the last year.

Nearly the whole of the above vessels have been condemned by the American prize courts, or are still under trial. The number discharged is insignificantly small.

GREECE, a kingdom in Europe. King George I., born Dec. 24, 1845, elected "King of the Hellenes," by the National Assembly of Athens, March 18 (30), 1863; landed in Greece Nov. 2, 1863. The three great European powers gave their sanction to the election in the protocol of a conference, held at the British Foreign Office June 5, 1863, of which the following are the most important points:

"The plenipotentiaries of France, Great Britain, and Russia, announce the adhesion of their courts to the acts in virtue of which Prince William of Denmark, with the consent of his Majesty the King of Denmark, and of his father, Prince Christian, is called to the Hellenic throne, under the title of George I., King of the Hellenes. Desiring to facilitate the realization of the wishes of the Greek nation, the Courts of France, Great Britain, and Russia, have authorized their representatives to set forth the following resolutions:

"Sec. 1. The principal secretary of Her Britannic Majesty declared that if the union of the Ionian islands to the Hellenic kingdom, after having been found to be in accordance with the wishes of the Ionian parliament, should obtain the assent of the Courts of Austria, France, Prussia, and Russia, Her Britannic Majesty would recommend to the Government of the United States of the Ionian Islands to appropriate annually a sum of £10,000 for the purpose of augmenting the civil list of His Majesty George I., King of the Hellenes.

"Sec. 2. The plenipotentiaries of France, Great Britain, and Russia declare that each of the three courts was disposed to give up in favor of Prince William £4,000 a year, out of the sums which the Greek treasury has engaged itself to pay annually to each of them in pursuance of the arrangements proposed at Athens by the representatives of the three powers, and accepted by the Greek Government with the concurrence of the Chambers in the month of June, 1860. It is expressly understood that these three sums, forming a total of £12,000 annually, shall be destined to constitute a personal dotation of his Majesty the King, in addition to the civil list given by the law of the State.

"Sec. 3. In conformity with the principles of the Hellenic constitution, recognized by the treaty signed at London on the 20th of Nov., 1852, and proclaimed by the decree of the National Assembly of the 18th (30) March, 1863,

the legitimate successors of King George I. must profess the tenets of the orthodox church of the East.

"Sec. 4. In no case shall the crown of Greece and the crown of Denmark be united on the same head.

"Sec. 6. The courts of Greece, Great Britain, and Russia, shall, from this moment, use their influence in order to procure the recognition of Prince William, under the name of George I., by all the sovereigns and states with whom they have relations."

The population of the kingdom of Greece, without the Ionian Islands, amounted, in 1861, to 1,096,810 inhabitants. Since the annexation of the islands, the area of the kingdom is about 94,794 geographical miles, with a population of about 1,326,000 inhabitants.

The revenue and expenditures in the years 1861 and 1862 were as follows:

	1861. Drachmas.*	1862. Drachmas*
Revenue	21,780,000	24,996,762
Expenditures	24,987,487	24,787,538

The movement of shipping, in 1861, was as follows:

	Vessels.	Tonnage.
Arrivals	89,495	2,495,343
Departures.....	89,304	2,488,779

The movement of commerce, in 1861, was as follows:—Imports, 47,914,036 drachmas; exports, 28,107,135 drachmas.

For more detailed statistics of the population, as well as for the latest statistics concerning the army and navy, see ANNUAL CYCLOPÆDIA for 1863.

A National Assembly, which was chosen to prepare a new constitution for the Greek kingdom, commenced its sittings on the 22d of December, 1863. It did not begin discussing the articles of the constitution until the 10th of August, 1864, and would hardly have finished its labors before the close of the year, unless the king had threatened it with dissolution. Then their progress became more satisfactory, and on the 28th of October its discussion upon the constitution was terminated. On Nov. 28th the king took the oath under the constitution, and the convention was dissolved. One of the notable features of the new constitution is the abolition of the senate and the transfer of the whole legislative power of the realm to a single chamber of deputies, which was resolved upon by 211 votes against 62, on Sept. 19, 1864. On Oct. 21 the convention adopted, however, by a majority of 136 to 124, a proposal made by the king to create a Council of State. The national convention, in October, 1864, consisted of 282 members, including 84 deputies from the Ionian islands, elected by general suffrage in June, 1864.

The English protectorate over the Ionian

* 5.78 drachmas are equivalent to \$1.

Islands came to an end on the 2d of June. On that day, at eleven o'clock, the last remaining regiment in this citadel marched out, and their guard at the main gate was relieved by a Greek guard of gendarmerie. At noon the commander of the English forces, Sir Robert Garrett, accompanied by his staff, mounted to the flag-staff of the citadel, and as the British red ensign was unfurled at the main of the *Marlborough*, the English colors at Cape Sidero, Fort Neuf, and Vido were simultaneously lowered, and the blue and white flag of Greece was hoisted in their place. A salute was fired by the Greek artillery from what but a minute before had been the English saluting battery. The *Marlborough* replied in splendid style, and the union of the Ionian Islands with Greece was consummated. The reports in most of the English papers intimated that the Ionians were regretting their severance from the English government; but this assertion is not borne out by facts. On the contrary, everywhere the event was celebrated with the utmost enthusiasm. The sentiments expressed in the following farewell address from the Municipal Council of Corfu to the parting English, may be regarded as the opinion of the immense majority of the Ionians.

By a generous decision of your august Queen, the wishes of this Grecian land have been granted, and you are about to leave this island, on which you have resided with us for half a century; and nobly have you behaved toward us. The Municipal Council of this island, under the influence of the unspeakable joy which it experiences in this memorable change in its destiny, at the moment of its entering a new career of national existence, cannot, without emotion, witness your departure and leave unexpressed the sentiments of sympathy that it entertains for the great nation to which you belong. As free citizens of a free nation you will not be indignant at the exuberant joy of a people passing from foreign protection to national liberty, nor will you consider it in any way connected with your departure, which affects us exceedingly, and causes us to express from our hearts the warmest wishes for your welfare, and for that of your ties of illustrious country to which we feel bound by gratitude and hope. Farewell, brave sons of England! Forget, as we do, whatever may tend to mar our mutual love. Love us, as we love you, and desire that we may imitate your national virtues.

On the 6th of June the King of Greece arrived at Corfu, and was enthusiastically cheered by the people. On July 30th the Ionian representatives arrived at Athens, and their reception may be described as a perfect national fête. The elections, after a short debate, were all declared valid, the oath of allegiance was taken, and the fusion of the two countries in the assembly was complete.

King George was too young to effect personally any marked influence upon the politics of the country; and his chief adviser, Count Sponneck, soon became extremely unpopular. The passionate conflict between the parties continued, and sometimes even turned against the new king, to whom, on August 26, a member of the National Assembly addressed the following insulting letter:

ATHENS, August 26.

SIRE: To expel Otho, a sovereign, who, as an individual, we acknowledged to be a worthy man, we Hellenes did not hesitate to stake the fate of our country, because the royalty under Otho had become a centre of intrigue. Sire, the whole of the capital of the kingdom is convinced, and within two days all Greece will be so likewise, that your court has descended in a mass into the political arena, and made use of your name in a scandalous manner on the occasion of the election of President for the National Assembly. Sire: the object of the contest for the presidency was evidently the correction of your court, which for some time past has been conspiring against the oath made by the constitutional king toward the nation—a court which a great national majority is endeavoring, by peaceful measures, to replace in its proper sphere. Corruption has, however, gained the day, and the victory of the courtiers is both prejudicial to the king and a misfortune to the nation. Sire: the policy now pursued alienates the king from the love of the people, a love on which you have based your strength and your authority. Greece cannot possibly tolerate such a course, and myself, the most humble of your subjects, moved by the grief which I feel, from my attachment to my king and to my country, supplicate your majesty to save from further embarrassment the land in which you have declared you wish to live and die a Hellene.

Your Majesty's very sincere and very obedient subject,

EUTHIMIO PLASTERAS,

Representative of Lepanto.

The assembly expressed its indignation at this letter, on Friday, Aug. 26, by a majority of 193 to 27; twenty-eight members abstaining from voting.

GREEK CHURCH. The Greek Church is a kind of ecclesiastical confederacy, consisting, hitherto, of ten groups of churches which, while professing the same faith, were independent of each other in point of administration.*

The year 1864 has produced some important changes in the mutual relations of these groups of churches. The churches of the Ionian Islands were, in consequence of the union of the Islands with Greece, detached from the patriarchate of Constantinople, and connected with the Holy Synod of Athens. The Churches of the Danubian principalities were likewise detached from the Patriarchate of Constantinople and proclaimed to be an independent Church. In Austria, where, hitherto, all the Greek churches were subordinate to the Archbishop of Carlowitz, they have now been separated into two distinct organizations, one of which is formed by the dioceses of the Serbian nationality, which remain under the jurisdiction of the Archbishop of Carlowitz, while the other will embrace the dioceses of the Roumanian nationality, for which a new Archbishopric has been established in Transylvania.

The most important event in the Greek Church is the movement toward intercommunion with the Anglican Churches. This movement is greatly enlisting the interest of the Russians. An interesting account of the disposition of the heads of the Russian Church with regard to this subject was published last

* For a full account of these ten groups see ANNUAL CYCLOPEDIA for 1863, p. 464.

year by the Rev. Mr. Young, the Secretary of the Russo-Greek Committee, appointed by the last General Convention of the Protestant Episcopal Church of this country, who during the first months of the year had visited Russia and conversed with some of the prominent men of the Church. We take the following extracts from Mr. Young's account, which gives more detailed information on this subject than can be derived from any other source:

After making the acquaintance of the Russian chaplains, resident in London and Paris—both of whom were deeply interested in the movement, and anxious to further it to the utmost in their power—Mr. Young arrived in St. Petersburg, and waited first upon the Vice-Procureur-Général, Prince Ourousoff, through whom and in whose presence he obtained an interview with the Procureur-Général. These gentlemen are the Emperor's representatives in the Holy Synod, without whom nothing can be done—being equivalent to what is called with us the "lay element." The Procureur-Général said that, being laymen, it was not for them to express an opinion upon the theological aspects of the question. He therefore referred Mr. Young to the aged and truly venerable Philaret Metropolitan of Moscow, as being preëminently the man whose utterances on such a point might be regarded as the voice of the whole Russian Church, and whose opinion touching this matter, when communicated to the Holy Synod after an interview with Mr. Young, would, in all probability, very greatly influence the action of the Synod.

At Moscow Mr. Young enjoyed two interviews with the Metropolitan Philaret, of some three hours each, the vicars of the metropolitan (Bishop Sabas and Bishop Leonide), together with the rector of the Spiritual Academy of Moscow, and two interpreters, being present on both occasions. (Bishop Leonide, by the way, was in his youth a classmate at the naval school of the Admiral Lessoffsky, who left us the other day; and he entered most heartily and thoroughly into the movement.) The metropolitan's reception was most courteous and cordial, and throughout the interviews nothing was said on either side that in the least degree ruffled or disturbed the friendly tone. The substance of the conversation was chiefly the asking and answering of questions as to the state of facts touching the doctrine and ecclesiastical position of the Anglican Communion on the one side, and of the Russian Church upon the other. It was arranged that the chief portions of our prayer-book should be translated into the Russian language and published, so as to give a more definite idea of the doctrine and worship of our Church. The metropolitan, at the close of the final interview, expressed his gratification at the letters which Mr. Young had brought from the American bishops, asking Mr. Young in return to "bear the kiss of peace from him to the whole venerable hierarchy of the American Church, assuring them of his warmest sympathy and love, and of his earnest prayer and hope that we may soon be one in mind, as we are already one in heart in Christ Jesus." At parting, he gave Mr. Young his episcopal benediction, together with the most cordial adieus. During his stay in Moscow Mr. Young found that the movement was already well known among the leading circles of the laity, and the warmest desires were expressed for a successful issue. So much interest was shown, indeed, that Mr. Young found it simply impossible to accept all the invitations that were so kindly pressed upon him from every side.

On his return from Moscow to St. Petersburg, he had an interview with the Metropolitan of St. Petersburg, who is also President of the Holy Synod, the Archbishop of Moghileff, a member of the Synod,

being also present. His reception here was no less warm and cordial than by the venerable Philaret. He expressed great gratification for himself and on behalf of the Russian Church, at the movement thus begun, and assured Mr. Young that any steps which our Church might see fit to take, would be met by the Russian Church in the spirit and love of Christ. He thought it very judicious that a Committee of Inquiry should have been appointed in the first instance, as it would afford the opportunity for a better knowledge of one another before more formal negotiations should be begun. He read the letters from the American bishops with ease and evident interest, noting the expressions they contained, and testifying his gratification at the tone which pervaded them. He said that the sentiments and wishes of the American bishops in these letters, could not but meet with warm sympathy on the part of the Russian Church, which ever prays for the reunion of Christendom, and is ever ready to negotiate with those who desire to stand on the ground of apostolic truth and order, and are willing to admit the apostolic dignity of the Russian Church. He stated that he would lay these letters of the American bishops before the Holy Synod on the following day, and invited Mr. Young to visit the Synod at the same time; remarking, also, that replies to these letters would be sent to the American bishops. At the close of the interview the metropolitan expressed the sincere hope that the movement begun by the American Church might prove to be the work of our blessed Lord himself, and that through His grace it might result in the great consummation so much desired by both Churches. In parting he also gave to his visitor the episcopal benediction.

The next day, in accordance with the invitation given, Mr. Young visited the Holy Synod, and was introduced by Prince Ourousoff to the several members of it, by all of whom he was most courteously and cordially received. At the request of the Procureur-Général he left the letters of the American bishops to be deposited in the archives of the Holy Synod; and at the request of the President of the Holy Synod he wrote a note to accompany the letter, giving an epitome of the origin and aim of the movement.

The Russians are also beginning to acquaint themselves better with the literature of the Anglican churches. An association of ladies has been formed for the dissemination of theological and general reading matter. The Association has been in operation about a year, and has its depository at Moscow. The books kept at the depository and destined for circulation are:

1. Church books (all the books indispensable for the service of the church), Bibles, testaments, prayer-books, etc.

2. The writings of the fathers of the Church, popular sermons, explanations of the Bible, and in general books relating to the history, doctrine, and the rites of the Church.

3. Books concerning the history and geography of Russia, travels, descriptions of the country, biographies, popular songs, and standard works of the most eminent writers.

4. Juvenile literature, books for instruction, and entertaining books for children, carefully selected.

5. Books on various subjects, but particularly adapted for popular reading, tales, stories, descriptions of foreign countries, engravings, etc.

This society, through the Rev. Mr. Young, expressed a desire to the Church Book Society of the Protestant Episcopal Church of New York for material to help in their work, and in compliance with this request the Book Society, on June 13th, 1864, passed a resolution authorizing Mr. Young to forward to the Russian association at his discretion copies of any of the publications of the Society, or of any books on its approved list, and to convey to the Association assurances of fraternal and cordial sympathies, bidding them most heartily "God speed" in their labors of love.

In England an association has been formed, called "the Eastern Church Association," which numbers among its patrons the Archbishop of Belgrade, of Serbia. It was announced that in the early part of the year 1865, several Eastern ecclesiastics would come to England, commissioned by the Synod of Moscow to make definite inquiries regarding the present position of the Church of England, with a view to restored intercommunion.

We have given in the Annual Cyclopædia of 1863 an account of the missions of the Russian Church in Asia. Outside of Russia the Church had hitherto sustained only one mission in Pekin, China, which was established in the reign of Peter the Great, more than one hundred and fifty years ago. Its object was strictly limited to the welfare of a colony of Russian subjects who had been captured on the Amoor and planted near Pekin. A treaty between China and Russia authorized the Russian Government to keep six Russian missionaries at Pekin, changing them once in ten years, with the right of having a few students to learn the Chinese and Manchoo language, with a knowledge of Chinese affairs. Hitherto the character and the fruits of this mission have not been well spoken of by the Protestant missionaries in China. But in the "Missionary Herald" for February, 1865, is a letter from Mr. Blodgett, missionary of the American Board at Pekin, who writes, Sept. 8, 1864, that "the Russian missionaries in Pekin now labor devoutly for the Chinese," in the country as well as in the city. And he adds in behalf of the Russians this testimony: "It is an interesting fact, and one which marks a difference between them and the Roman Catholics, that they translate and use the Sacred Scriptures. Their version of the New Testament into Chinese is now in print in this city. They have obtained also, from the English missionaries, the version of the Bible by Messrs. Swan and Stallybrass, and published by the British and Foreign Bible Society, for the use of their ministers to the Mongolians, and the version of the New Testament published by the same society for the use of their missions in Russian Manchuria. It is hopeful to see this regard for the Word of God. Their terms and usages coincide mostly with those of the Roman Catholics."

Other interesting statements on the missionary work going on in the Russian Church are

derived from the report of the Rev. J. Long, an English clergyman, who recently spent several months in travelling in Russia for the special purpose of studying the religious and social condition of the country. Mr. Long was informed by the bishop of Viborg, who is at the head of the academy of St. Petersburg for training priests, that the Russian Church has about a hundred missionaries and missionary agents at work in Siberia and the adjacent districts. A Russian noble, who is one of the emperor's chamberlains, and favorable to missions, gave him much information on what the Russian Church is doing for the missionary cause; they have missionaries located in the Altai Mountains, at Kamtschatka and the Caucasus, near Lake Baikal, and have also a number who labor among the Buriats, who are Buddhists. The Russians intend shortly to found a missionary seminary, to be located either at Kazan or Irkutsk, as St. Petersburg is unsuited for it, and they wish to have it in a place where the Oriental languages can be taught to the students. Another nobleman, member of the Council of State, much interested in missions, wished to introduce Mr. Long to the emperor's physician, who is a devout man, and for this purpose took him to the palace of Tsarko Celo, twenty miles from St. Petersburg, when the physician promised to speak to the emperor in favor of the proposal to form a general Russian Missionary Society to remove obstacles and secure the support of the Imperial family. He afterwards spent several days at the monastery of Troitz, near Moscow, in company with a Greek monk, who is going out as a missionary to the Caucasus, where the Russian Church is prosecuting its missions vigorously in Siberia and Eastern Asia. The principal of the Russian Academy at Moscow gave him an interesting work on the "History of the Missions of the Russian Church." Mr. Long speaks of Mr. Yususoff as warmly in favor of missions; also of Bishop Leontides, as one who speaks English, and is the only bishop of the Russian Church who has not been brought up a monk, having formerly served as an officer in the Russian navy. He is a man of enlightened views, anxious for a reform, as is also Philaret, the Archbishop of Moscow.

The same Mr. Long also makes some interesting statements on the circulation of the Bible in Russia. The Holy Synod of the Greek Russian Church has itself put in circulation a new and improved version of the Gospel in Russ. Mr. Long was told by Kasim Beg, a professor of Persian at the University of St. Petersburg, that he had translated the New Testament into the Tartar language, at the express request and with the aid of the Archbishop of Kazan, whom he described as a man ready for every good word and work. Russian friends at St. Petersburg resolved last year to send a colporteur to the fair of Nijni Novogorod for the sale of Bibles; but before he got half way there was such a demand that he sold all his stock, and had to write back to St. Petersburg to get a fresh sup-

ply for the fair. The increase of schools among the peasantry is also rapidly increasing the circulation of the Bible. When Mr. Long was in Russia the Holy Synod was publishing a new edition of eighty thousand copies of the Testament, which will be sold at fifteen copecks a copy, or about sixpence.

The new constitution of the kingdom of Greece (*see* GREECE) makes the following provision concerning the legal position of the Greek Church: "1. The orthodox Eastern Church of Christ is the established religion in Greece. Every religion is tolerated, and may be freely exercised under the protection of the law. Proselytism, and all interference with the established religion, is prohibited. 2. The orthodox Church of Greece, acknowledging as its head our Lord Jesus Christ, is in doctrine indissolubly united to the great Church of Constantinople, and to every other orthodox Church of Christ, observing with the same exactitude the apostolic and synodic canons, and the holy traditions. But it is independent of every other church, and exercises all sovereign rights under the government of a holy synod."

GRIDLEY, PHILO, an American jurist, born in Paris, Oneida County, New York, September 16, 1796, died in Utica, N. Y., August 17, 1864. He entered Hamilton College, Clinton, at the opening of that Institution in 1812. Here he graduated in 1816, in the first full class which graduated, having among his classmates the late Prof. Edward Robinson, Hon. Chas. P. Kirtland, &c. After leaving College he studied law at Onondaga and Waterville, and was admitted to the bar in 1820. He commenced the practice of his profession at Waterville, removing after a few years to Hamilton, Madison Co. Here he soon attained a high reputation for the thoroughness with which he investigated his cases, the profundity of his legal attainments, and the vivid, impetuous eloquence of his advocacy of the interests of his client. For several years he was District Attorney for Madison County, and in 1838 was appointed Circuit Judge of the Fifth Judicial Circuit made vacant by the resignation of Judge Denio. In 1839 he removed to Utica. In 1846, on the adoption of the New Constitution, the Circuit Court was abolished, and a Supreme Court created with 32 Judges, and Judge Gridley was elected one of these. His term of service was six years, and his health being impaired he declined being a candidate for further office at its expiration. He continued, however, the practice of his profession, though in feeble health, and suffering from paralytic attacks, until within about ten days of his death. He was a man of vast judicial learning, and of great firmness and independence. It was in his court that McLeod was tried for murder and making war upon Great Britain, the case being transferred from Niagara County in consequence of the excitement on the border. No wiser selection of a judge could have been made.

GRIGG, JOHN, an eminent American publisher, born in Cornwall, England, in 1792, died in Philadelphia, August 2d, 1864. He was left an orphan at the age of six years, and was soon after placed in a farmer's family to earn his living. At twelve years of age he went to sea, and after making several voyages found his way to Richmond, Virginia, where he had some relatives, and applied himself for more than a year to study. When eighteen or nineteen years of age he removed to Ohio, where he obtained a clerkship in the judiciary court of Warren, Ohio, and devoted himself so sedulously to the work of his office that his health suffered, and in 1815 he resigned, and became superintendent of the woollen factory of Mr. Joel Scott in Scott Co., Ky. The next year he removed to Philadelphia, and entered the publishing and bookselling house of Messrs. Warner & Johnson as a clerk. Mr. Warner died in 1821, and in his will directed that his business should be wound up by competent persons, and suggested Mr. Grigg for the purpose. Accordingly, during the next two years Mr. Grigg was engaged in this duty, and in 1823 commenced business on his own account. He was remarkably successful; acquiring a very large business, especially in the South and West, and finding a ready market for his numerous publications. In 1831 he took Mr. Hugh Elliot as partner, and in 1847 Messrs. Grambo, Claxton & Remsen were added to the firm. In 1850 the property of the firm as well as the private fortunes of the senior partners having become very large, Messrs. Grigg & Elliot withdrew from it, disposing of their interest to the junior partners and to Messrs. Lippincott & Willis, who had been for some years engaged in business in Philadelphia, and the new firm, at first Messrs. Lippincott, Grambo & Co., and later, Messrs. J. B. Lippincott & Co., continued the business, which has for some years been one of the largest if not the largest in the general trade in the United States. After withdrawing from this firm Mr. Grigg commenced business as a private banker, being also much occupied in the management of his own extensive property, which comprised extensive landed tracts in Illinois and Mississippi as well as considerable real estate in Philadelphia. He was a man of great liberality, and gave constantly and largely, though without ostentation and with a wise discrimination. He was always a friend and helper to the members of the book-trade, often assisting them by loans and counsel. In private life he was social, genial, and hospitable, and readily won the confidence and regard of those with whom he was brought in contact. In business he was remarkable for energy, sound, practical sense, and sterling integrity.

GRINFIELD, Rev. E. W., an English clergyman, author and Biblical critic, died at Brighton, England, July 9, 1864, aged 79 years. He was educated at Lincoln College, Oxford, and

commenced his career as an author while a young lawyer in the Temple, by writing pamphlets on the topics of the day. In 1818 he published a work of considerable merit on the "Connection of Natural and Revealed Theology." The next year he wrote against the materialism of Laurence, and soon after took orders in the Church of England, and became minister of Laura Chapel, Bath, and in addition to his clerical labors, rendered important service to the Society for Promoting Christian Knowledge. While at Bath, he published a volume of Sermons and a Reply to Bishop Coplestone, entitled, "*Vindiciæ Analogicæ*." In 1823 he removed to London, and devoted himself mostly to literary pursuits, publishing several works, and writing articles for magazines and reviews. From 1827 to 1843 he was devoted assiduously, working seven hours a day, to the great work of his life, the "*Novum Testamentum Hellenicæ*," in two volumes, intended to show the close connection between the Septuagint and the New Testament. This work contains 40,000 quotations, all verified by the original authorities. The next five years were spent in preparing the "*Scholia Hellenistica*," also in two volumes, supplementary to his New Testament. He was deeply impressed with the value of the Septuagint, and made a collection of all the known editions of it, and all the literature relating to them, which he presented to Lincoln College, Oxford. He also established a Lectureship on the Septuagint at Oxford, at his own expense.

GUN COTTON. The improvements in the preparation of gun cotton have been such that it is now manufactured in England either for purposes of mining, engineering, or for artillery use. Its nature and uses since the improvement in its preparation have been very fully discussed before the British Royal Institution. The statements and explanations of Mr. John Scott Russell on the subject are particularly instructive and valuable. In his opinion gun cotton is a new power coming under the same category as steam and gunpowder. It is highly dangerous to those who do not possess the necessary knowledge and skill; but, like them, it enormously extends human power, and, like them, the skill to use it can be rightly and certainly acquired.

1. Is gun cotton stronger than gunpowder? The answer to this is, Yes, sixfold stronger.

By this we mean that if we take a given weight of gun cotton, say four ounces, if we bore a hole $1\frac{1}{2}$ in. in diameter and 3 ft. deep, into hard rock or slate, in a quarry, and put 4 oz. of gun cotton into it, it will occupy about 1 foot of its length, and the aperture being closed in the usual manner, and a match-line led from the charge to the proper distance from which to fire it; and if we next take 24 oz. of the best gunpowder, bore a similar hole, and charge it similarly with gunpowder, and close it in the same way; it has been found that, on these being exploded, the 4 oz. of gun cotton have

produced greater effect in separating the rock into pieces than the 24 oz. of gunpowder. The answer is, therefore, that in disruptive explosion the strength of gun cotton is sixfold that of good gunpowder.

But the disruptive or bursting power of gunpowder is not always the quality for which we value it most, nor the service we require of it. In mining rocks, in exploding shells, in blowing up fortresses, this property is what we value, and this work is what we require. But we do not want to burst our fowling-pieces, our rifles, our cannon. On the contrary, we want to use a force that shall project the projectile out of the gun without bursting the gun, without straining the gun beyond a given moderate limit which it shall be able to endure. We want, therefore, a service from gun cotton which shall be the contrary of destructive to, or disruptive of, the chamber in which it does the work of giving motion to the projectile.

This moderated and modified work gun cotton can also perform; and it is the modern discovery of General Lenk which has enabled us to moderate and modify gun cotton to this gentler service. He discovered how to organize, arrange, and dispose mechanically of gun cotton in such a way that it should be three times stronger than gunpowder. Accordingly, one of his charges of gun cotton, weighing 16 oz., projected a 12-lb. solid round shot with a speed of 1,426 ft. a second, while a charge of gunpowder of 49 oz. gave the same shot a speed of 1,400 ft. a second. One-third of the weight of gun cotton exceeded, therefore, the threefold weight of gunpowder in useful effect.

2. Is gun cotton more convenient than gunpowder? This is a larger and more various question than the former, and divides itself into various subdivisions.

It is well known to sportsmen, to soldiers, and to artillery-men, that gunpowder fouls a gun. A foul residue of soot, sulphur, and potash soils the inside of the gun after every charge. The gun must, somehow, be cleaned after a discharge; if not, it fires worse, recoils more, and ceases to do its best. If the gun be a breech-loading gun, its mechanism is dirtied, and works less easily. Gun cotton deposits no residue, leaves the gun clean and clear, and the utmost it does is to leave a gentle dew of clear water on the inside of the bore, this water being the condensed steam which forms one of the products of its decomposition. Gun cotton is, therefore, superior to gunpowder in not fouling the gun, a result favorable both to quicker and more accurate firing.

It is further a matter of no slight convenience that gun cotton makes no smoke. In mines, the smoke of gunpowder makes the air unbreathable, and for some time after explosion the miners cannot return to their work. In boring the great tunnel of Mont Cenis through the Alps, the delay from smoke of powder alone will postpone the opening of the line for many months. After a properly-conducted explosion

of gun cotton, the workmen may proceed in their work at once without inconvenience.

In casemates of fortresses, gunpowder fills the casemates with foul smoke, and the men speedily sink under the exertion of quick firing. By using gun cotton it was ascertained that the men could continue their work unharmed for double the quantity of firing. This is partly attributed to the greater heat, and partly to the foulness of the air produced by gunpowder.

But it is under the decks of our men-of-war that the greatest benefit is likely to arise from gun cotton. Not only does the smoke of a broadside fill the between decks with hot and foul air, but the smoke of the windward gun blinds the sight, and hinders the aim of the leeward. When there is no smoke, as with gun cotton, the aim of every gun may be precise and deliberate. The diminished heat between decks will also tell powerfully in favor of gun cotton. In our armour-plated ships also there is more value in breech-loading guns than in any other use of artillery. It is one of the necessities of breech-loading mechanism that it be kept clean, and nothing tends more to derange its perfect action than the greater heat which gunpowder imparts to the gun from which it is fired.

That gun cotton has the convenience of not heating the gun has been thus proved: 100 rounds were fired in 34 minutes with gun cotton, and the temperature of the gun was raised 90 deg. 100 rounds were fired with gunpowder, and triple the time allowed to cool the gun, which nevertheless was heated so much as to evaporate water with a hissing sound, which indicated that its temperature was much above 212 deg. Under these circumstances the firing with gunpowder had to be stopped, while that with gun cotton was comfortably continued to 180 rounds.

It is also a matter of practical convenience that gun cotton, insomuch as it is lighter, can be carried more easily and further than gunpowder; and it may be wetted without danger, so that when dried again in the open air, it is as good for use as before.

3. We have now to ask, Is it cheaper? The answer to this question must be qualified—pound for pound it is dearer; we must, therefore, judge of its cheapness by its effect, not by weight merely. But where it does six times as much work, it can then be used at six times the price per pound, and still be as cheap as gunpowder. As far as we yet know, the prices of gun cotton and gunpowder are nearly equal, and it is only, therefore, where the one has advantages and conveniences beyond the other, and is more especially suited for some specific purpose, that it will have the preference. Effective cheapness will therefore depend mainly on which of the two does best the particular kind of duty required of it.

To illustrate how curiously these two powers, gun cotton and gunpowder, differ in their nature, and how the action of gun cotton may be changed by mechanical arrangements, we

may take one kind of work that is required of both:—If a General wants to blow open the gates of a city, he orders an enterprising party to steal up to the gate, with a bag containing 100 lbs. of gunpowder; which he nails to the gate, and by a proper match-line he fires the gunpowder and bursts open the gate. If he nailed a bag of gun cotton of equal weight in the same place and fired it, the gun cotton would fail, and the gate would be uninjured, although the 100 lbs. of gun cotton is sixfold more powerful than the gunpowder. Here, then, gunpowder has the advantage—both weight and effect considered.

But the fault here lies not in the gun cotton, but in the way of using it. If, instead of 100 lbs. of gun cotton in a bag, 25 lbs. had been taken in a proper box made for this purpose, and simply laid down near the gate and not even nailed to it, this 25 lbs. would shiver the gate into splinters. The bag which suits the powder happens not to suit the gun cotton.

Gun cotton is, therefore, a power of a totally different nature from gunpowder, and requires complete study to know its nature and understand its use. It appears that both gunpowder and gun cotton have special qualities, and may be peculiarly suited for peculiar uses. It is the duty of a wise people to make use of both to the ends they each suit best, without prejudice arising from the accident of novelty or antiquity.

The nature of gun cotton requires a double study, chemical and mechanical. It is not like steam, the same substance, whether in the form of ice, or water, or steam. It is one substance when as gun cotton it enters the gun, and quite a different one when it has exploded and leaves the gun. Not only are the solids which enter converted into gas, but they form totally new combinations and substances. So that the marvellous changes which the chemist effects by the magic of his art take place in an instant of time, and during that almost inconceivably minute period of time, in a laboratory intensely heated, old substances are dissolved, their material atoms are redistributed, each atom released selects by natural affinity a new partner, these new unions are cemented, and at the end of this prolific instant totally new combinations of matter, forming what we call new substances, issue from the gun. It so happens that of these new substances, formed out of gun cotton, all are pure transparent gases, while in the case of gunpowder there remain 68 per cent. of solid residue, and only 32 per cent. are pure gases.

Mechanical Applications of Gun Cotton.—The mechanical application of gun cotton may be considered to be due exclusively to Major-General Lenk, of the Austrian service. Pure gun cotton becomes either a powerful explosive agent, or a docile performer of mechanical duty, not according to any change in its composition, or variation in its elements or their proportions, but according to the mechanical structure which is given to it, or the mechani-

cal arrangements of which it is made a part. It was Gen. Lenk who discovered that structure was quality, and mechanical arrangement the measure of power, in gun cotton; and in his hands, a given quantity of the same cotton becomes a mild, harmless, ineffectual firework, a terrible, irresistible, explosive agent, or a pliable, powerful, obedient workman.

The first form which Gen. Lenk bestowed on gun cotton was that of a continuous yarn or spun thread. Gunpowder is carefully made into round grains of a specific size. Gun cotton is simply a long thread of cotton fibre, systematically spun into a yarn of given weight per yard, of given tension, of given specific weight. A hank of a given length is reeled, just like a hank of cotton yarn to be made into cloth, and in this state gun cotton yarn is bought and sold like any other article of commerce.

This cotton yarn converted into gun cotton may be called, therefore, the raw material of commerce. In this form it is not at all explosive in the common sense of the word. You may set fire to a hank of it, and it will burn rapidly with a large flame; but if you yourself keep out of reach of the flame, and keep other combustibles beyond reach, no harm will happen, and no explosion or concussion will result. If you lay a long thread of it round your garden walk at night, disposing it in a waving line with large balls of gun-cotton thread at intervals, and light one end of the thread, it will form a beautiful fire-work, the slow lambent flame creeping along with a will-o'-th'-wisp-looking light, only with a measured speed of 6 inches per second, or 30 feet a minute; the wind hastening or retarding it as it blows with or against the line of the thread. This is the best way to commence an acquaintance with this interesting agent.

Care must be taken not to become too familiar with gun cotton even in this harmless and playful guise; cotton dresses will readily catch fire from it, and it should not be treated with less care to keep fire from it than gunpowder. In one respect it is less liable to cause danger than gunpowder. Grains of powder are easily dropped through a crevice, and may be sprinkled about in a scarcely noticeable form, but a hank of gun cotton is a unit, which hangs together and cannot strew itself about by accident.

The *second* form of gun cotton is an arrangement compounded out of the elementary yarn. It resembles the plaited cover of a riding-whip; it is plaited round a core or centre, which is hollow. In this form it is match-line, and, although formed merely of the yarn plaited into a round hollow cord, this mechanical arrangement has at once conferred on it the quality of speed. Instead of travelling as before only 6 inches in a second, it now travels six feet a second.

The *third* step in mechanical arrangement is to enclose this cord in a close outer skin or

coating, made generally of india-rubber cloth, and in this shape it forms a kind of match-line, that will carry fire at a speed of from 20 to 30 feet per second.

It is not easy to gather from these changes what is the cause which so completely changes the nature of the raw cotton by mechanical arrangement alone. Why a straight cotton thread should burn with a slow creeping motion when laid out straight, and with a rapid one when wound round in a cord, and again much faster when closed in from the air, is far from obvious at first sight; but the facts being so, deserve mature consideration.

The cartridge of a common rifle in gun cotton is nothing more than a piece of match-line in the second form enclosed in a stout paper-tube, to prevent it being rammed down like powder. The ramming down, which is essential to the effective action of gunpowder, is fatal to that of gun cotton. To get useful work out of a gun-cotton rifle, the shot must on no account be rammed down, but simply transferred to its place. Air left in a gunpowder barrel is often supposed to burst the gun; in a gun-cotton barrel, it only mitigates the effect of the charge. The object of enclosing the gun-cotton charge in a hard strong pasteboard cartridge is to keep the cotton from compression and give it room to do its work.

It is a *fourth* discovery of Gen. Lenk, that to enable gun cotton to perform its work in artillery practice, the one thing to be done is to "give it room." Don't press it together—don't cram it into small bulk: give it at least as much room as gunpowder in the gun, even though there be only one-third or one-fourth of the quantity (measured by weight). 1 lb. of gun cotton will carry a shot as far as 3 or 4 lbs. of gunpowder; but that pound should have at least a space of 160 cubic inches in which to work.

This law rules the practical application of gun cotton to artillery. A cartridge must not be compact, it must be spread out or expanded to the full room it requires. For this purpose, a hollow space is preserved in the centre of the cartridge by some means or other. The best means is to use a hollow thin wooden tube to form a core; this tube should be as long as to leave a sufficient space behind the shot for the gun cotton. On this long core the simple cotton yarn is wound round like thread on a bobbin, and sufficiently thick to fill the chamber of the gun; indeed, a lady's bobbin of cotton thread is the innocent type of the most destructive power of modern times—only the wood in the bobbin must be small in quantity in proportion to the gun cotton in the charge. There is no other precaution requisite except to enclose the whole in the usual flannel bag.

The artillerist who uses gun cotton has therefore a tolerably simple task to perform if he merely wants gun cotton to do the duty of gunpowder. He has only to occupy the same space as the gunpowder with one-fourth of the

weight of gun cotton made up in the bobbin as described, and he will fire the same shot at the same speed. This is speaking in a general way, for it may require in some guns as much as one-third of the weight of gunpowder and eleven-tenths the bulk of charge to do the same work; a little experience will settle the exact point, and greater experience may enable the gun cotton to exceed the performance of the gunpowder in every way.

The *fifth* principle in the use of gun cotton is that involved in its application to bursting uses. The miner wants the stratum of coal torn from its bed, or the fragment of ore riven from its lair; the civil engineer wishes to remove a mountain of stone out of the way of a locomotive engine; and the military engineer to drive his way into the fortress of an enemy, or to destroy the obstacles purposely laid in his way. This is a new phase of duty for gun cotton—it is the work of direct destruction. In artillery you do not want to destroy directly, but indirectly. You don't want to burst your gun, nor even to injure it; and, we have seen, in order to secure this, you have only to give it room.

The fifth principle, therefore, is, to make it destructive—to cause it to shatter every thing to pieces which it touches, and for this purpose you have only to deprive it of room. Give it room, and it is obedient; imprison it, and it rebels. Shut up without room, there is nothing tough enough or strong enough to stand against it.

To carry this into effect, the densest kind of gun cotton must be used. It must no longer consist of fine threads or hollow textures wound on roomy cores. All you have to do is to make it dense, solid, hard. Twist it, squeeze it, ram it, compress it; and insert this hard, dense cotton rope or cylinder or cake in a hole in a rock, or the drift of a tunnel, or the bore of a mine; close it up, and it will shatter it to pieces. In a recent experiment, 6 oz. of this material set to work in a tunnel not only brought down masses which powder had failed to work, but shook the ground under the feet of the engineers in a way never done by the heaviest charges of powder.

To make gun cotton formidable and destructive, squeeze it and close it up; to make it gentle, slow, and manageable, ease it and give it room. To make gunpowder slow and gentle, you do just the contrary; you cake, condense, and harden it to make it slow, safe for guns, and effective.

To carry out this principle successfully, you have to carry it even to the extreme. Ask gun cotton to separate a rock already half-separated, it will refuse to comply with your request. Give it a light burden of earth and open rock to lift, it will fail. If you want it to do the work, you must invent a *ruse*—you must make believe that the work is hard, and it will be done. Invent a difficulty and put it between

the cotton and its too easy work, and it will do it. The device is amazingly successful. If the cotton have work to do that is light and easy, you provide it with a strong box, which is hard to burst, a box of iron for example; close a small charge, that would be harmless, in a little iron box, and then place that box in the hole where formerly the charge exploded harmless, and in the effort it makes to burst that box, the whole of the light work will disappear before it.

The first trial of English-made gun cotton was made at Stowmarket in the spring of 1861. A charge of 25 lbs. not only destroyed a tree-stockade, but shattered it into matchwood.

It is, therefore, the nature of gun cotton to rise to the occasion and to exert force exactly in proportion to the obstacle it encounters. For destructive shells this quality is of the highest value. You can make your shell so strong that nothing can resist its entrance, and when arrived at its destination no shell can prevent its gun-cotton charge from shivering it to fragments.

These are the main principles in the mechanical manipulation of gun cotton which will probably render it for the future so formidable an instrument of war. Resistances too great for gunpowder only suffice to elicit the powers of gun cotton. On the other hand, in its elementary state as the open cotton yarn, it is playful, slow, gentle, and obedient; there is scarcely any mechanical drudgery you can require of it that it is not as ready and fit to do as steam, or gas, or water, or other elementary power.

As to the nature and source of this amazing power of gun cotton, Mr. Russell, as a mechanic, thus undertakes to reply: "Who shall say what takes place in that pregnant instant of time when a spark of fire enters the charge, and one-hundredth part of a second of time suffices to set millions of material atoms loose from fast ties of former affinity, and leaves them free every one to elect his mate, and uniting in a new bond of affinity, to come out of that chamber a series of new-born substances? Who shall tell me all that happens then? I will not dare to describe the phenomena of that pregnant instant. But I will say this, that it is an instant of intense heat—one of its new-born children is a large volume of steam and water. When that intense heat and that red-hot steam were united in the chamber of that gun and that mine, two powers were met whose union no matter yet contrived has been strong enough to compress and confine. When I say that a gun-cotton gun is a steam-gun, and when I say that at that instant of intense heat, the atoms of water and the atoms of fire are in contact atom to atom, it is hard to believe that it should not give rise to an explosion infinitely stronger than any case of the generation of steam by filtering the heat leisurely through the metal skins of any high-pressure boiler."

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HABEAS CORPUS. The proclamation of the President of Sept. 15, 1863, declared the privilege of the writ of *habeas corpus* suspended throughout the United States, "in cases where, by the authority of the President of the United States, military, naval, and civil officers of the United States, or either of them, hold persons under their custody, either as prisoners of war, spies, or aiders or abettors of the enemy, or officers, soldiers, or seamen, enrolled, drafted, or mustered, or enlisted in, or belonging to the land or naval forces of the United States, or as deserters therefrom, or otherwise amenable to military law, or to the rules or articles of war, or the rules and regulations prescribed for military or naval service by the authority of the President of the United States, or for resisting a draft, or for any other offence against the military or naval service." (See ANNUAL CYC., 1863, p. 489.) Subsequently modified, so as to permit its allowance and operation in cases of minors improperly enlisted, &c. (*Ib.*, 491.)

Military commissions were from time to time convened, to which was given cognizance of the offences enumerated and referred to in the proclamation, and by which the large majority of persons charged with such offences were tried. These tribunals, called into being by the order of some commanding officer, do not appear to have been restricted either in the extent of their jurisdiction or the manner of their procedure by any rule, except the direction of the officer commanding the department in which they exercised their powers.

There is a difference between "courts-martial" and "military commissions." The former are tribunals known to the law, and are instituted for the trial of military persons—persons charged with some breach of military obligation; the latter, unknown to the law, are for the trial of persons who have fallen under suspicion of the Government. The former, like the civil courts, are presumed to be always in session; their rules of evidence and rules of decision are fixed by law and precedent; and the offences of which they take jurisdiction are accurately defined; the latter only sits under special orders, is limited to a particular case, or class of cases, has no rules of evidence nor any rule of decision.

In order to give jurisdiction to the first, some particular person must be charged with some particular offence; in order to afford a reason for the action of the last, all that is required is that somebody is suspected of something. Courts-martial are always in being—their existence not depending upon any special civil or military condition; while military commissions are only now and then called into activity, to meet some real or imaginary state of political circumstances.

It seems obvious from this that the true end of military commissions, if they are allowable for any purpose, is to inquire and develop, not to judge or convict. It always, however, unfortunately happens, that the same state of political or party agitation which brings the commission into existence, creates a sort of demand that it shall deal finally and vindictively with some who come under its notice. It is treated by its creators, and is apt to conduct itself, as if its functions were purely executive.

It is not to be understood that persons tried are always convicted; on the contrary, many are allowed to escape. The difficulty is that in many cases it is impossible to penetrate the curtain which conceals from the observer the power behind the court, and supplies the undeclared rule which determines the result.

The foregoing is under the admission that military commissions may be, in certain cases, allowable. If they are so, it is desirable for the sake of those who compose them and the Government under which they are instituted, as well as for that of the people, that their functions should be confined within their proper province—that of inquiry and development. Trial and punishment may be based upon that which they discover, but trial and punishment should only follow specific charges, and legitimate proof of acts by law forbidden. Strictly no one is before a commission for trial.

Did they confine themselves purely to the work of partial inquiry and development, leaving to the courts of justice—civil or military, as the case should warrant—that which exclusively belongs to them, the work of prosecution, trial, and punishment, they might, in the hands of dignified and conscientious men, perform a respectable part in furtherance of justice and the protection of the community, and would merit to escape, if they did not escape, much of the odium which they have encountered.

The persons to be brought before these military commissions were usually arrested without process, and retained in custody without the privilege of the writ of *habeas corpus* under the provisions of the proclamation; and the War Department issued an order prohibiting, under pain of dismissal from the army, officers from giving information concerning the sentence of civilians by military commissions before the execution of the sentence. Upon the representation of the facts, a number sentenced to the penitentiary had been pardoned by the President, and this order was calculated to get the prisoners fully incarcerated before their friends could be able to ascertain the necessity of appealing to the Executive.

Early in the year Col. William G. Fish, military provost-marshal of the city of Baltimore, and who had been conspicuous in that city in

causing the arrest of persons suspected of sympathizing with the rebellion, and of offences against the Government, was himself subjected to the summary process of arrest without warrant, and confinement without benefit of *habeas corpus*, on a charge of selling Government horses, for his individual benefit. He was tried by court-martial, found guilty, and sentenced to be cashiered, to forfeit all pay and allowances, to pay a fine of five thousand dollars, and be imprisoned for at least one year and until the fine was paid.

During the year a large number of newspapers were suppressed by military orders on charges of encouraging the enemy, discouraging enlistments, advising resistance to the conscription or the publication of articles of a similar tendency. In some cases the editors of these papers were arrested by the civil authorities and tried by the courts; in others the arrest was summary, and the trial by military commission; while in others after arrest and imprisonment the parties were released without investigation or trial.

On Thursday, the 21st of July, Major-Gen. Dix directed United States District Attorney A. Q. Keasbey, of Newark, N. J., to arrest and prosecute the editor and proprietors of the "Newark Evening Journal." The offence for which the prosecution was made was the publication of an article on the draft.

The arrest was made under the twenty-fifth section of the act of March 3d, 1863, entitled "An act for enrolling and calling out the national forces, and for other purposes."

Mr. E. N. Fuller, the editor, was arrested on Friday, on two warrants—one for inciting to insurrection, and the other for discouraging enlistments. He was released on bail by United States Commissioner Morris on giving bonds in the sum of \$7,000.

Mr. Fuller was afterwards indicted in the United States District Court for the district of New Jersey under the section of the law stated, and at a subsequent term of the court pleaded *non vult contendere*, and was sentenced to pay a fine.

The obnoxious articles were copied from the "Newark Evening Journal" into the "Somerset Messenger," published in Somerville, N. J., which led to the arrest on the 10th of August of Mr. O. C. Cone, the editor, on a process issued by United States Commissioner Whitehead on the complaint of the United States District Attorney, made at the request of Gen. Dix. Mr. Cone was also held to bail to appear.

On August 13th, W. H. Simpson, editor of the "Republican Journal," was arrested and carried before the United States District Court at Bangor, to answer to an indictment for giving aid and comfort to the rebellion by publishing an article on the draft. He pleaded not guilty, and through his counsel demanded an immediate trial. This was resisted by the United States Attorney, upon whose motion the matter was continued, and Mr. Simpson's personal recog-

nizance taken for his appearance at the next term of the court.

On August 18th, Mr. John Mullaly, editor and proprietor of the "Metropolitan Record," New York, was arrested and brought before United States Commissioner Osborn, on a charge of opposing and counselling resistance to the conscription. The charge was made by United States District Attorney E. Delafield Smith, who, it seems, took some of the papers published by Mullaly to the commissioner, and desired a warrant of arrest. Commissioner Osborn desired him to state his complaint in writing, which was done.

Upon this affidavit, Commissioner Osborn issued a warrant of arrest. Mr. Mullaly was therefore brought before the commissioner, and Mr. Charles Downing became his surety in the sum of twenty-five hundred dollars.

On November 18, Dr. John McElwee, editor of the Hamilton "True Telegraph," was arrested on an indictment found by the Grand Jury of the United States for the Southern District of Ohio, charging the said John McElwee with treason. The indictment was found under the provisions of the act of July 17th, 1862, and charges the accused with giving aid and comfort to the rebels. Three several editorial articles were specified, contained in the "True Telegraph" of July 21st, 1864. Judge Leavitt held him to bail for his appearance in the sum of \$3,000.

Mr. Flanagan, an editor of a paper in the West, was tried and sentenced to six months imprisonment at hard labor by a military commission. The offence for which he was tried was the publication of an article in a newspaper of which he was the proprietor. The article was copied from another paper, and it is a curious fact that the author of the article and proprietor of the paper in which it originally appeared had been previously arrested for its publication, and discharged by a military tribunal. Some thought this inconsistent, others argued otherwise, and the commission before which Mr. Flanagan was tried agreed with the latter. The commission which tried the original author of the obnoxious article let him go; that which tried Mr. Flanagan shut him up.

Oct. 5th, J. J. Bingham, editor of the Indianapolis "Daily Sentinel," was arrested by order of Maj.-Gen. Hovey, the military governor of Indiana, and confined in a military prison. The reason said to be alleged for Mr. Bingham's arrest was the publication of an article in the "Sentinel" regarded as derogatory to a military commission then in session in that city engaged in the trial of Mr. Dodd, on a charge of disloyalty or conspiracy.

In addition to the arrest of editors of papers, large numbers of citizens were arbitrarily arrested, of which the N. Y. "Journal of Commerce" says:

A mere list, with the briefest mention possible in each case, would fill not less than eighteen columns of our paper. This tremendous list is exclusively

made up of arbitrary seizures of individuals who were dragged from their families without indictment, without warrant, without form of law, without being confronted with witnesses against them, without being informed of the nature of the charges against them, immured for weeks and months in dungeons often a thousand miles from the State in which they were seized, and finally turned loose without trial or apology. The list includes no military offenders. It is made up entirely of the names of citizens of the loyal States, in which the courts of justice have never been suspended, where every crime, whether treason or other, could have been punished in due form of law. The catalogue of orders made in relation to these victims of autocratic power is a terrible book for history.

Pending the canvass for the election of President, numerous arrests were made of persons charged with attempting to defraud soldiers of their votes, and of making false returns of the votes of the soldiers of those States whose laws permitted them to vote while in the field. The most noticeable of these cases was that of Col. Samuel North and his associates, who were the agents of the State of New York to procure and forward returns of such votes. These parties were summarily arrested, their papers seized, and they confined in the Old Capitol Prison, where they were retained until after the election, when they were tried by a military commission and acquitted, on the ground that there was no evidence to show guilt on the part of either defendant. Immediately after the return of Col. North, his home friends, by a spontaneous movement, united in soliciting him to permit some public demonstration, in order to manifest their regard and sympathy, and also to express their abiding faith in his incorruptibility. In pursuance of this a banquet was given to him, at which, after congratulatory remarks by the chairman, Col. North related the hardships of his imprisonment, the injustice of the charges against him, and the delays interposed to prevent the speedy investigation of the alleged offences.

In connection with the case of Col. North, the *Elmira* (N. Y.) "Advertiser" presents a case of similar outrage in the person of James A. Creed, Esq., of that place, who, on the 3d of November, was summarily arrested on the authority of a telegram from Washington, hurried off to that city, and there kept in prison. After having been imprisoned some time it seems that Mr. Creed ascertained that his arrest was based upon charge or suspicion respecting the alleged forged votes of soldiers. He therefore made a statement denying any complicity in the matter, and his counsel, Mr. Gillett, presented it to Judge Advocate Holt, who said that no charges had been preferred against Mr. Creed, but that he was held to give testimony. After the conclusion of the North trial, Mr. Creed's unconditional release was ordered, and shortly after he was set at liberty. Instead of being detained to be a witness, Mr. Creed, it is said, was imprisoned to prevent his giving testimony.

During the summer there were numerous

arrests, but in no State was the personal liberty of the citizen so generally violated as in the State of Kentucky. Civil and judicial officers of the State, as well as private citizens, were arrested and imprisoned. Lieutenant-Governor Jacobs, Chief Justice Bullitt, John W. Leathers, and J. R. Buchanan, delegates from the State to the Chicago Convention—Col. Woolford, who had been in the service, were seized, and with others placed in confinement. The Louisville "Journal" gives the following general account of these proceedings:

In the course of the last three or four weeks the military agents of the Government amongst us have arrested a very unusual number of citizens, some of whom, as they themselves allege, are totally ignorant of the charges against them, and all whom are held in confinement, with the prospect of suffering banishment, indefinite imprisonment, or some other severe punishment, without the privilege of a trial of any description. Several of these citizens, as we are assured, are notoriously conservative Union men, strong, true, self-sacrificing friends of the Union, who are conscious of no offence except that of opposition to Mr. Lincoln as a candidate for the Presidency. (*See KENTUCKY.*)

Lieutenant-Governor Jacobs was banished, and sent beyond the lines, but was subsequently permitted to return.

In Missouri Congressman Hall was arrested at a place called Mexico, for using language in reference to the President, and sent to St. Louis on the 11th of August, under guard.

The House of Representatives instructed their committee to investigate whether the act of Congress requiring the trial of those arrested and confined had been carried into effect.

The Military Committee of the House made a personal inspection of the Old Capitol Prison, for the purpose of carrying into effect the resolution. The committee found that officers, even of high rank, and "having honorable scars," were and had been constantly confined there for months without any official notification, as required by law, of charges preferred against them, and sometimes put into close confinement. In some instances those incarcerated were totally ignorant of the causes which led to their apprehension. In many cases the commitments were signed by L. C. Baker, purporting to act as agent of the War Department, and his oral directions were sufficient to make the terms of imprisonment more or less rigid, according to his ideas in the premises.

These violations of personal rights were not allowed to go entirely unrebuked by the courts and people. A suit was brought by Albert W. Patrie, a respectable farmer of Greene County, against Robert Murray, U. S. Marshal for the Southern District of New York, and William Buckley, his deputy, for an "arbitrary arrest."

It appeared on the trial that in August, 1862, Murray sent Buckley from New York to Cairo, Greene County, to arrest the plaintiff. Buckley had no legal process to justify the arrest, though he had in his possession a paper supposed to be a representation made to Murray against Patrie by some political opponents.

When Buckley arrived at the house of Patrie, he learned that Patrie was in a distant field on the farm, at work, and he took the little son of Patrie to conduct him to the field, where the arrest was made. After returning with Patrie to his house, in answer to an inquiry of Patrie's wife as to the probable fate of her husband, Buckley said he supposed that he would be sent to Fort Lafayette. Patrie was taken by Buckley to the city of New York, and delivered up to Murray, by whose order he was imprisoned in the Elm Street prison for nearly a week.

Some of Mr. Patrie's friends from Greene County and his father from Schoharie County went to New York in his behalf during his imprisonment, but were unable to procure his release on bail or otherwise. In answer to Mr. Patrie's application to be bailed, Mr. Murray told him that all Greene County could do him no good. A bail-bond was afterwards executed by two of Mr. Patrie's friends residing in New York, and he was permitted to return home.

Mr. Patrie then commenced his action for the false imprisonment, but the defendants succeeded in keeping off the trial till the June circuit. At the November circuit, 1863, a postponement was procured by the defendants on various pretences of the absence of witnesses and otherwise. At the February circuit, 1864, it was again sworn off to enable the defendants to procure the testimony of the Secretary of War. But none of these witnesses were present at the trial, nor did it appear that any steps had been taken to procure their attendance or obtain their testimony, or even that their attendance was desired.

The cause was tried at Catskill, before Judge Ingalls and a jury composed of men of both political parties. The jury, after about two hours' deliberation, found a verdict for \$9,000.

Messrs. J. A. Griswold, D. K. Olney, and Amasa J. Parker appeared for plaintiff. Messrs. Vail and Sedgwick and P. C. Mattoon for defendants.

Judgment having been perfected on the verdict, the defendants applied to remove the cause to the United States Circuit Court, for the purpose of having it tried *de novo*, as if originally commenced there, under the 5th Section of the Act of Congress, known as the "Indemnity Act," passed March 3, 1863. The defendants moved, on notice, for an order of the Supreme Court staying proceedings and removing the cause into the United States Circuit Court. The motion was resisted on several grounds. The plaintiff's counsel claimed that the section of the act of Congress, under which the removal of the cause was attempted, was unconstitutional, for two reasons: First, because it went beyond the 3d article of the Constitution of the United States, in proposing to give the United States Circuit jurisdiction of a cause in which a case had not arisen under the laws of the United States, for it appeared by

affidavits that no question involving the validity of an act of Congress had been raised or decided on the trial; and secondly, because to remove the cause to another court and try it *de novo* would be a violation of the seventh amendment of the Constitution of the United States, which declares that "No fact tried by a jury shall be otherwise reëxamined in any court of the United States, according to the rules of the common law." The counsel for the plaintiff contended that the only mode by which a re-examination of a question of fact could be had at the common law was of obtaining a new trial in the same court in which the verdict was rendered.

After a full discussion the Court took the papers for further consideration, and the decision was rendered in August.

The Judge denied the motion, holding that the case did not fall within the act, and that the act, so far as it extended to cases after a verdict has been rendered, is invalid and unconstitutional.

Suit was also brought against Marshal Murray and deputy by Libbeus H. Berry. The case came up in October before Judge Scrogham, at a special term of Supreme Court in Kings County, on a question to remove the case to the U. S. Courts.

It appears that in August, 1864, the plaintiff, who resides in Dutchess County, whilst engaged in the business of farming, was arrested by the defendants on the charge of disloyalty. The defendants, without process, took him to New York city, and caused him to be there imprisoned for three days, and without having any charge whatever preferred against him, he (the plaintiff) was discharged. The action was, therefore, brought to recover damages, which were fixed at \$10,000, for this illegal arrest.

The defendants justified under the act of Congress protecting all acts done under the "order" of the President or any of his subordinates, and claimed that they are protected by the provisions thereof.

In the Supreme Court at Washington, on Tuesday, Dec. 20th, in the case of the United States *vs.* Col. Baker, upon the indictment for the arrest of Dr. Gwynne, the Court decided that neither the order of the Secretary of War nor of the Secretary of the Treasury would be justification to the defendant.

The liberty of the press and of the person seems also to have been violated in the insurgent States by those in power. Mr. De Bow, a financial writer, wrote an article upon cotton which was displeasing to Mr. Davis, and the consequence was that it was suppressed and the author sent to prison for writing it. Here is a paragraph from the article which Mr. Davis snatched from the eyes of his countrymen:

Cotton has failed or will fail us; the negro has failed or will fail us; it is idle to hope longer to enjoy peacefully the proceeds of his labor when at this moment eighty thousand of his color are organized, and hold arms in their hands to free their fellows.

The longer the war is protracted the more violently will slavery be destroyed. For two years and a half we have waged war, and lost more than half the territory over which we asserted jurisdiction; the supply of cattle no longer comes from Texas, nor does cotton escape longer from the frontier to furnish us supplies. The Mississippi bears a hundred gunboats, half of them iron-clads, that effectually prevent our occupation of any point along its entire course, or even the passage of it except under cover of darkness, and by stealth.

HADLEY, HENRY HAMILTON, an American Professor and Hebraist, born in Fairfield, Herkimer Co., N. Y., July 19, 1826, died in Washington, D. C., August 1, 1864, aged 38 years. He was the youngest of six children, four of whom were sons. His father, James Hadley, was Professor of Chemistry in the Medical College at Fairfield from 1812 to 1840, and from that time until 1853 held the same chair in the Medical College at Geneva, N. Y. His son Henry pursued a course of preparatory study, chiefly at the Fairfield Academy, and in 1842 entered the Hobart Episcopal College of Geneva. After two years spent here he removed to New Haven, Conn., where an elder brother, James Hadley, was then residing—and entered Yale College as a sophomore. Here he distinguished himself by his scholarship and literary talents, and was graduated in 1847 with the highest honors of his class. He remained connected with the college for one year as a resident graduate, and then for two years as a student in the Theological Department. A third year of theological study was passed in the Seminary at Andover, Mass. From May, 1851, to December, 1852, he exercised the office of tutor in Yale College. He then removed to New York city and spent some time in the study of the law, being led to this profession by doubts as to his personal fitness for the work of a Christian minister. Becoming convinced, however, that theology was his true field for effort and influence, he returned to New Haven early in 1855, and there spent more than three years in theological pursuits, and especially in a systematic study of the Hebrew language and the Old Testament scriptures. In 1858 he was called to the Union Theological Seminary, in New York city, to give instruction in Hebrew as assistant to Professor Edward Robinson. He remained until his death connected with that institution. In 1861 he accepted, and held for one year, the professorship of Hebrew in the theological department of Yale College; but he continued at the same time to act as an instructor in New York, and in 1862 he gave up his post in Yale College, and received the professorship of Hebrew in the Union Seminary. He was an indefatigable teacher, laborious in preparing his exercises, thorough in conducting them, and full of expedients for keeping up the interest and advancing the progress of his classes. In private intercourse, also, he exerted a strong influence on his pupils by the unaffected kindness and goodness of his char-

acter. In his scholarship he was patient, clear, and cautious, with a singular fairness of mind and freedom from prejudice. Besides his knowledge of the Hebrew language and literature, he had made considerable progress in other Semitic languages; but, unambitious and self-distrustful, he gave to the public hardly any thing beyond a few articles contributed to the "American Theological Review." When the present war broke out his warmest sympathies were enlisted for the cause of the country. Having no family to provide for, he thought it his duty to give his personal service as a soldier to the Government, and only the unanimous opposition of friends, who thought that the country needed him more in his own department of labor, prevented him from doing so. But out of scanty means he placed two substitutes, both carefully chosen, in the national army; and during his summer vacation of 1864 he offered his time for the work of the Sanitary Commission. He was sent to City Point, Va., about the end of June, and was engaged in the hospital of the 9th army corps through most of July. But his assiduous, and indeed excessive, labors brought on a fever, which ended in a sudden collapse.

HAMMOND, JAMES HENRY, a statesman, and former Governor of South Carolina, born in Newberry, South Carolina, November 15th, 1807, died at Hamburg, in that State, November 13th, 1864. His father, Elisha Hammond, was a native of Rochester, Mass., a graduate of Dartmouth College, removed to South Carolina in 1801, was for a time professor of languages, and in 1816 was chosen President of South Carolina College in Columbia. His son graduated at that college in 1825, and commencing at once the study of law was admitted to the South Carolina bar in 1828. In 1830 he became editor of a political journal at Columbia, and advocated with zeal and considerable ability the doctrine of State Rights, and nullification as a remedy for alleged oppression on the part of the Federal Government. He was then and through life an ardent supporter of Mr. Calhoun's views. During the nullification excitement he was on the staff of Governor Hamilton, and subsequently of Governor Hayne. In 1835 he was elected a member of Congress from the Columbia district, but at the end of his term declined a renomination, and visited Europe, where he remained more than a year. In 1842 he was elected Governor of his native State. While Governor he published a letter to the Free Church of Glasgow, and two others in reply to an anti-slavery circular of Thomas Clarkson, M. P., of England, in which he took extreme ground in favor of slavery as sanctioned by the Scriptures, and as a useful and beneficent institution. These letters called forth strong and severe replies from those to whom they were addressed. He published several other essays on the same subject, which, with the letters above mentioned, were collected in a volume published in Charleston

in 1853, and entitled "The Pro-Slavery Argument." He had also published essays and discourses on agriculture, manufactures, banks, railroads, and literary topics, and an elaborate review of the life, character, and public services of John C. Calhoun. During his gubernatorial career he gave special attention to the improvement of military education in the State, introducing the West Point system into several of the academies and colleges. In 1857 he was elected to the United States Senate in place of Hon. A. P. Butler, deceased. Here, in March, 1858, he delivered a speech against the working-classes, which gave him an unenviable notoriety at the North, and fastened upon him the title of "Mudsill Hammond." The following paragraph from that speech was the one to which most exception was taken:

"In all social systems there must be a class to do the mean duties, to perform the drudgery of life; that is, a class requiring but a low order of intellect and but little skill. Its requisites are vigor, docility, fidelity. Such a class you must have, or you would not have that other class which leads progress, refinement, and civilization. It constitutes the very mudsills of society and of political government; and you might as well attempt to build a house in the air, as to build either the one or the other except on the mudsills. Fortunately for the South, she found a race adapted to that purpose to her hand; a race inferior to herself, but eminently qualified in temper, in vigor, in docility, in capacity to stand the climate, to answer all her purposes. We use them for the purpose, and call them slaves. We are old-fashioned at the South yet; it is a word discarded now by ears polite; but I will not characterize that class at the North with that term; but you have it; it is there; it is everywhere; it is eternal."

In the same speech he made, perhaps, the first, certainly the strongest avowal of the supremacy of cotton, and predicted the downfall of England if the South should choose to withhold its cotton. The following passage became subsequently the rallying-cry of the partisans of the South:

"No, sir, you dare not make war on cotton. No power on earth dares make war upon it. Cotton is king. Until lately the Bank of England was king, but she tried to put her screws as usual, the fall before last, upon the cotton crop, and was utterly vanquished. The last power has been conquered."

On the secession of South Carolina he withdrew from the Senate, and after the outbreak of hostilities remained quietly at home, superintending the affairs of his large estate, until declining health withdrew him from active pursuits.

HAWTHORNE, NATHANIEL, an American author, born in Salem, Mass., July 4th, 1804, died at Plymouth, New Hampshire, May 19th, 1864. He was descended from a strictly Puritan stock, his ancestors having settled in Salem very early in the history of the colony of Massachusetts, and one of them having been a magistrate who took an active part in the trials for witchcraft in Salem in 1692. For several generations they had been seafaring men, the son following his father to the sea, and in turn coming home gray-haired and weather-beaten

to enjoy the evening of life in quiet in the quaint old town. The last Captain Hawthorne (the change in the spelling of the name was due to the novelist, who believed that *Hawthorne* was the original name), the father of Nathaniel, died in Calcutta of fever, in 1810. Mr. Hawthorne's health was probably never firm; for, at the age of ten years, he left home to try the effects, upon his constitution, of farm-life, going to a farm owned by the family and situated on the shores of Sebago Lake, Maine. On his return to Salem he completed his studies, preparatory to entering Bowdoin College, where he graduated in 1825, with Rev. Dr. Cheever and the poet Longfellow. Ex-President Pierce, then and through life his intimate friend, was in the preceding class. For many years succeeding his college-life he lived in Salem—"a recluse from his own household; walking out by night and passing the day alone in his room, writing wild tales," most of which he burned, though some of them afterwards appeared in different magazines, annuals, &c. In 1828 he published an anonymous romance which he never claimed, and of which all that is now known is that it bore on its title-page the motto from Southey, "Wilt thou go with me?" Several of his earlier stories were contributed to the successive volumes of S. G. Goodrich's annual, "The Token." In 1837 he collected his sketches, and published them under the title of "Twice-told Tales." These were highly lauded by the "North American Review," but not immediately appreciated by the public. Little by little the book won readers who could not fail to recognize its merits; and in 1842 it was republished with a second series which contained many sketches from the "Democratic Review." These "Tales" were pronounced, in the words of Curtis, "full of glancing wit, of tender satire, and exquisite natural description; of subtle and strange analysis of human life, darkly passionate and weird."

In 1838, when the Hon. George Bancroft was collector of the port at Boston, Mr. Hawthorne received from him the appointment of weigher and gauger of the Custom House. In 1841, when the Whigs came into power, he was displaced; and at this time retired to the Brook Farm Fraternity, then forming at Roxbury. He tried the experiment for less than a year, however, and returned to Boston, married, and removed to Concord, occupying the well-known Parsonage. In the introduction to his "Mosses from an Old Manse," he gives an interesting account of his life there. His study was in the rear of the house; and from its windows, its clerical resident of the olden time had watched the famous "Concord Fight" of April 19, 1775. Here he lived in seclusion for about three years, until, on the return of his friend, Mr. Bancroft, to office as Secretary of the Navy, he was made surveyor of the port of Salem, to which place he moved, remaining there three years. Readers of that remarkable romance, "The Scarlet Letter," will remember its autobiographical

introduction, in which is recorded this truth, "Neither the front nor the back entrance of the Custom House opens on the road to Paradise."

On the advent of a new administration, in 1849, he was again displaced. At this time he left Salem and resided in Lenox, in a little red cottage on the shore of the lake known as the "Stockbridge Bowl." Here he wrote one of his best romances, "The House of the Seven Gables," which, as well as the "Scarlet Letter," attained immediate popularity. The "Blithedale Romance" appeared in 1852, the year in which he removed from Lenox to Concord. His "Life of Franklin Pierce" was published during the canvass which resulted in Mr. Pierce's election; and the new President signified his gratitude, and at the same time gratified friendly feelings long established, by bestowing upon Mr. Hawthorne the place of United States Consul at Liverpool, said to be the most lucrative at that time in the President's gift. This office he resigned in 1857, and, after a period of continental travel, returned to the United States, since which his "Marble Faun," and a collection of sketches of English scenery, character, and life, entitled "Our Old Home," have been published. Besides the books already enumerated, Mr. Hawthorne was the author of "True Stories from History and Biography" (1851); "The Wonder Book, for Boys and Girls" (1851); "The Snow Image, and other Twice-Told Tales" (1852); "Tanglewood Tales" (1853). He also edited "Journal of an African Cruiser" (1845). He was engaged till within a few weeks of his death upon a novel which was to have appeared in the "Atlantic Monthly;" but which, like Thackeray's last work, was left unfinished.

Mr. Hawthorne's reputation as a remarkable writer of fiction, and an agreeable essayist, was by no means confined to the United States. His most important works have been republished and widely read in England, and some of them, in the form of translations, have been popular in Germany. If his admirers have not been so numerous as those of many other authors, they have been warm and steady; and it is safe to say that his place in literature as a great and original writer is permanently settled. His books are perhaps too often pitched in a minor key to gratify the multitude. It is true that he is not without a rare vein of humor, still more fascinating, perhaps, because it is never boisterous, which strangely tempers the sombre tone of his pages; but the prevailing spirit of his writings is somewhat melancholy, and it occasionally rises into the weirdly tragic. In some of his books this is carried to a pitch which the reader, even of ordinary sensitiveness, finds almost painful. He is a master of that unusual art, oftener professed than excelled in, of extending to strictly natural events the deepest interest of the supernatural. He makes living men and women do a ghostly work; and he is a consummate creator of pic-

turesqueness of situation. Some of the scenes in the "Scarlet Letter," in the "House of Seven Gables," and in the "Blithedale Romance," have a terror akin to that with which in childhood we trembled over the pages of Mrs. Radcliffe; yet Mr. Hawthorne worked only with homely and almost unheroic materials, and in the most remarkable of these works had no historical or legendary assistance. With his humor was associated also the quality of pathos, which is rarely separated from the humorous. There are passages in the "Scarlet Letter" especially of woman's love and suffering, and of maternal tenderness, which are not only not surpassed by any thing in English literature, but are absolutely unique in their character. His earlier writings were exceedingly graceful and delicate in thought and language, yet there was in all their grace and beauty a certain monotony of manner which afterwards disappeared. As he went on his style became more vigorous and more varied, sparkling with wit and condensed in thought.

In his personal character Mr. Hawthorne was amiable, and where he was on terms of intimacy agreeable in conversation; but he was intensely shy, and in general society the embarrassment produced by his shyness was often mistaken for moodiness and want of social sympathy. His convictions on moral and political questions lacked the positive, decided element, and his hesitation and uncertainty in regard to public measures was sometimes unjustly imputed to a cold and unsympathetic nature.

His death was sudden, though his health had for a long time been infirm. He was on a journey with his friend the Ex-President Pierce to the White Mountains for his health, and had stopped for the night at the Pemigewasset House, Plymouth, where he died before morning.

HAYS, ALEXANDER, a brigadier-general of U. S. Volunteers and brevet lieutenant-colonel in the U. S. Army, born at Pittsfield, Pa., in 1820, killed in the battle of the Wilderness, May 5th, 1864. He graduated at the Military Academy of West Point, in 1844, having as classmates Grant, Hancock, and Pleasonton, entered the army as a brevet second lieutenant of the 4th U. S. infantry, and on the 18th of June, 1846, was fully commissioned a second lieutenant of the 8th infantry. He fought during the Mexican war, and was breveted from May 9, 1846, first lieutenant for gallantry at the battles of Resaca de la Palma and Palo Alto. Subsequently he was sent to Western Pennsylvania on recruiting service, and having in a short time enlisted a large number of men, he proceeded with them to Vera Cruz, and marched thence to the relief of our garrison at Puebla. Soon after arriving the second time in Mexico, he was appointed acting assistant adjutant-general to Brig.-Gen. Lane, and distinguished himself in the conflict near Atlixco. On the 12th of April, 1848, he resigned his connection

with the army, and became engaged as an iron manufacturer in Venango County, Pa., from which occupation he was called by the outbreak of this war. Entering the volunteer service as colonel of the 63d Pennsylvania volunteers, he was appointed captain in the 16th regiment of infantry, to date from May 14, 1861. During the Peninsular campaign he was attached with his regiment to the First brigade, Third division (Gen. Kearny's), Third army corps, under Gen. Heintzelman. He participated with gallantry in the battles of Seven Pines and Fair Oaks. He was nominated for a brevet of major of the U. S. A., to date from May 31st, 1862. He also distinguished himself during the seven days' contests, and was nominated for a brevet of lieutenant-colonel, from June 30th, 1862, for the battles of Glendale and Malvern Hill. He took part in the Maryland campaign, was appointed a brigadier-general of volunteers on September 29th, 1862, participated in the Fredericksburg battle, and was wounded during the battle of Chancellorsville, while in command of the Second brigade of the Third division, Second army corps. At the battle of Gettysburg he was in command of the Third division of his corps, and after the wounding of Gen. Hancock was temporarily in command of the corps. When Gen. Warren was appointed corps commander, Gen. Hays returned to the Third division, and led it through the battles of Auburn, October 13th, Bristoe Station, October 14th, and the affair at Mine Run, November, 1863. When the Army of the Potomac was reorganized for the present campaign, Gen. Hays was placed in command of the Second brigade, Birney's Third division, Second corps, under Gen. Hancock.

Aside from his qualifications as a brave and gallant officer, Gen. Hays was a man of decided scientific culture and a refined and accomplished gentleman.

HITCHCOCK, EDWARD, D.D., LL.D., an American clergyman, author, geologist, and professor, for ten years President of Amherst College, born in Deerfield, Massachusetts, May 24th, 1793, died at Amherst, Mass., Feb. 27th, 1864. His parents though poor were highly intelligent, and of great mental activity, and his mother was a woman of acute nervous sensibility, and constitutionally subject to mental depression. These traits he inherited to some extent. His opportunities for early education were limited, but he was an indefatigable student and a keen observer of nature and natural phenomena. He undertook with all his disadvantages to prepare for an advanced standing in Harvard University, but a fit of sickness so weakened his eyes, already injured by night study, and the contemplation of the stars, that he was compelled to relinquish his intention. From 1815 to 1818 he was principal of the Deerfield Academy, and while thus engaged he published a poem of five hundred lines entitled "The Downfall of Bonaparte." It was while at the head of this academy that the American publisher of the English Nautical Almanac

offered ten dollars to any man who should discover an error in the work. Mr. Hitchcock sent him a list of forty-seven errors, and on receiving only evasive answers published the list. This drew forth a contemptuous reply, in which the critic was spoken of as "one Edward Hitchcock," but the calculations for the next year were revised with great care. To the surprise of the publisher, no sooner had the Almanac appeared than that same Edward Hitchcock, sent out after it a list of errors more numerous than that of the previous year. The controversy went on for several years, the editor after a little changing his tone, till "one Edward Hitchcock" became "Mr. Edward Hitchcock," and finally, "Edward Hitchcock, Esq., to whom much credit is due for the industry and talent bestowed upon the work." While teaching at Deerfield he had imbibed Unitarian sentiments, then prevalent in that region, but the death of a young friend was the means of bringing him back to orthodoxy, and in 1818 he commenced a course of study for the ministry, prosecuting his studies in part at New Haven. He was ordained pastor of the Congregational Church in Conway, Mass., June 21st, 1821. After a pastorate of four years, during which he had made a scientific survey of the Western Counties of Massachusetts, he was dismissed to enter upon the professorship of Chemistry and Natural History in Amherst College. He spent some time in the laboratory of Professor Silliman, at New Haven, before commencing his labors as instructor. The college was then in its infancy, and the new professor was obliged to give instruction in all the departments of Natural History, and this with exceedingly inadequate and imperfect means of illustration, either in the way of laboratory, cabinet, or museum, but under his energetic efforts there was soon a material improvement in these particulars, and before his death the departments in which he had given instruction were divided among four professors, the chemical laboratory and apparatus among the finest in United States, and the cabinet and geological museum unique in their character and extent, in this country or Europe. In 1830 he was appointed State Geologist of Massachusetts, and in 1836 Geologist of the First District of New York. In 1840 Harvard University bestowed upon him the degree of LL.D. He came very early into the temperance movement, and exerted a powerful influence both by pen and voice in its promotion. In 1844 he was chosen President of Amherst College, and Professor of Natural Theology and Geology, and with great reluctance and hesitation accepted the position. The college was then passing through the darkest period of its history. Inadequately endowed, and depending mainly at that time upon the receipts from tuition for the payment of salaries and current expenses, it was running in debt two or three thousand dollars a year, and the income from tuition was diminishing with the diminution in the number of students. Dr.

Hitchcock had already acquired a high reputation as a scientific naturalist, and his future renown was to be looked for from the same source, while the acceptance of the presidency, involving as it did the intensest application to the interests of the college, would effectually cut him off from any considerable progress in the direction most congenial to his tastes. Believing, however, that it was a matter of duty, he accepted the appointment and threw all his energies into it, making a stipulation at the beginning that for a time the Faculty should divide the income of the college among them for their support, be the same less or more, and present no claims against the college for further salary. This stopped the accumulation of debt on the part of the college, and by his efforts new friends were found to aid in its endowment, the State made grants to it, and it was in a few years placed upon a solid and permanent foundation. At the end of ten years of constant and severe labor, as financial manager as well as instructor, Dr. Hitchcock resigned the presidency, satisfied that the college could maintain its position without his fostering care. The trustees were unwilling, however, to spare him from the institution, and he finally consented to retain the chair of Geology and Natural Theology, which he did until his death. In 1846 Middlebury College conferred on him the degree of D.D. In 1850 the State Government sent him to Europe as Commissioner to examine the agricultural schools of Europe. In 1857 the State of Vermont appointed him to complete the Geological Survey of that State. His reputation as a geologist was very high both in England and America, and he had been elected corresponding or associate member of most of the scientific societies of both continents. Especially in the department of Ichnology, which he might almost be said to have created, was he a standard authority. His investigations of the fossil footprints of the Connecticut Valley formed an era in geological science.

Dr. Hitchcock was a voluminous writer. Among his published works are the following: "Geology of the Connecticut Valley," 1823; "Catalogues of Plants within Twenty Miles of Amherst," 1829; "Dyspepsia Forestalled and Resisted," 1830; "An Argument for Early Temperance" (reprinted in London); "Religious Lectures on the Peculiar Phenomena of the Four Seasons," "First Report on the Economic Geology of Massachusetts," 1832; "Report on the Geology, Zoology, and Botany of Massachusetts," plates, 1833; "Report on a re-Examination of the Geology of Massachusetts," 1838; "Elementary Geology," 1840; "Final Report on the Geology of Massachusetts," 2 vols. 4to., plates, 1841; "Fossil Footmarks in the United States," 1848; "History of Zoological Temperance Convention in Central Africa," 1850; "Report on the Agricultural Schools of Europe," 1851; "Mémorial of Mary Lyon," "The Religion of Geology and its connected Sciences," 1851,

and many scientific papers in the "American Journal of Science," and other periodicals.

HORNBLOWER, JOSEPH C., LL.D., an American jurist, born in Belleville, N. J., May 6th, 1777, died at Newark, N. J., June 11th, 1864. Though unable to obtain a collegiate education he applied himself closely in the classical school of Orange, and received besides some valuable instruction in mathematics and other sciences from his father, the Hon. Josiah Hornblower, of Belleville, and at twenty-one commenced the study of law at Newark. In 1803 he was admitted to the bar, and soon took rank with the first lawyers of his State. In November, 1832, he was appointed Chief Justice of the Supreme Court of New Jersey, a position which he held for fourteen years, retiring in 1846. His decisions during this period are marked by learning, legal acumen, and high moral principle, and occupy several volumes of the New Jersey Law Reports. His well-known decision in 1856, that Congress had no right to pass a fugitive slave law, was one which, although reversed, attracted much attention. In 1844 Judge H. was one of the most prominent members of the convention called to frame a new Constitution for the State, and strenuously endeavored to obtain the insertion of a clause putting an end to slavery in the State, in which he was unsuccessful. In 1856 he was chairman of the New Jersey delegation, and Vice-President of the Philadelphia Convention, which nominated Fremont. Judge Hornblower was President of the New Jersey Colonization Society, of the Society for Promoting Collegiate and Theological Education at the West, and of the New Jersey Historical Society, besides being connected with many of the religious organizations of the day. His death was the result of paralysis.

HUGHES, JOHN, Archbishop of New York, born near Clogher, county Tyrone, Ireland, in 1797, died in New York, January 3d, 1864. He was the son of a respectable, well-to-do farmer, and was educated, until his eighteenth or nineteenth year, in the schools near his birthplace. His father emigrated to America in 1816, and settled at Chambersburg, Pennsylvania. John followed him the next year, and his mother and the rest of the family came over in 1818. John worked for his living until he was twenty-two years old, when he obtained admission to Mount St. Mary's College, at Emmitsburg, Maryland, with the understanding that as soon as he had learned a little more he should teach a class, and in the mean time should take care of the garden as a compensation for his expenses in the house. He was ordained priest from this establishment in 1826. His first pastoral charge was at Bedford, Pennsylvania, but he was there only a few weeks, being called, in January, 1827, to St. Joseph's church, Philadelphia. In 1831-'32 he built St. John's church, which, under his pastorate, became the "fashionable" church of that city. By controversies through the newspapers and several little polemical tracts, as well as his eloquence in the pulpit,

he soon took his place at the head of the Philadelphia clergy. The Rev. John Breckinridge, of the Presbyterian denomination, having published a general challenge to "priests and bishops" to discuss with him the chief points of difference between the Catholic and Protestant churches, Mr. Hughes accepted the invitation, and a controversy on the Rule of Faith and the principles of Protestantism was accordingly carried on for several months, in 1835, through the columns of the "Catholic Herald" and the "Presbyterian." Mr. Hughes afterwards published the letters on both sides in a volume. He met the same adversary, in 1836, in a public oral debate, of the questions, "Is the Roman Catholic religion, in any or in all its principles or doctrines, opposed to civil or religious liberty?" and "Is the Presbyterian religion," &c. A volume of the speeches on each side was published by the literary society before which they were delivered, but it was not complete.

In January, 1838, having narrowly escaped a bishopric on two or three previous occasions, he was consecrated coadjutor to Bishop Dubois of New York. The diocese then embraced the whole State of New York and a part of New Jersey: it contained nearly two hundred thousand Catholics, with only forty priests, scattered over an area of fifty thousand square miles. Bishop Hughes, though nominally only coadjutor, had the whole charge of ecclesiastical affairs in this vast district, in which there are now five separate sees; almost immediately after his arrival in New York, Bishop Dubois was stricken with paralysis, and though he lived until 1842 he took no further part in the government of the church. The first care of Bishop Hughes was to effect a reform in the management of church property. The titles to the churches had hitherto been vested in lay trustees, and as many of these were incompetent and some of them bad men, scandalous conflicts had arisen between them and the bishop; clergymen, silenced for misconduct, had been incited by the trustees to rebel against their ecclesiastical superiors; and the money affairs of the church had been almost hopelessly involved. Bishop Hughes called a meeting of Catholics at the cathedral, and announced his intention to close the churches if the trustees persisted in interfering in spiritual concerns. He soon afterwards delivered a course of lectures on the evils of the trustee system, and took measures to have the deeds of all church property acquired thereafter made out in the bishop's name. As for the few churches which the city then contained, he made no effort to take them out of the hands of their incorporators, but he reduced the trustees to perfect obedience—a task which no other bishop had yet been able to accomplish. He next turned his attention to education, and purchased property at Fordham, near New York, for a college; but, before going further, he visited Europe to collect money, and engage some religious com-

munities to found establishments in his diocese. He was reasonably successful, and returned in the summer of 1840. During his absence a movement had been made among the Catholics of New York for a change in the school system. They complained that although they paid taxes for the support of the public schools, they could not send their children to them, first because the school-books were sectarian in their character, and secondly because the natural fruit of an education in which positive religious teaching had not a place was infidelity. Weekly meetings were held for the setting forth of their claims, and discussing measures of relief. These meetings began to wear a political complexion, when Bishop Hughes put himself at the head of the movement, took it out of the political arena, and drew up a petition to the Common Council in the name of the Catholics of the city, praying that a portion of the school fund might be given to certain designated Catholic schools. The Public School Society presented a remonstrance, and on October 29th and 30th, 1840, both parties debated the question before the Common Council. Theodore Sedgwick and Hiram Ketchum appeared as council for the Public School Society, and the Rev. Drs. Bond, Bangs, Reese, Knox, and Spring spoke on the same side. Bishop Hughes appeared alone for the petitioners. The petition was rejected, and the matter was then carried before the Legislature, where a bill to effect a change in the system passed one house but was lost in the other. An election for members of the Legislature occurred while the bill was under consideration, and as it became known that most of the candidates of both parties had pledged themselves beforehand to vote against it, Bishop Hughes advised the Catholics to nominate an independent ticket. By this step, although they did not elect their candidates, they acquired political consideration, and a modification of the school system was before long effected. Bishop Hughes, however, had resolved to discountenance the public schools, and urged upon his clergy the importance of establishing a complete system of parochial education. St. John's College at Fordham was opened in June, 1841, and the foundation of a theological seminary was laid adjoining it in 1845. In 1842 the bishop convoked a diocesan synod, in which stringent regulations were enacted in relation to church property and secret societies. He organized a "church debt society," which, during the single year that it continued in operation, collected and expended about \$17,000, but he was not able to cure immediately the evils resulting from years of mismanagement. Five of the eight city churches became bankrupt, and were assigned and sold by the sheriff. This, upon the whole, was an advantage; the property was thereby transferred from the trustees to the bishop, and in time the debts were paid. In 1843 Bishop Hughes went to Europe to negotiate a loan in Belgium for the

purpose of consolidating the church debt at a low rate of interest; but he did not succeed. The next year he obtained a coadjutor in the person of the Rev. John McCloskey, the present Archbishop of New York. At the time of the Native American riots in Philadelphia, in 1844, he used his influence with the best results to prevent an outbreak in New York, and addressed a public letter to Mayor Harper, reviewing his own past course, and defending himself from the attacks of the "New York Herald" and other papers. He made a third voyage to Europe in 1845-'46, and obtained some of the Jesuits, Brothers of the Christian Schools, and Sisters of Mercy. When the Mexican war was imminent, in 1846, President Polk wished to send him to Mexico on a mission of peace; but he refused the honor. In 1847 the diocese was divided, Dr. McCloskey being appointed bishop of Albany, and another new see erected at Buffalo, and in 1850 Dr. Hughes was raised to the rank of archbishop, with the bishops of Albany, Buffalo, Boston, and Hartford for his suffragans. To these were added afterwards the incumbents of the new sees of Brooklyn, Newark, Burlington, and Portland. Archbishop Hughes went to Rome to receive from the Pope the insignia of his new dignity, and he visited the Holy City again in 1854, in order to be present at the definition of the dogma of the Immaculate Conception. On his return he became engaged in a sharp controversy with the Hon. Erastus Brooks, State senator of New York, growing out of a bill before the Legislature designed to vest all church property in trustees. He afterwards published his letters on this subject, together with a review of the trustee system, in a volume entitled "Brooksiana" (1855). The bill became a law, which, however, was never enforced, and was repealed in 1863. He laid the corner-stone of a new cathedral, which he intended should be the grandest ecclesiastical edi-

fice in America, in August, 1858; the work was suspended when the walls were about ten feet high, and has not yet been resumed. In November, 1861, the archbishop sailed for Europe, in company with Mr. Thurlow Weed, charged by the United States Government with an unofficial mission of peace. It was supposed that in preventing France and England from interfering in the American civil war, private gentlemen might be able to exert an influence abroad which the restraints of official etiquette would debar our diplomatic representatives from exercising. The archbishop, after a long interview with the Emperor and Empress of the French, went to Rome, where he remained until June, to witness the ceremony of the canonization of several martyrs. He preached in Dublin, when the corner-stone of the Catholic University was laid in July, and soon afterwards returned home. His health had been gradually failing for several years, and he came prominently before the public only once more. That was during the draft-riots in New York in July, 1863, when the Governor of the State having requested him to use his influence to stop the disorders, he published an address "To the men of New York called rioters," inviting them to assemble at his house, where he harangued them from the balcony, and urged them to desist from violence. His address was severely criticized in the newspapers. Besides the works already mentioned, and a little volume of "Letters to Kirwan," the only separate publications of Archbishop Hughes are lectures, sermons, pastorals, tracts, &c.; but he was a voluminous contributor to newspapers from the beginning to the end of his career. He wielded a more powerful influence than any other American bishop has ever possessed, but he never exerted it in behalf of any political party. His manners were polished and agreeable, and he was genial in social intercourse.

I

ILLINOIS. The debt of the State of Illinois on December 16th, 1864, was as follows:

Illinois Bank and Internal Improvement stock	\$31,000 00
Illinois Internal Improvement stock.....	42,000 00
Internal Improvement scrip.....	19,570 33
Liquidation bonds.....	234,650 21
New Internal Improvement stock.....	1,848,407 85
Interest bonds, 1847.....	1,206,836 96
Interest stock, 1857.....	701,404 75
Two certificates for arrears of interest.....	1,002 58
Refunded stock.....	1,837,000 00
Normal University bonds.....	65,000 00
Thornton Loan bonds, (act approved February 21st, 1861).....	182,000 00
Balance Canal claims, under Thornton Loan act	3,024 58
War bonds.....	1,679,100 00
Illinois and Mich. Canal bonds, payable in N. Y.	1,618,000 00
Illinois and Michigan Canal bonds, payable in London.....	1,631,658 89
Interest certificates, Canal stock, not registered	17,661 33
Canal scrip, signed by Governor.....	2,616 97
121 Macallister and Stebbins' bonds, which, according to statement of C. Macallister, would amount, January 1, 1865, to about...	57,000 00
	\$11,178,564 45

The debt of the previous year has been diminished one and a half millions by means of a fund consisting of receipts from the Central Railroad and a two-mill tax of 1863.

During the two years ending October 31st, 1864, the State has received for the seven per cent. tax on the gross earnings of the Central Railroad, \$705,908.

The receipts of the State Treasury for revenue purposes for the two years ending November, 1864, were \$497,616. The State has the fund in coin on hand to pay the interest on the debt held in Europe, and due in July, 1865, and January, 1866. Former balance in the Treasury, \$374,697. Warrants drawn in the same time, \$884,014. An increase of taxation or a reduction of expenditures is considered to be necessary.

The quota of the State for troops under all

the calls of President Lincoln prior to December 1st, 1864, was 197,360. Prior to October 17th, 1863, the State had furnished and been credited with 125,321 men, which was a surplus at that time of 8,151. By an adjustment of credits at that time the State gained an additional credit of 10,947 men. The total result to December 1864 is as follows:

Quotas of the State under all calls prior to December 1, 1864.....	197,360
Total credits for three years' volunteers, drafted men, and substitutes to December 1, 1864.....	197,260

Balance due the Government Dec. 1, 1864.... 100

The deficit of 100 men has been more than balanced by enlistments during the month of December, 1864. Of the entire quota 197,360 men, the State furnished 194,198 volunteers, and 3,062 drafted men—organized as follows: 138 regiments and one battalion of infantry; 17 regiments of cavalry; 2 regiments and 8 batteries of artillery. In addition to the above the State furnished 13 regiments and 2 companies of hundred day volunteers, amounting to 11,323. Five of these regiments, after their term of engagement expired, extended it and marched into Missouri to the aid of Gen. Rosecrans.

The banks of the State on December 30th, 1864, held as securities \$175,634 in Illinois 6's, with a circulation of \$132,346.

The election for State officers was held in November. The candidates for Governor were Richard J. Oglesby, republican, and — Robinson, democrat. The result of the popular vote was: Oglesby, 190,376; Robinson, 158,701; majority for Oglesby, 31,675.

The Legislature was divided as follows:

	Senate.	House.
Republicans.....	14	51
Democrats.....	11	34
	<u>3</u>	<u>17</u>

The vote for President was as follows: Lincoln, 189,487; McClellan, 158,349; majority for Lincoln, 31,038.

Governor Yates, in his last message to the Legislature, thus describes the first appearance of Lieutenant-General U. S. Grant in the military arena of the present war:

In April, 1861, he tendered his personal services to me, saying "that he had been the recipient of a military education at West Point, and that now, when the country was involved in a war for its preservation and safety, he thought it his duty to offer his services in defence of the Union, and that he would esteem it a privilege to be assigned to any position where he could be useful." The plain, straightforward demeanor of the man, and the modesty and earnestness which characterized his offer of assistance, at once awakened a lively interest in him, and impressed me with a desire to secure his counsel for the benefit of volunteer organizations then forming for Government service. At first I assigned him a desk in the Executive office; and his familiarity with military organization and regulations made him an invaluable assistant in my own and the office of the Adjutant-General. Soon his admirable qualities as a military commander became apparent, and I assigned him to command of the camps of organization at "Camp Yates, Springfield, "Camp

Grant," Mattoon, and "Camp Douglas" at Anna, Union County, at which the 7th, 8th, 9th, 10th, 11th, 12th, 18th, 19th, and 21st regiments of Illinois volunteers, raised under the call of the President of the 15th of April, and under the "Ten Regiment Bill," of the extraordinary session of the Legislature convened April 23d, 1861, were rendezvoused. His employment had special reference to the organization and muster of these forces—the first six into the United States, and the last three into the State service. This was accomplished about the tenth day of May, 1861, at which time he left the State for a brief period, on a visit to his father, at Covington, Ky.

The 21st regiment of Illinois volunteers, raised in Macon, Cumberland, Piatt, Douglas, Moultrie, Edgar, Clay, Clark, Crawford, and Jasper counties, for thirty days' State service, organized at the camp at Mattoon, preparatory to three years' service for the Government, had become very much demoralized under the thirty days' experiment, and doubts arose in relation to their acceptance for a longer period. I was much perplexed to find an efficient and experienced officer to take command of the regiment, and take it into the three years' service. I ordered the regiment to Camp Yates, and after consulting Hon. Jesse K. Dubois, who had many friends in the regiment, and Col. John S. Loomis, Assistant Adjutant-General, who was at the time in charge of the Adjutant-General's office and on terms of personal intimacy with Grant, I decided to offer the command to him, and accordingly telegraphed Captain Grant, at Covington, Kentucky, tendering him the colonelcy. He immediately reported, accepting the commission, taking rank as colonel of that regiment from the 15th day of June, 1861. Thirty days previous to that time the regiment numbered over one thousand men, but in consequence of laxity in discipline of the first commanding officer, and other discouraging obstacles connected with the acceptance of troops at that time, but six hundred and three men were found willing to enter the three years' service. In less than ten days Col. Grant filled the regiment to the maximum standard and brought it to a state of discipline seldom attained in the volunteer service in so short a time. His was the only regiment that left the camp of organization on foot. He marched from Springfield to the Illinois River, but in an emergency requiring troops to operate against Missouri rebels, the regiment was transported by rail to Quincy, and Col. Grant was assigned to command for the protection of the Quincy and Palmyra, and Hannibal and St. Josephs Railroads. He soon distinguished himself as a regimental commander in the field, and his claims for increased rank were recognized by his friends in Springfield, and his promotion insisted upon before his merits and services were fairly understood at Washington. His promotion was made upon the ground of his military education, fifteen years' services as a lieutenant and captain in the regular army (during which time he was distinguished in the Mexican war), his great success in organizing and disciplining his regiment, and for his energetic and vigorous prosecution of the campaign in North Missouri, and the earnestness with which he entered into the great work of waging war against the traitorous enemies of his country. His first great battle was at Belmont, an engagement which became necessary to protect our southwestern army in Missouri from overwhelming forces being rapidly consolidated against it from Arkansas, Tennessee, and Columbus, Kentucky. The struggle was a desperate one, but the tenacity and soldierly qualities of Grant and his invincible little army gave us the first practical victory in the West. The balance of his shining record is indelibly written in the history of Henry, Donelson, Shiloh, Corinth, Vicksburg, Chattanooga, the Wilderness, siege of Richmond, and the intricate and difficult command as Lieutenant-General of the armies of the Union—written in the blood and sacrifices of the heroic braves who have fallen,



Phil. H. Sheridan

following him to glorious victory—written upon the hearts and memories of the loyal millions who are at the hearthstones of our gallant and unconquerable “boys in blue.” The impress of his genius stamps our armies from one end of the republic to the other; and the secret of his success in executing his plans is in the love, enthusiasm, and confidence he inspires in the soldier in the ranks, the harmony and respect of his subordinate officers, his own respect for and deference to the wishes and commands of the President, and his sympathy with the Government in its war policy.

A disturbance took place in Coles County on March 30th, which was attended with the loss of five or six lives, and caused for a short time much excitement in that portion of the State. It appears to have originated in dissensions between citizens and soldiers in Charleston, and occurred on a day when there was an unusually large assemblage of people from the country in the town.

The progress of the State in prosperity is illustrated by that of its principal city, Chicago. In 1849 but one railroad, of the flat bar iron, twenty miles in length, terminated in Chicago. In 1864 eight railroads, with a thousand miles of track, had their focus there. Of these, the Illinois Central earned in the previous year \$6,300,000; the Chicago, Quincy and Burlington road \$5,109,000; the Chicago and Rock Island road \$3,000,000. Three horse-car railways traverse the streets of the city, and transport annually over 7,000,000 passengers. In the past year nine new churches were built, and 8,000 buildings and dwellings of all kinds, at a cost of \$4,700,000. Among the public buildings erected is a new edifice for the Chamber of Commerce, ninety-three by one hundred and eighty feet, with a fine hall, or Exchange Room, eighty-eight feet wide, one hundred and twenty-eight feet long, and forty-five feet high, at a cost of \$200,000; a Catholic school-building, sixty-five by one hundred and twenty-five feet; a new Opera House, capable of seating thirty-five hundred persons, and costing \$200,000; a building for the Chicago University eighty by one hundred feet; a massive octagonal stone tower, contiguous to the University, as an observatory for the reception of the great telescope just completed at Cambridge; and a spacious and elegantly-finished music hall. No less than 3,000 miles of water-pipes were laid in the streets during the year. The undertaking of tunnelling under the bed of the lake to a point two miles from shore, for a supply of water, has been pushed forward vigorously, and the excavation has reached about one-quarter of a mile from the shore shaft during the six months employed upon the work. An artesian well has been bored, which yields half a million gallons of pure water daily. One hundred and twenty-five miles of fire alarm telegraph have been laid. The municipal value of property has gone up from \$236,840 in 1837 to a fraction less than \$49,000,000 in 1864; while the local tax, in the same period, has been run up from \$5,000

to \$974,655. The total amount of revenue derived from the collection district during the fiscal year was \$3,617,338.57, being an increase of \$2,096,928.19 over that of the previous year. The sum of \$17,719.30 was realized as the taxes on horned cattle, and \$33,714.88 on hogs; \$1,260,848.65 were collected from distillers of spirits. Malt liquors were assessed \$65,210.81. Carriages are taxed \$24,800. Gas yields \$21,676.77. Oil yielded \$14,799.15. The average mortality is 280 persons per month. One hundred and two tobacco houses pay a revenue tax of \$157,138.70. There are 1,792 licensed drays, carriages, &c., and 1,125 licensed saloons.

There are seven National Banks in operation, with three or four others soon to commence, the aggregate capital of which exceeds four millions, and the daily transactions of the bankers often exceeds ten millions. In the season of 1852-'3 Chicago packed 48,156 hogs, and Cincinnati 361,000; during the season of 1863-'4 Chicago packed 904,658, Cincinnati packed 357,640. The receipts of flour and grain from the exhaustless granary of the West have been nearly 46,000,000 bushels; and the shipments from the city in round numbers, 44,500,000. In the shipment of staple productions by way of Lake Michigan, 2,166,904 tons of shipping have been employed, 8,824 vessels and 7,055 steamers having cleared from the port during the year 1864. To man this large number of freighters over 76,000 seamen have been required. The trade in boots and shoes and in clothing, which has sprung up within a few years, has now reached extraordinary dimensions, amounting last year to about \$25,000,000, a large portion of which was manufactured in the city. The wholesale dry goods sales have reached \$35,000,000.

For further details of the institutions and prosperity of the State, see preceding volumes of ANNUAL CYCLOPEDIA.

INDIA, BRITISH. According to Martin's "Statesman's Year Book for 1865," the area and population of British India are as follows:

PRESIDENCIES.	Area in English square miles.	Population.
Governor-General's District..	170,330	14,165,161
Bengal	280,200	41,498,603
Madras	125,805	23,127,855
Bombay	137,743	11,937,512
Punjab	100,406	14,794,611
Northwest Provinces	116,493	30,110,497

The "Gotha Almanac" for 1865, gives the area of British India at 1,004,616 English square miles, and 143,271,210 inhabitants. Other authorities estimate the population of the empire at close upon 200,000,000. The English population in India, according to the census of 1861, numbered only 125,945 persons. Of these, 84,083 were connected with the army, of which 22,556 consisted of men and boys in civil life. The number of females of English birth above the age of 15, was 11,-

636, of whom 8,356 were wives, and 1,146 widows.

British India is now governed in accordance with an "Act for the better government of India," sanctioned August 2d, 1858. This act places all the territories hitherto subject to the rule of the East India Company under the direct government of the Queen, and all the powers of the Indian Government are now exercised in the Queen's name. The powers formerly belonging to the East India Company, or the Board of Control, are now vested in a special Secretary of State, called the Secretary of State for India. At the head of the government in India is a Governor-General or Viceroy, appointed by the Crown, and acting under the orders of the Secretary of State for India. The present Governor-General is Sir John Laird Mair Lawrence, born March 4th, 1811, educated at Haileybury for the Indian civil service, 1827-'29; Assistant, Agent, Collector, and Magistrate at Delhi 1831-'48; Chief Commissioner of the Punjab, 1849-'58; member of the Council of State for India, 1858; appointed Governor-General of India November 28th, 1863.

The Secretary of State for India is assisted in the administration of the country by a Council of State for India, consisting of fifteen members, seven of whom are elected by the Court of Directors from their own body, while eight are appointed by the Crown. The majority of the council must be persons who have served or resided ten years in India, and have not left India more than ten years previous to the date of their appointment. The Secretary, as President of the Council, divides it into committees, directs what departments shall be under such committees respectively, and regulates the transaction of business. He calls a meeting of the Council whenever he pleases, but one meeting, at least, must be held every week.

The Governor-General is assisted by a "Supreme Council," sitting in Calcutta, and consisting of five ordinary, and from six to ten extraordinary members. The "Supreme Council" includes the ministerial departments of foreign affairs, finances, the interior, military administration and public works.

The following table presents the revenue and expenditure of India, in each of the years from 1858 to 1863, the years ending April 30th:

	Revenue.	Expenditure.	Home charges.
1858.....	£31,706,776	£35,078,528	£6,162,043
1859.....	36,060,788	43,590,794	7,466,136
1860.....	39,705,822	44,622,269	7,239,451
1861.....	42,903,234	41,529,973	5,394,646
1862.....	43,829,472	37,245,756	6,634,344
1863.....	45,143,752	36,800,806	6,515,601

The following table gives a general statement of the revenue of India for the year 1862-'63. It appears from this list that the receipts from land form nearly one-half of the total income, and that next to land stands opium:

Land.....	£19,570,147
Forest	520,580
Abkaree.....	1,951,080
Assessed taxes.....	1,882,212
Customs	2,464,366
Salt	5,244,150
Opium	8,055,476
Stamps	1,489,638
Mint	371,116
Post-office.....	425,528
Electric telegraph.....	75,525
Law and police.....	494,842
Marine.....	189,046
Public works.....	443,553
Tributes and contributions.....	725,763
Miscellaneous, civil.....	404,057
" military.....	802,309
Interest	34,364
	£45,143,752

A return issued by the Secretary of State for India in September, 1864, states the debt of India at £116,721,122. The interest on the registered debt amounted to £3,134,897, on April 30th, 1863.

The quantity and value of raw cotton exported from Calcutta, Madras, and Bombay, in eleven months, from the beginning of May to the end of March, in 1862-'63, and in 1863-'64, was as follows:

	1862-'63.		1863-'64.	
	Quantity, cwt.	Value. £.	Quantity. Cwt.	Value. £.
Calcutta.....	363,864	1,999,110	401,663	2,152,128
Madras.....	506,785	2,143,400	597,995	4,103,000
Bombay	3,010,563	13,256,807	3,325,463	25,177,690
	3,881,202	16,799,317	4,325,121	31,432,818

The annual report on Indian railways by Mr. Juland Danvers for the year ending the 31st of May, 1864, contains many interesting facts. During the year 358½ additional miles have been opened, which is less than half the distance opened in each of the two preceding years. Of the 4,786 miles sanctioned by Government, 2,688 miles are completed. The next following year it is expected that 577 miles will be finished. The capital raised by the nine companies has been £54,285,088, and the expenditure has amounted to £51,144,722. Of the capital paid, nearly thirty-three millions have been expended in India, and upwards of eighteen and a half millions in England. That the natives do not take a particularly lively interest in undertakings from which they will derive the principal benefit, is shown by the fact that out of 33,358 shareholders, only about one in a hundred is a native.

The new Viceroy, Sir John Lawrence, assumed charge of his office on January 12th, 1864. His administration soon elicited the highest encomiums from the entire Indian press.

In April the Viceroy left Calcutta for Simla, to which place the Secretary of State for India, in accordance with a proposition made by the late Viceroy, Lord Elgin, had removed the seat of the supreme council.

On the arrival of Sir John Lawrence in India the insurrection of the Sittana fanatics

on the northwest frontier was subdued. Mulkah, the seat of the fanatics, was destroyed toward the close of December, 1863, and soon after the insurgent tribes announced their submission. Circumstances came subsequently to light which proved that the disturbances were fomented by Mohammedan agents. Several agents were arrested at Patna on the charge of assisting the fanatics with arms and money, and eleven men were summoned before court at Umballa. Among them was a Moulvie, or high priest, of Wahabies, by the name of Jeeah Ali, who had some sort of family connection with the leaders of the frontier tribes. One witness said that he was sent southward by a man since dead, to preach a religious crusade, and during that time it came to his knowledge that many agents were sent toward the same districts.

The head of the conspiracy at Umballa was Mohammed Shuffei, who held the meat contract for the supply of the European troops, not only at Umballa, but also at Jullundur, Lahore, Mooltan, Dera Ismael Khan, Sealcote, Rawul Pindee, Attock, and Nowsherra; and by means of his agents in these places was able to forward to the hills men and money without attracting suspicion. But the Umballa conspirators seem merely to have contented themselves with the part of agents to the more active brethren of Patna, whence emissaries were sent to all parts of Bengal to preach the Crescentade or Mahometan holy war, the converts or recruits being forwarded in the first instance to Patna, and thence on by way of Delhi and Umballa to the hills. The trial of the conspirators resulted in Mohammed Shuffei and three others being sentenced to death, and the remaining eight to transportation beyond the seas for life.

The Mohammedans of the northwestern provinces continued throughout the year to be greatly agitated. There were numerous fires at Umballa, which were believed to be the work of incendiaries; and several Mussulmans at that station were arrested whilst preaching Wahabeeism and the *jehad*—a fanatical crusade against infidels.

The mission of the Hon. Ashley Eden to Bhootan* had a very strange, and for the Indian Government, very mortifying issue. Bhootan is a province adjacent to the British Indian province of Assam, and the Hon. Ashley Eden, who is Secretary to the Government of Bengal, was sent there for the purpose, as was asserted, to effect better relations of trade. No pains appears to have been previously taken to ascertain in the slightest degree how such an offer would be received. Mr. Eden set out with his treaty in his pocket, and found when he placed his feet on the Bhootan territory that the people were opposed to his progress. The populations of the villages which lay in his course turned out, and showed the most unmis-

takable hostility. But instead of turning back, he declared that difficulties only nerved his determination. When he reached the Court of Bhootan, new indignities awaited him. The people, it is reported, seized him by the beard and hair, took *betel* from their mouths and made him eat it, and insulted the party in many other grievous ways. The Bhooteas would not, of course, look at the treaty which Mr. Eden was authorized to enter into with them. They rejected that with scorn. But they drew up one of a different character and placed it before Mr. Eden, and required him to sign it. This treaty ceded the whole of the English State of Assam, without limit or conditions, absolutely and unconditionally to Bhootan. The British Envoy was compelled to sign the treaty, and the Bhooteas, of course, meant to hold the Indian Government to the terms of the treaty. The Government, after the return of Mr. Eden, demanded a retribution for the insult cast upon their ambassador, and when the Bhooteas were obstinate, concentrated an army to bring them to reason. Military operations commenced in December, 1864. The Bhooteas fought well, or at least with sufficient sturdiness to show that they were like all other hill tribes, not to be stricken down with ease. The English took two or three strongholds of the Bhooteas, which, however, in the opinion of some military men, it would cost more to keep than they are worth. Many feared that the war might be of long duration, and therefore very expensive. Others, however, were sanguine that the annexation of the Bhootan "*dooars*" would prove to be one of the most useful and valuable acquisitions which the Indian Government had made for a long time. In this sense the *Calcutta Englishman* remarked: "The country is admirably suited for the growth of tea; cotton of an excellent quality is produced there; and we have seen samples of very good silk which has just come down to the Calcutta market from the *dooars*. Here are three commodities of great commercial value and importance produced or produceable in the newly-acquired territory; and, doubtless, when European settlers shall have commenced to 'develop the resources' of the country it will be found to have a capacity for affording many other leading articles of commerce, which will well repay the Government for taking it and the settler for cultivating it."

The other political relations of British India were satisfactory.

Among the most memorable events in this recent history of British India belongs the great "Durbar" which the Viceroy held, in October, at Lahore. Nearly all the chiefs of the Northwest and the Punjaub were there, and many came down from the hills. Says a correspondent of the London Times:

Six hundred and four obeyed the summons, including kings under our protection, princes of the hills, military lords from the Affghan border, and the high nobility of the Punjaub itself. No native

* See ANNUAL CYCLOPÆDIA for 1863, p. 523.

monarch had ever convoked such a court. The Mogul sovereigns could not have thus commanded the Punjaub; Runjeet Singh, the great ruler of the Punjaub, could not have controlled the princes on the frontier. But on this occasion none were so high or so low as to neglect the call. Partly from the local renown of Sir John Lawrence, but partly also from the enhanced and growing reputation of the British rule, all concurred in tendering the compliment conveyed by the ceremony, even the old and infirm being brought to the rendezvous. The Durbar was held in magnificent tents pitched on a smooth plain outside the walls of Lahore. The commencement of the ceremony was expected at nine in the morning, but the smaller chiefs began to arrive at seven, and before half-past eight the highest of the assembly were in their places. In the East magnificence of costume is still expected, and the dresses of those Asiatic princes might be chronicled like the toilets at our royal drawing-rooms. The Rajah of Jheend was dressed in pure white muslin, gleaming all over with diamonds and emeralds, and a yellow turban. The Maharajah of Putteala, a very important personage, wore a dress of rich lavender silk, but so overlaid with emeralds and pearls that the color could hardly be distinguished. The Maharajah of Cashmere and his son, a boy of ten, were in white, with red and yellow turbans, emeralds and diamonds. One chief, of great stature, appeared in black and gold, with a green turban; another showed his true Sikh extraction by a robe of pure yellow. The characters and histories of these princes were as striking and varied as their apparel. There were the two high priests of the Sikh nation, lineal descendants of the very prophet who founded the state. There was the very Sikh nobleman who, as the best horseman of his race, had led the charge against us at Chillianwallah. There was the noble Persian of the Kussilbash tribe who had rescued the English prisoners from Cabul. There was a little nabob, only seven years old, who behaved with as much intelligence and composure as the most experienced ruler. One chieftain present was noted as the handsomest man in the northwest, another as the wittiest, a third as the heaviest—who was so large, indeed, that the arms of his chair had to be cut off before he could be seated. Not a state, not a dynasty, not a principality, not an office, not a dignity remained unrepresented in that Durbar.

As the entire meeting rose in his honor the Viceroy addressed the chiefs in their own language with the ease and fluency of a native. Never up to this time had such a proceeding been recorded. Some of the earlier governors of India could certainly have spoken Hindostanee, but they never enjoyed such an occasion of doing so. It was reserved for Sir John Lawrence to unite the accomplishments and the power which thus brought him into direct intercourse with the rajahs, the maharajahs, the nabobs, and the sirdars of territories once beyond our knowledge, and to these princes he addressed words of impressive simplicity and force. He told them how, when he lately stood in the presence of the Queen of England, she had inculcated on him the duty of promoting their welfare, and how her consort, the prince, whose greatness and goodness were everywhere known, had always felt the deepest interest in the prosperity of India. He reminded them of the solid advantages which they had actually derived from the English rule, and acknowledged the devotion by which in the hour of our peril they had repaid the obligation. He told them to educate their children in sound learning, and to acquaint themselves with the true policy and intentions of their rulers, so that they might discern and recognize the character of our Government. Then the whole 600 were presented to him one by one, princes and their heirs-apparent, great ministers of state, rajahs and nabobs, spiritual potentates and military chiefs. It was thought that six hours would be required for a

list of presentations of which none could be omitted or hurried; but so successfully were the ceremonies conducted that half the time was saved, and the Durbar was over at noon.

At the beginning of October, a terrible Cyclone, unprecedented within the remembrance of men, burst over the coast of India. Of the 200 ships in the harbor of Calcutta, only eight or nine escaped without suffering any material damage. The following details are supplied by an English paper of India:

Sixty thousand persons appear to have been destroyed by the Cyclone. In the island of Saugor out of 8,200 persons but 1,200 have been left. The remaining seven thousand passed, in less than an hour, out of existence. All along the eastern coast of the India peninsula went wind and storm fulfilling His word. It was the time of spring tides, and under the influence of the hurricane the sea rose to an unexampled height. Up the course of the Ganges the wave rushed, overwhelming the villages on the banks, and leaving the few who survived the flood to perish for want of food; their grain rotted and their crops were destroyed by the salt water, and they had no resource but to die. But the scene of the greatest disaster appears to have been Masulipatam, about half-way down the coast. The town lies a little to the north of one of the mouths of the Kistna, on the plain which stretches from the Kistna to the Godavary. The mud which has for ages been washed down these rivers has formed a district little above the level of the sea. In the wet season it is overflowed by the freshets of the Kistna, and it requires at all times to be protected from the ocean by sea-walls and dikes. The Cyclone rushing across the Bay of Bengal fell upon the spot which was least prepared to meet it. The centre of the hurricane passed within a mile of the devoted town at 10 P. M. on the 1st November, in a night of utter darkness. Amid the storm of wind a tidal wave thirteen feet higher than the highest tide-mark surmounted sea-walls and dikes and poured over the whole of the surrounding country. For an hour the water rose and covered nearly eight hundred square miles of the plain, and when it retired, at 11, the work of destruction was done. The plain for eighty miles along the coast and from nine to ten miles inland had been submerged, and in one place the storm-wave had reached a spot seventeen miles from the shore. The low built houses of the natives had been washed away, and those which might have reached above the wave had been blown down by the fury of the storm. The fiercest powers of the natural world were at work, and in the darkness of night there was no escape possible, whatever might have been done in the light of day. Whole villages were entirely destroyed; their inhabitants were drowned, their cattle were lost, their crops were buried beneath a thick deposit of mud and sand. The mud banks were full of unburied corpses; half the town was in ruins; fallen trees, drift, the ruins of houses, and deep pools of salt water made streets and roads impassable. Huge barges had been carried into the centre of the town, and masses of solid masonry had been rolled, boulder-like, distances of sixty and seventy yards. In fort and town one-third of the inhabitants had perished. A thousand were drowned in the fort and fifteen thousand in the town, and in the surrounding villages twenty thousand more met their death. In one Brahmin village on the outskirts of Masulipatam seventy only remained alive out of seven hundred.

INDIANA. The contribution of men from the State of Indiana to the military service of the United States from the beginning of the war to the 1st of January, 1865, was as follows:

VOLUNTEERS TO JANUARY 1, 1862.

Infantry, 6 Regiments 3 months.....	4,698
" 2 Regiments 1 year men.....	1,698
" 48 Regiments 3 years' men.....	47,505
Cavalry, 3 Regiments 3 years' men.....	8,238
Artillery, 17 Batteries.....	2,292
	58,085

Under calls for 1862.

Infantry, 1 Regiment, 54th, 1 year.....	1,023
" 30 Regiments 3 years' men.....	28,272
Cavalry, 2 Regiments 3 years' men.....	2,437
Artillery, 7 Batteries.....	978
	31,657

Recruits 1861 and 1862, and to Sept. 5th, 1863.

Infantry	4,810
Cavalry	537
Artillery	499
	5,846
	97,957

Under calls of 1863 and 1864.

Infantry, 4 Regiments 6 months' men.....	3,773
" 6 Regiments 3 years' men.....	5,505
" 2 Regiments 1 year men (140th and 142d).....	1,880
Cavalry, 7th Regiment.....	1,167
" 5 Regiments	6,001
Artillery, 1 Battery, 25th	144
	14,697

Recruits from September 5th, 1863, to date.

Infantry	9,707
Cavalry	1,847
Artillery	1,298
	12,852

Additional number, shown by rolls in the Adjutant General's office, say.....	900
Additional for 28th United States Colored Volunteers	518
One hundred days' volunteers, 8 regiments..	7,129
Reenlisted Veterans.....	11,494
	148,850

Drafted men and substitutes, forwarded and in camp, as reported by General Carrington, Superintendent.....	14,580
Enlisted in Regular Army.....	1,110
Enlisted in the Navy.....	774
	16,464

Total number of men furnished..... 165,814

There is a Sanitary Commission belonging to the State, not, however, established by law, to which the contributions have been, in money, \$155,796, and in supplies \$313,650. Its aid is devoted to the sick and wounded soldiers of the State. The contributions in the form of bounties and for the aid of soldiers' families in sixty-eight counties of the State was nearly three and a half millions of dollars.

The debt of the State is about \$7,000,000, on which the interest is paid at the rate of five per cent. The interest on the debt was paid by Messrs. Winslow, Lanier & Co. of New York, and the Governor in his message to the Legislature said: "I am glad to be able to say that the credit of the State has been fully preserved; and that her stocks now command a higher price relatively in the market, when compared with the stocks of other States, bearing like interest, than at any former period in her history." The State tax for 1864 was forty cents on each hundred dollars, and a poll-tax of one and one-fourth dollars. These rates were subsequently increased. The average county tax through the State was thirty-eight cents on each hundred dollars, and a poll-tax of forty-nine cents. To these are to be added city or township taxes.

There are three classes of banks in the State, known as National, Free, and State Banks. The number of National banks in June 1864 was thirty-one, with a capital of \$3,450,500, and a circulation of \$1,438,700. The system of Free banks is based on the credit of the State, in the same manner as the National banks are based on the credit of the United States. The number of these is eleven, with a capital of \$719,935, and a circulation of \$1,047,352, for the security of which there is deposited with the State Treasurer State stock to the amount of \$1,284,848. The State Bank and branches is a chartered institution. The parent institution transacts no business but regulates the branches. The number of these is twenty, with a capital of \$2,775,000. There are, also, private banks of discount and deposit, with a capital of about \$2,000,000.

The following is a statement of the railroads in the State, and their length and cost:

	Miles.	Cost.
Chicago and Cincinnati.....	61	\$1,230,000
Cincinnati and Chicago.....	108	2,080,433
Cincinnati, Peru, and Chicago.....	29	1,161,209
Evansville and Crawfordsville.....	132	2,465,792
Indiana Central	72	2,233,861
Indianapolis and Cincinnati.....	110	3,457,108
Indianapolis, Pittsburg, and Cleveland.....	83	1,902,693
Jeffersonville	78	2,182,004
Joliet and Northern Indiana.....	15	391,053
Knightstown and Shelbyville.....	27	270,000
Lafayette and Indianapolis.....	64	1,856,287
Louisville, N. Albany, and Chicago... ..	288	7,029,494
Madison & Indianapolis (and Branches) ..	135	2,667,704
Peru and Indianapolis.....	74	2,371,554
Rushville and Shelbyville.....	20	250,000
Shelbyville Lateral.....	16	160,000
Terre Haute and Richmond.....	73	1,611,450
Union Track, at Indianapolis.....	3	265,033
Michigan Central (inside of Indiana)..	52	2,402,608
Michigan Southern (inside of Indiana). ..	185	5,951,920
Ohio and Mississippi (inside of Indiana).....	173	16,794,417
Pittsburg, Fort Wayne and Chicago (inside of Indiana).....	155	5,794,879
Toledo, Wabash, and Western (inside of Indiana).....	172	5,676,344
	2,125	\$70,295,143

Several other roads are in progress, which will increase the total of miles to 2,600, and the cost to \$90,000,000.

The number of public schools in the State is 8,175, and the number of children between 5 and 21 years of age in April, 1864, was 546,959. The revenue from the school fund and from a tax of one-tenth of one per cent. on property furnishes \$1.35 toward the expense of each scholar. There are in addition 1,932 private schools.

The circulation of the newspaper and periodical press of the State in 1864 was estimated at not less than 15,000,000, or more than eleven to every living person in the State.

The mineral products of the State are coal, oil, salt, iron, fire clay, building and other stones, lead, zinc, cobalt, antimony, and nitre.

The election for State officers took place on the second Tuesday in October. The Governor, O. P. Morton, was reelected for the term of four years. The opposing candidate was Joseph E. McDonald, and the convention by

which he was nominated passed resolutions denouncing arbitrary arrests, the suspension of the *habeas corpus*, suppression of newspapers, and the general policy of the national and State governments, favoring speedy peace and prompt payment of soldiers, and complimenting the troops. The vote of the people was as follows: Morton, 152,084; McDonald, 131,210; Majority for Morton 20,883. The result of the election dissatisfied the opposition so much that they declared it to have been accomplished by frauds extending "to almost every point where railroad facilities enabled the guilty parties to transfer voters from point to point."

At the Presidential election on the 8th of November ensuing, President Lincoln received 150,422 votes, and Gen. McClellan 130,233. Lincoln's majority 20,199.

The Governor in his Message to the Legislature in June, 1865, says:

Some misguided persons who mistook the bitterness of party for patriotism, and ceased to feel the obligations of allegiance to our country and Government, conspired against the State and National Governments, and sought by military force to plunge us into the horrors of revolution. A secret organization had been formed, which by its lectures and rituals, inculcated doctrines subversive of the Government, and which, carried to their consequences, would evidently result in the disruption and destruction of the nation. The members of this organization were united by solemn oaths, which, if observed, bound them to execute the orders of their Grand Commanders without delay or question, however treasonable or criminal might be their character. I am glad to believe that the great majority of its members regarded it merely as a political machine, and did not suspect the ulterior treasonable action contemplated by its leaders, and upon the discovery of its true character, hastened to abjure all connection with it. Some of the chief conspirators have been arrested and tried by the Government, and others have fled; their schemes have been exposed and baffled.

The arrest of the above-mentioned parties commenced in the latter part of September, and their subsequent trials before a military commission occupied several weeks at Indianapolis, causing much excitement in the State. Subsequent to the message of the Governor the Judge Advocate General of the United States, Holt, decided that the military commission at Indianapolis for the trial of these cases had no jurisdiction, and that they should be turned over to the U. S. District Court of Indiana for trial.

On September 3d Major-Gen. Hovey caused the following order to be issued:

HEADQUARTERS DISTRICT OF INDIANA, }
INDIANAPOLIS, Sept. 3, 1864. }

1. Large numbers of men of suspected loyalty to the United States have heretofore, and still are, immigrating to the State of Indiana, and in some localities their open and avowed hatred to the Government and treasonable designs are freely expressed. Men who seek asylum have no right to abuse the power that shelters and protects them. To guard, therefore, against the mischievous consequences arising from such a state of affairs, the following rules will be rigidly enforced by the military authorities of this District:

2. Provost Marshals will cause a registry to be made of all persons known as refugees within their

respective jurisdictions, stating where and from what place they arrived, their intention as to their future residence, and whether they are guilty of any violation of the laws of the United States, or the orders of the War Department.

3. It is made the duty of every officer in the military service of the United States in this district, to arrest and send to these headquarters every refugee who is guilty of disloyal practices or uttering seditious words. Every person so sent will be accompanied by written charges and specifications, with the names of witnesses to prove the same.

4. General Order No. 16, of August the 13th, Current Series, from these headquarters, will be strictly enforced.

By order of

Brevet Maj.-Gen. ALVIN P. HOVEY.

[Official.]

AND. C. CEMPER, A. A. G.

An order had previously been issued by Gen. Heintzelman, commander of the Department, prohibiting the transport of arms into the department by railroads.

Later in the year, about the date of the attempts to set on fire some hotels in New York city, the Mayor of Indianapolis issued the following address to the citizens:

To the People of Indianapolis.

MAYOR'S OFFICE, Dec. 5, 1864.

Reasons exist for warning our citizens that an attempt to burn the city will be made. Let every precaution be taken. See that pumps and wells are in order, and every appliance for the extinguishment of fire be ready for instant use. Proprietors of large establishments, depots, and valuable stores should have a trusty guard at night. Hotel keepers, look well to rooms occupied by strangers, and those vacated during the night should be inspected at once. Let citizens be vigilant and watchful. Watch not strangers alone, for if the attempt is made residents will aid. The fire department will be on the alert and ready for emergency. The different wards might do well to organize volunteer patrols. The fact that we are thoroughly prepared will be most likely to deter them from the attempt. J. CAVEN, Mayor.

Whether the law making United States notes a legal tender for debts contracted to be paid in coin, was constitutional, became a question in Indiana. In November a case was decided in the Supreme Court involving the constitutionality of the act. It was the case of *Thayer vs. Hedges*, from the Boone Circuit Court. Hedges and another gave a note to Thayer for \$500 in gold. The payees, when the note was due, tendered \$500 in greenbacks. Thayer refused to accept them, and sued on the note. The court below held the tender sufficient, and gave judgment for the plaintiff for \$500, the defendants recovering costs. Thayer appealed. Judge Perkins, in delivering the opinion in the Supreme Court, says the principal question in the case is whether the section of the act of Congress of Feb. 25, 1862, making Treasury notes lawful money and a legal tender, is constitutional. He thinks it is not. The act operates as follows:

1. It makes an article other than coin, and an article as thus used of no intrinsic value, legal tender money.

2. It impairs the obligations of contracts by compelling creditors to receive, in discharge of them, less than half their value according to stipulation.

3. It operates as a fraud on the public creditors

and a fraud upon the honest public servants, by depreciating and debasing the currency.

4. It enables the Government to make, by indirection, forced loans, as actual, if not as oppressive, as those of Charles the First, as they are made without interest against his will, without repayment of but a part of the principal.

5. It takes from the citizen his property against his consent, and without just compensation.

After an elaborate discussion of some twenty-two pages, he concludes that the section of the act alluded to is unconstitutional, and, therefore, void. He then proceeds to another view of the case, as follows: It is contended that we might decide this cause on the ground that the suit is on a note payable in a specific article. Such the contract sued on must be taken to be. Gold is used as an article of merchandise, of manufacture, etc., as well as for currency, and a standard of value, and if the defendants can by virtue of the legal tender paper law discharge their promise to pay gold, by paying paper at its face, which is less in value by more than half than the gold, then the obligation of the contract has been impaired, and the plaintiff deprived of more than half his property without compensation. Is it possible that courts are powerless to redress such wrongs? He cites Story to show that courts of equity may, upon principles of natural justice, insist upon decreeing a specific performance of all *bona fide* contracts; that the court below might have done so in this case, as law and equity are both administered under the Indiana code in one form of proceeding. While holding the views above expressed, the Court, however, as a matter of form, affirms the judgment below, on the ground that the question is now pending in the Supreme Court of the United States, and that the latter tribunal is the proper place for the decision of the question involved.

IOWA. At the Presidential election in November, the vote of this State was as follows:

	Lincoln.	McClellan.
Home vote	71,765	47,675
Soldiers' vote.....	17,310	1,921
Total.....	89,075	49,596
Majority		39,479

A Secretary of State and Members of Congress were chosen at the same time. The vote for Secretary of State was as follows:

	Republican. WRIGHT.	Democrat. HENDERSHOT.
Home vote	72,517	48,056
Soldiers' vote.....	17,254	1,860
Total.....	89,771	49,916
Majority.....		39,861

The entire list of members of Congress on the Republican tickets were elected.

To the Legislature the Democrats elected less than fifteen members, although the whole number is nearly one hundred and forty.

The quota of the State under the two calls of the President for 700,000 men at the close of 1863 and beginning of 1864 was, 22,535 men. At the same time there was a credit due of 7,881 men. The balance was filled up by

April 1st by new recruits and the reënlistment of veterans, and a surplus obtained. Indeed, so ready were the people to enter the army, that when the call for 300,000 men was made in December 1864, the Governor found upon a settlement with the War Department that all previous demands had not only been filled, but the State was placed beyond the liability of a draft under that last call. Probably Iowa is the only State which has always been ready with her quota, and every one of her soldiers a volunteer. The number of men which the State has contributed exceeds seventy thousand.

The sessions of the Legislature are biennial. At the one held at the beginning of the year, a bill was passed requiring the several counties to levy a two mill tax for the benefit of the families of persons in the military service. A general bill was also passed enabling the inhabitants of any county to change its name. The object of the bill was to give the people of Buchanan County an opportunity to change the name of their county. It was urged as an objection to the bill, that only one county in the State could take the name of "Lincoln," and hence the danger that every county in the State would vote at the same time, and all select the same name, and that "Lincoln." The Senatorial and Representative districts were so changed as to make the number of members of the Senate forty-nine, and that of the House ninety-eight.

The population of the State in 1863 was 702,374; the number of acres of land assessed 28,336,345. Value of the land, with improvements, \$111,036,569; value of town lots and improvements \$23,613,964; value of personal property, \$32,463,106; Total, \$167,113,639. The valuation of the U. S. census for 1860 is higher than this State valuation for 1863.

Within the limits of Iowa is in part located the most important lead region of the country, excepting the Missouri lead mines. This region embraces a district of country about sixty miles in diameter, of which about one-half is in Wisconsin, and the remainder is equally distributed in Iowa and Illinois. The Mississippi River cuts through the southwestern portion of the region. The Dubuque district in Iowa is about sixty miles in length, by seven to ten miles in width. The richest deposits are within the corporate limits of Dubuque, and they decrease in value toward the borders of the district. In 1833, the Indian title in Iowa was extinguished and mining subsequently began. From the surface of the river to the top of the bluffs there are four distinct strata. On the surface a clay soil varying in depth from eight to twenty feet; below the clay, shale, of which the thickness is five to twenty feet; next galena limestone—the lead bearing rock, and the blue or Trenton limestone. An obstacle to success has been the water which appears to be equally diffused over the mining regions. The pumps driven by machinery have produced only a temporary

effect in its diminution. Beyond this they have been found to be not only costly but useless. In a large number of instances some of the heaviest lodes have been worked into the water at the very point where the yield has been of the most lucrative kind. A plan of drainage has now been commenced by means of an adit which has been run about twelve hundred feet, and is to be extended about one mile. It is made in solid rock, with an average height of ten feet, and a width of about four feet. It is expected to drain off the water of a section of country of an average of between one and two miles. More than sixty millions of pounds have been taken from the clay diggings by some of the parties at work in the region expected to be thus drained.

The amount of lead produced from the entire region in the three States in 1860, was in value as follows: Illinois, \$72,953; Iowa, \$160,500; Wisconsin, \$325,368. The annual yield of these mines of the Dubuque region ranges from five to ten millions of pounds.

ITALY. A kingdom of Southern Europe. The present king is Victor Emmanuel, born March 14th, 1820, the eldest son of King Charles Albert, of Sardinia. The kingdom of Italy is a constitutional monarchy, in which, as usual, the executive power belongs to the sovereign exclusively, while the legislative authority rests conjointly in the sovereign and the parliament, the latter consisting of two Chambers, a Senate and a Chamber of Deputies. The Senate consists of the princes of the royal house, and of an indefinite number of members, above forty years old, who are nominated by the king for life. The Chamber of Deputies which, in 1862, numbered 443 members, is elected by the majority of citizens who are twenty-one years of age and pay taxes to the amount of forty lire. A deputy must be thirty years old, and have the requisites demanded by the electoral law, among which is a slight property qualification.

Italy has an area of 98,075 English square miles, and, according to the census of Jan. 1st, 1862, a population of 21,776,953. There are six cities with a population of more than 100,000 inhabitants, viz., Naples, 118,968; Milan, 196,109; Turin, 180,520; Palermo, 167,625; Genoa, 127,968; Florence, 114,336.

The ministry was reconstructed, in September, 1864, as follows:

President of the Council of Ministers: Minister of the Exterior, General Alphonse Ferrero de la Marmora; Minister of the Interior, Dr. John Lanza; Minister of Worship and Justice, Vacca; Minister of War, Gen. Aug. L. Count Pettiti Bagloani di Proreto; Minister of Finances, Quintino Sella; Minister of Public Instruction, Baron Joseph Natoli; Minister of Public Works, Peter Jacini; Minister of Commerce and Agriculture, Torelli.

The Italian budgets, which are divided into an ordinary and extraordinary part, were for the years 1864 and 1865, as follows:

Estimated Receipts.

	1864.	1865.
	<i>Lire.</i>	<i>Lire.</i>
Land tax.....	112,009,510	124,630,000
Tax on movable property.....	13,929,667	57,200,000
Tax on the transfer of property...	69,255,750	76,500,090
Customs and maritime dues.....	63,200,000	60,700,000
Octroi duties and taxes on beer...	22,825,197	32,200,000
Government monopolies.....	111,300,000	96,200,000
Lottery.....	40,042,282	40,000,000
Rent of State property.....	19,221,851	12,217,122
Railways.....	26,165,000	
Post-office.....	15,000,000	13,500,000
Telegraphs.....	3,170,000	6,600,000
Miscellaneous.....	25,894,471	24,517,285
Total ordinary receipts.....	522,011,728	564,065,107
Dues on deposit.....	582,116	12,962,282
Sale of domainial property.....	123,524,871	48,475,129
Total extraordinary receipts.....	124,106,987	61,437,411
Total.....	646,118,715	625,502,518

Estimated Expenditure.

	1864.	1865.
	<i>Lire.</i>	<i>Lire.</i>
Ministry of finance.....	364,300,098	391,060,456
“ of justice and ecclesiastical affairs.....	29,561,305	29,355,599
“ of foreign affairs.....	3,317,014	8,660,114
“ of public instruction....	14,691,866	13,666,459
“ of the interior.....	48,526,289	38,884,891
“ public works.....	59,487,205	38,959,880
“ of war.....	191,613,175	185,054,575
“ of the marine.....	41,344,052	42,175,292
“ of commerce and agriculture.....	3,412,444	4,531,501
Total ordinary expenditure.....	776,253,448	747,348,768
Ministry of finance.....	11,879,814	17,182,873
“ of justice and ecclesiastical affairs.....	1,114,000	830,000
“ of foreign affairs.....	159,000	175,972
“ of public instruction....	977,021	647,316
“ of the interior.....	15,090,026	7,525,308
“ of public works.....	27,430,000	26,009,400
“ of war.....	42,921,725	35,393,230
“ of the marine.....	21,718,582	16,728,775
“ of commerce and agriculture.....	2,815,920	1,977,393
Total extraordinary expenditure.....	124,106,987	106,470,267
Total ordinary and extraordinary expenditure....	880,360,435	853,819,035
Deficit.....	234,241,720	228,316,517

The whole debt of the kingdom of Italy amounted, on January 1st, 1864, including the loan 500 millions, of 1861, and three-fourths of the loan of 700 millions, of 1863, amounted to 3,817,490,979 lire, and the annual interest on this capital to 197,417,245 lire.

The effective army was, for 1864, computed at 14,541 officers, and 378,010, or, including 70,000 reserves, 448,010 men. The navy, in July, 1864, was composed as follows: 45 screw streamers, namely, 1 ship of the line, 9 frigates, 1st class; 4 frigates, 2d class; 4 iron-clad frigates, 1st class; 10 iron-clad frigates, 2d class; 17 gunboats and transports, together with 998 guns; 36 side-wheel steamers with 150 guns; 17 sailing vessels with 190 guns;

total, 98 armed war vessels, with 1,338 guns.* The commerce of Italy, with the principal countries of Europe, in 1862, was as follows :

	Importations.	Exportations.
	<i>Lire.</i>	<i>Lire.</i>
Great Britain.....	190,690,475	25,971,787
France.....	218,788,758	184,359,863
Austria.....	157,933,501	66,409,916
Switzerland.....	83,769,234	146,433,041
Netherlands.....	24,207,358	1,509,575
Belgium.....	7,709,173	3,737,339
Sweden.....	2,100,199	311,442
Russia.....	83,710,525	1,941,985
Other countries.....	102,602,322	48,582,149
Total.....	821,511,545	479,167,097

The movement of shipping in 1862, was as follows :

Entered.—Vessels.....	124,400
Tonnage.....	8,802,871
Cleared.—Vessels.....	122,451
Tonnage.....	8,189,130

The merchant navy, in 1862, consisted of

16,500 sailing vessels.....	660,000 tons.
52 steamers.....	16,556 "
16,552	682,586 "

The brigandage in the Neapolitan provinces had nearly ceased at the beginning of the year 1864, and it did not again become a serious danger, or disturb the tranquillity of the country. A bill for the effectual suppression of brigandage was passed in both houses of the Parliament by a great majority. In April another conspiracy of the adherents of the ex-King of Naples was discovered by the seizure of a number of important documents, embracing the whole correspondence and reports on conspiracies of the Bourbons, from 1861 downward. They not only compromised several thousand persons in the Neapolitan provinces, but proved that the royal family had continued to keep up an agitation. The timely discovery of the conspiracy prevented its outbreak.

On Jan. 18, 1864, one of the democratic papers of Turin published an address from Garibaldi to the Italian nation, announcing the formation of a committee to promote Italian union. Garibaldi did not find as cordial a response to his manifesto as he expected. The elections, held at the close of January, were mostly favorable to the moderate party. Garibaldi himself was defeated at Palermo by Signor Robanda. But the immense enthusiasm with which he was received by the English nation, when he visited England in April, strengthened again the "party of action" throughout Italy. The Minister of the Interior, in reply to speeches from several members of the Opposition, stated that it was not for the Government to declare its intentions respecting Gen. Garibaldi and his party, but that it was, above all, necessary to know how the general and his party intended to act. After the journey of Gen. Garibaldi to London, and the eulogy bestowed by him on English institutions, and the respect paid by the

English nation to the queen and the laws, the minister hoped that nobody apart from the king and the Government would speak in the name of the country or pursue a policy differing from that of the Government, and in opposition to the constitution. Garibaldi did not take an active part in Italian politics during the remainder of the year.

The relations between the Italian Government and Parliament on the one hand, and the Pope and Italian bishops on the other, were not improved during the year. Though the Government often expressed a desire to come to an understanding with the Pope, it was unwilling to abandon the plan of the Italian unity, as the latter demanded. Several new decrees even widened the breach between the two powers. In February, 1864, the Minister of Justice presented to Parliament two bills, one for the suppression of all religious corporations, and the other for the suppression of ecclesiastical tithes. By the former not only all convents, but all chapters of collegiate churches, and all ecclesiastical benefices, are suppressed. Monks are to receive a life interest varying between 300*f.* and 600*f.* Nuns are to be allowed to continue to live in their convents, but when their number in any one establishment is reduced to six, they may be transferred to some other establishment. According to the "Opinione" of Turin, the total income of all the ecclesiastical property falling within this law amounts to 76,266,616*f.* per annum.

Signor Natoli, the new Minister of Public Instruction (appointed in September, 1864), by a decree, shut up all the ecclesiastical schools, as the bishops refused to submit to the common law, which provides that the Government inspectors should watch the system of education followed in the colleges, no matter whether they have been founded by the State or are private institutions. The minister also decreed that the schools of the seminaries shall henceforth be subjected to the established regulations. The bishops of Italy, on the whole, were as uncompromising in their opposition to the Government as the Pope; only one sided openly with the former, and a few others showed a conciliatory spirit. At the close of the year the Government had, however, the satisfaction to see that one of the cardinals, d'Andrea, pronounced himself openly for a reconciliation between itself and the Church, on the basis of recognizing the principle of Italian unity; and it was rumored that six other cardinals sympathized with him. On Dec. 8th the Pope issued a famous encyclical letter to all the bishops of the Catholic world, which directly condemned the principal features in the policy of the Italian government, and therefore threatened to lead to new complications during the year 1865. (*See PUBLIC DOCUMENTS.*)

A convention, which may have a far-reaching influence on the politics of Europe, was concluded between the Governments of France and Italy on the 15th of Sept. The text of the con-

* For more detailed statistics of the army and the fleet, see ANNUAL CYCLOPEDIA for 1863.

vention, as published by the official gazette of the kingdom of Italy, is as follows:

Art. 1. Italy engages not to attack the present territory of the Holy Father, and to prevent even by force every attack upon the said territory coming from without.

Art. 2. France will withdraw her troops from the Pontifical States gradually, and in proportion as the army of the Holy Father shall be organized. The evacuation shall, nevertheless, be accomplished within the space of two years.

Art. 3. The Italian Government engages to raise no protest against the organization of a Papal army, even if composed of foreign Catholic volunteers, sufficing to maintain the authority of the Holy Father and tranquillity, as well in the interior as upon the frontier of his States; provided that this force should not degenerate into a means of attack against the Italian Government.

Art. 4. Italy declares herself ready to enter into an arrangement to take under her charge a proportionate part of the debt of the former States of the Church.

As a corollary to this document, it was agreed also that the capital of Italy should be removed from Turin to Florence. It soon became apparent that there was not a full agreement between the two Governments about the policy to be pursued in case the people of Rome should rise against the Papal Government, and demand annexation to Italy. A long diplomatic correspondence followed on this subject.

The French Minister of Foreign Affairs, M. Drouyn de L'huys, on Oct. 30th, addressed a note to the Italian minister at Turin, in which he explains the obligations which, according to the French cabinet, the recent convention regarding Rome imposes upon King Victor Emmanuel. The Italian Government is to be restricted from employing, among other "violent means" against the Pope, "the manœuvres of revolutionary agents upon the Pontifical territory, as well as all agitation tending to produce insurrectionary movements;" and the "moral means" are to "consist solely in the forces of civilization and progress," while the only "aspirations" to be considered legitimate by the Court of Turin are to be "those whose object is the reconciliation of Italy with the Papacy." The transfer of the Italian capital from Turin to Florence is to be "a serious pledge given to France;" and "to suppress this pledge would be to destroy the contract." Finally, "the event of a revolution breaking out spontaneously at Rome, is not foreseen by the convention;" and "France reserves her liberty of action for this eventuality," while the Italian cabinet is to follow the policy of Count Cavour, who "declared that Rome could only be united to Italy and become the capital with the consent of France."

Gen. La Marmora, on Nov. 7th, addressed a note to Chevalier di Nigra, Italian ambassador at Paris, in consequence of the publication of the despatches of M. Drouyn de L'huys in the "Moniteur."

Gen. La Marmora states that the present ministry accepted the convention of the 15th Sept. because its clear and precise text could not give rise to any doubt, and because they thought

that, taken literally, it was advantageous to Italy.

The convention provides by positive assurance for the exigencies and relations of the Papacy with regard to France and the Catholic world. The Government repels even the thought of ever having recourse to secret dealings, which it regrets to have seen mentioned by M. Drouyn de L'huys, but it has entire confidence in the action of civilization and progress. Both powers can have their own opinion upon the consequences of this act, but this cannot be the subject of practical discussion from the moment that Italy affirms that if her tendencies are to be realized, it shall never be by the violation of the treaty, whatever may be the national aspirations, independently of the question of a strict execution of the treaty. This is a ground on which the king's Government cannot place itself. The aspirations of a people belong to its national conscience, and cannot form the subject of an international discussion.

Reconciliation between Italy and the Papacy has always been an object of the Government, and the convention will help to attain it.

M. Drouyn de L'huys having taken the initiative in mentioning the possibility of a spontaneous revolution in Rome and of the fall of the temporal power, Italy reserves, as France does, her liberty of action for such a case.

The convention was severely denounced on the one hand by the Catholic party, which saw in it a new danger for the temporal power of the Pope, and on the other by the party of action, headed by Mazzini and Garibaldi, which regarded it as a cowardly submission to French dictation, and as an abandonment, at least for the present, of the fondest hope of the Italian nation. Garibaldi, in reply to a letter from his friend, Gen. Avezzana, who declared himself as energetically as possible against the convention, wrote as follows:

CAPRERA, October 10.

MY DEAR AVEZZANA,—Like you, I deplore the massacre (*uccidio*) of the brave people of Turin. Like you I grieve (*lamento*) to see our country so badly and so shamefully (*vergognosamente*) governed. From the state of things generally I think I need not for the moment quit Caprera. I am, &c.

G. GARIBALDI.

But the great majority of the Italian statesmen, and a majority of both houses of the Italian Parliament, heartily endorsed the convention. Baron Ricasoli, the former Prime Minister of Italy, and undoubtedly one of the greatest Italian statesmen now living, thus expresses his views, about the convention:

I regard in that convention rather what it does not say than what it does say. The retreat of the French from Rome within a prescribed term, and the principle of non-intervention proclaimed by that fact, are of themselves no slight matter; but events will prove that what at present remains unseen will be of still more importance. Besides, what have we to gain without the convention? And, at this day, what do we lose with it? The condition of the transfer of the capital from Turin to Florence has taken the effect on me of a thunderbolt from a clear sky. But who

could fail to see, on a second view, the innumerable effects which will flow from it? These effects, I think, will all be in favor of our constitution. The difficulties of obtaining possession of Rome have not been augmented by the convention. It is eventually certain that the Italians will count amongst their finest jewels the noblest and the greatest of all, the city of Rome. When will this come to pass? I know not; but that this will come to pass I know. We are in effect taking Rome daily. I will say more—daily Rome is coming to us of herself. The convention, instead of opposing, aids this movement. Let not the Italians throw up this great game, and the result will not fail. It will be such as religion and civilization unite in claiming.

The announcement of the convention, created considerable discontent in Turin, where it gave rise to some formidable riots; and it was viewed with distrust by the foreign friends of Italy, who fancied that it implied a renunciation of Rome as the capital of the peninsula.

In the Italian Parliament, which was reopened on October 24th, the convention gave rise to a protracted and animated discussion. Most impressive speeches were delivered in favor of the project, by the prime minister, Gen. La Marmora, and by Gen. Cialdini. Both believed that with this convention, Italy would go forward toward a solution of the Roman question, prudently and slowly, yet without intermission. With regard to Venetia, Gen. La Marmora expressed the hope that some solution might yet become possible, and that the mind of the Emperor of Austria might be brought to new conclusions relative to this subject.

On November 19th, the Chamber of Deputies adopted the bill for the transfer of the capital to Florence, by 317 to 70 votes, and on Dec. 9th the bill was passed in the Senate by 134 against 47 votes. Two days later, Dec. 11th, the king sanctioned the bill, and the official gazette published it, as follows:

The Senate and the Chamber of Deputies having approved, we have sanctioned, and hereby publish, as follows:

ART. 1. The capital of the kingdom shall be transferred to Florence within six months of the date of this present law.

ART. 2. To meet the costs of the transfer a credit is opened in the extraordinary portion of the home budget, and under a special head of 7,000,000*f.* divided as follows:—2,000,000*f.* in the budget of 1864, and 5,000,000 in the budget of 1865.

The ministers of the interior, of finance, and of public works are especially charged with the execution of the present law.

We order that these presents, furnished with the seal of State, shall be inserted in the official collection of laws and decrees of the kingdom of Italy, and

ordain that all persons shall observe and cause them to be observed as a law of the State.

(Signed)

VICTOR EMMANUEL,

Countersigned by all the Ministers.

Given at Turin, this 11th of December, 1864.

Both the Government and the majority of the national party seemed to be fully determined that during the two years which Rome will yet be held for the Pope by the French, no effort to interfere with the Papal power shall receive the least countenance from them, as both are fully convinced that a rupture of friendly relations with France must have disastrous consequences. It was found by the Government to be very difficult to prevent the sympathy of the Italians with Venetia from rushing them into a new war against Austria.

Insurrectionary movements broke out in Venetia in October, which the Government regarded as utterly hopeless and useless, costing Italy men and money, without the least chance of success. The *Diritto*, of Turin, was seized by the Government for publishing a proclamation of Signor Carioli, calling upon the people to support the insurrection in Venetia. The troops of the Italian Government on November 16th, had a severe engagement with a band of insurgents, or as they are called in the reports from Italy, with the Garibaldians, at Bagolino, in Northern Lombardy, in which both sides lost many men in killed and wounded, but which terminated in a capture of a part, and dispersion of the rest of the insurgents. The Austrian Government issued a proclamation on Nov. 15th, declaring martial law in eighteen districts of the provinces of Friuli and Trevesa. Sentinels and patrols were ordered to fire upon assemblages after the first summons to disperse. The penalty of death was remitted to all those who voluntarily surrendered themselves or who were given up by the populace. In consequence of these measures the insurrection soon died out.

A congress of Italian workmen, consisting of about 90 delegates from Naples, Turin, Palermo, Bologna, Genoa, Milan, Venice, Florence, and many other cities, was held at Naples from October 26th to 28th. The purpose of the Congress was to draw up regulations for the association, and, in order to carry out its objects, it was resolved to establish schools, libraries, and a fund for assisting workingmen in their trades. Political discussions were excluded. A letter was read from Garibaldi, who is the president of the association. The next meeting is to be held in Palermo.

J

JAPAN, an empire in Eastern Asia. Its system of government is as yet but imperfectly known. There are two Emperors, the "Mikado," or Spiritual Emperor, who resides at Miako, in the principality of Kioto; and the Tycoon,

or Temporal Emperor, whose residence is at Yeddo. But neither of them has a general authority extending over the entire empire; for actually the Government is a Confederacy of a large number (196) of princes, called

"Daimios," who not only claim absolute sway over the territory of their several principalities, but even the right of removing the Tycoon. There are two Councils of State; the "Gorogio," consisting of five members, and the "Onwakaduchisri," of seven members. The Gorogio is presided over by "Gotario," or Prime Minister, who occupies the post of regent of Japan, in the event of the minority or during the temporary illness of the Tycoon.

By the treaties with the foreign powers, the ports of Nagasaki (on the island of Kiusiu), Kanagawa (in the bay of Yeddo), and Hakodadi (in the island of Jeso), were thrown open to foreigners. The total value of the imports at the port of Nagasaki, in the year 1862, amounted to £149,326, and of exports to £217,314. But the chief station of the foreign commerce is Kanagawa. Its commerce is rapidly increasing. In 1862 the imports were £536,860, and the exports £1,313,568. On the commerce of 1863 the following interesting statements have been made by the British Consul, Winchester:

"The six clearances direct for Great Britain in 1862 rose to sixteen in 1863, in which year one hundred British ships cleared from Kanagawa; about four-fifths of the entire trade were conducted under the British flag. The exports amounted to £2,638,503. The imports reached £811,146, to which may be added five British merchant steamers, sold for £175,000, none of them considered capable of effective adaptation to warlike purposes. There remained a balance of trade in favor of Japan of £1,652,357, paid in cash and in large supplies of munitions of war, but the amount of the latter cannot be ascertained, it being an object with the Government to throw a veil over the transactions. The import tables include goods arriving under the British flag to the value of £635,731, including camlets, long ells, flannel lastings, &c., valued at £237,619, and cotton manufactures, £73,731. The goods exported under the British flag amounted in value to £2,149,291. The exports included 19,609 piculs of raw silk of the value of more than £1,000,000—an increase of 3,937 piculs over 1862, and a very considerable portion of the supply was believed to remain still in store ready to be brought forward when the obstacles presented by the Government should be surmounted. The export of tea increased to above 6,000,000 pounds. But the most remarkable feature is the sudden development of the trade in cotton from 4,616 piculs in 1862 to 46,697 in 1863. No dependence could be placed on the permanence of this branch of trade, stimulated as it has been by high prices, but the fact proves that the Japanese are quite alive to the advantages of foreign trade, and the rapidity with which so great a quantity of a staple largely used by the people for their own garments has been brought to market is no mean proof of the wonderful fertility and resources of the country. It is obvious that foreign commerce has struck deep roots and is acquiring influence. Last

year, under the contingency of an attack from the most powerful squadron ever seen in those seas, advantage was taken of every pause hurriedly to conclude large and important transactions. Considering the restrictions and discouragements interposed, and the general conservative impression which gives a color to Japanese thought, that Japan was happier in its seclusion, as being less exposed to danger, the wonder is that the progress of trade has been so great. It was much checked by Government interference during the last six months of the year. The truth is that there is a struggle between the Tycoon and the semi-independent princes, the former trying to secure the highest possible price for opening to the outer world the door of which he is lucky enough to possess the key, and the Daimois struggling to get cheaply through and part with as little as possible of their profits. The permanent foreign residents at Kanagawa have now increased to about three hundred, not counting soldiers; one hundred and forty are British subjects, and about eighty Americans and forty Dutch. The lapse of years has improved the tone and standing of the foreign community, and the pioneers of foreign trade have mostly left Japan to enjoy elsewhere any remnant of their strangely won gains."

Another British Consul, Howard Vyse, "sent home a report on Hakodadi, but the trade there is much less important, chiefly the export of seaweed. Hakodadi is situated on an island, where there is little or no cultivation, separated from the continent of Nippon by the dangerous Sangar Straits. No Japanese can enter Hakodadi, or have commercial intercourse with any foreigner, without permission from the officials, who claim an exorbitant percentage or squeeze on the business transacted. Mr. Howard Vyse states that an edict of 1637, still in force in Yesso, and, as he believes, in the whole of Japan, makes it a capital offence for natives to travel into other countries; and their seamen, even when accidentally cast on foreign shores, are, on their return, subjected to a rigorous examination, and sometimes tedious imprisonment, to purify them from the supposed pollution contracted abroad."

The Tycoon, in 1864, sent another embassy to France to obtain from the French Government a modification of the treaty of 1858. After six conferences between the three envoys of the Tycoon and the minister of foreign affairs, a convention was concluded on June 20, 1864, which provided as follows: 1. For the attack made upon the French vessel Kien-Cheng, in July, 1863, in the province of Nagato, the Japanese Government engaged to pay over to the French minister at Yeddo, three months after the return of the ambassadors from France, an indemnity of 140,000 Mexican piastres, of whom 100,000 piastres shall be paid by the Government itself, and 40,000 piastres by the authority of the province of Nagato. 2. The Japanese Government engages to procure and to maintain for the French ves-

sels a free passage through the Straits of Simonsaki, employing, to that end, if necessary, force conjointly with the commander of the French naval division. 3. The reductions in the tariff, which were granted by the Tycoon to the foreign commerce, shall continue in favor of importations from France, or under the French flag, as long as the treaty of October, 1858, remains in force.

While the Japanese ambassadors were in France, the strength of the anti-foreign party was steadily increasing. A council of daimios held at Kioto, had declared against the stay of foreigners in Japan, and condemned the policy of the Tycoon, and called on the latter to cause the abandonment by the foreigners of Yokohama. Armed bands of "Ronins" roamed through the country and even threatened Yeddo. After a long vacillation, the Tycoon at length resolved to adopt energetic measures against the native party. He deposed the regent, suspended the Gorogio, and sent troops against the "Ronins," who in two successive battles were totally defeated.

A new act of hostility against American vessels was committed by the Prince of Nagato in July. The following is the statement of this act:

The American steamer Monitor left Hakodadi July 3d for Nagasaki; she encountered strong gales, became short of fuel, and at about lat. 34 she ran into a large bay with good anchorage and a small village on the east side. Two officials came on board, asked what was wanted, when the owner and captain explained their distress, and that they wanted wood or coal, water and fresh provisions, for which they would pay. At the same time the officers were informed it was an American vessel, where from and whither bound. The officials said they would report it to the head men; it was then night.

At daylight the first messenger was a shot from a 4-gun battery near the village; the steamer got up steam as soon as possible, the battery meanwhile firing at her, but without effect. As soon as there was light enough they saw that screens had been placed before the village, and behind it infantry, who also fired at the steamer, 24 balls hitting her sides, but fortunately injuring no one. As soon as steam was got up the vessel ran out of range, when a 6-gun battery, more to the southward, commenced to fire upon her, but with no effect. The Monitor having on board two 24-pounder Parrott guns, then fired 26 shells into the first battery and village, setting it on fire in two places. She then left, running across to the island Tsu-Shima, and there only succeeded in getting wood by cutting it themselves. They then succeeded in reaching Nagasaki.

The bay where the steamer was fired in is in Nagato's territory; and before the steamer went in there she had burned several bulkheads, planks, some bales of hemp, having reserved only a few tons of coal for any emergency. The attack was cowardly and basely treacherous.

After receiving the despatch from France announcing the conclusion of the new treaty, the French ambassador, as well as the ambassadors of England, Holland, and the United States, addressed notes to the Tycoon, asking for an immediate answer whether the treaty would be ratified. On August 25th, they were notified by the Tycoon that the treaty would not be ratified. This reply hastened the expedition which the four ambassadors had for

some time planned against the Prince of Nagato, in order to punish him for his continued hostility to the foreigners, destroy his fortifications, and secure a free passage through the straits of Simonsaki. Of the operations of the allied fleets the *China Mail* of Hong Kong, Sept. 27th, gives the following account:

"The vessels of war detailed for this undertaking were as follows: English, the *Barossa*, the *Perseus*, the *Argus*, the *Coquette*, and the *Bouncer*. French: The *Semiramis*, the *Dupleix*, and the *Tancrede*. Dutch: The *Metalen-Cruz*, the *Djambi*, the *Medusa*, and the *Amsterdam*. The American minister, having no vessel of war at command, chartered the *Ta-kiang*, on board of which the United States flag was displayed, in order to show that America was acting in unison with the other powers.

"On the 5th of September the fleet having previously anchored off Simonsaki, an attack upon Prince Nagato's forts was commenced, which ended in the destruction of two batteries on the eastern extremity. The Japanese fired some shot and shell during the attack, but without any serious effect. Not more than seven vessels of the allied fleet were engaged in the attack. On the following day, Sept. 6th, shortly after daybreak, the *Tartar* and *Barossa* were in action, having been challenged by the fire of some Japanese forts further on, and in half an hour they succeeded in silencing the guns. Shortly afterwards, however, the firing was renewed, and arrangements were made for landing the marines. The men were put on shore at 9.30 A.M. along with the contingents from the French and Dutch vessels, and in about twenty minutes the forts were taken. The *Perseus* went on shore while protecting the landing parties, but continued to do service notwithstanding; she was got off 36 hours afterwards, the *Barossa* having stood guard over her all the while. The storming party were assailed with various weapons, including arrows; and it was remarked that the latter made nasty wounds. The struggle at this time was tough; Capt. Alexander, of the *Euryalus*, was among those who received severe injury.

"On the 7th instant, at daybreak, four vessels of the allied squadron moved on to the forts at Hakusima; but the successes of the previous day, and the play of the Armstrong guns, induced the occupants of these forts to retire. The *Barossa* and *Leopard* took charge of the captured guns, spiking some and taking others on board. Soon after this (at 8 A.M., on the 7th of September), a flag of truce was sent off in a boat under charge of one of the Japanese who had lately been in England. In the course of the day the signal of truce was hoisted all over the fleet; and it is reported that Nagato is quite willing to open the Straits and treat foreigners civilly. It is even affirmed that he has offered to open ports for trade upon his territories, and we can only hope he is sincere.

"The total loss sustained throughout the entire fleet does not exceed 100 killed and wound-

ed, that of the English squadron being 15 killed and 49 wounded. We are not in possession of the names of those who suffered; but, as despatches from the admiral go home by this mail, the details will no doubt be fully given in the regular official form. No English officers have been killed, but one or two are badly wounded. When the forts were destroyed, the Prince of Nagato's officials sued for peace, saying that they would agree to whatever terms might be proposed."

The treaty which the admirals concluded with Prince of Nagato was as follows:

1. For the future the ships of all nationalities shall, when passing through the Straits of Simonosaki, be treated in a friendly manner, and shall be allowed to buy coals, provisions, wood, water, and every other requisite. Moreover, as the harbor is frequently the scene of violent winds and currents, no opposition shall be offered to any one anxious to land during stress of weather. 2. The forts lately destroyed shall not be reconstructed, nor shall new forts be built, nor guns mounted. 3. The town of Simonosaki, which having first fired on foreign ships might justly have been destroyed, has been spared. A ransom shall be paid for this, and all the expenses of the expedition shall also be defrayed by the prince, the amount to be decided by the foreign ministers at Yeddo.

I agree to abide by the decision of the foreign ministers at Yeddo with regard to the points mentioned in paragraph 3. This agreement referring only to the cessation of hostilities on this special occasion has nothing whatsoever to do with any other questions affecting Choshu which may require to be arranged between the native and foreign officials.

(Signed)

SHIOHIDO BIEZN,
MORI IDZIMO.

When the news of the result of the naval expedition reached Yeddo, it produced a profound impression. The day after the foreign ministers at Yokohama were visited by an envoy from the Gorogio, who informed them that the Tycoon no longer insisted on the evacuation of Yokohama, that he declared himself the friend of the foreigners, that he would secure freedom of commerce in the open ports, and that he himself assumed the responsibility for the execution of the conditions imposed by the admirals upon the Prince of Nagato. The foreign ambassadors insisted, however, on the treaty being ratified by the Mikado, as they were fully convinced by the past history of the relations between Japan and the foreign powers, that a treaty without being sanctioned by the Mikado would never become effective. On October 5th the ministers were received by the Gorogio, who promised not to oppose the intercourse of the Japanese with the foreign powers.

JASMIN, JACQUES, a French provincial poet, born in Agen, March 6, 1798, died there Oct. 6, 1864. He was the child of poor parents, and after a scanty education was apprenticed to a barber and hair dresser in his native town. At the age of 18, he married and set up in business for himself, occupying his leisure hours with reading and verse-making, for which latter occupation he early developed a remarkable fondness and facility. His wife vainly attempted to discourage his poetical ten-

dencies, which she feared would bring them both to the almshouse—the ultimate abode of whole generations of Jasmins—and Jacques had the good sense to practice authorship only during hours of relaxation. To his business calling he remained faithful until the close of his career, with manifest advantage to his material interests, and he even took pride in being called a barber. Gradually his rural songs, written in the *Langue d'Oc*, the tongue of the Southern troubadours, and still the language of a very considerable portion of the French peasantry, gained him warm admirers among his friends and neighbors, at whose suggestion he published, in 1825, a burlesque poem *Lou Chalibari* ("The Charivari"), evincing easy and natural versification, and a ready command of the idiom of the language. Thenceforward, he produced at intervals a variety of pieces suggested by political events, or local tradition or romance, and of which the popularity is amazing in the South of France. Chief among these are the *Papillotos de Jasmin* ("The Curl Papers of Jasmin"), of which he published two series; *L'Abuglo de Castel-Cuillé* ("The Blind Girl of Castel-Cuillé"), founded on a pathetic legend of Guienne, and admirably translated by Longfellow, *Franconette*, *Maltro Vin-noucento*; ("Mad Martha"), &c., &c. As his fame increased, the "barber poet," as he was called, was induced to make annual tours through the Southern provinces, where he recited his chief productions to delighted audiences, who tendered him flattering ovations and liberal contributions in money. With truly professional pride he invariably refused to appropriate the latter to his own use, but distributed it among the poor. In grateful remembrance of this trait the barbers of Paris, during his first and only visit to that city, honored him with a grand banquet. During the few days he remained in the metropolis he recited his "Blind Girl of Castel-Cuillé," upward of twenty-six times in public, on the last occasion in presence of Louis Phillipe and the royal family. Until within a short period of his death Jasmin, when in Agen, could be seen daily at his shop in the practice of his trade. Testimonials of every description from cities, academies, and distinguished men were scattered in profusion about the room, in odd contrast with the implements peculiar to his calling, and the poet wore at his button-hole the red ribbon of the cross of the Legion of Honor, and signed himself *Jasmin, coiffeur, de las academios d'Agen et de Bordéou*. He was a man of genial manners, and much innocent, because unaffected, self-esteem, entertaining no doubt of his superiority to all French poets, except Corneille, La Fontaine and Béranger. His works, owing to the fact that they have to be translated into ordinary French to be intelligible to two-thirds of his countrymen, are not so widely known as they deserve; but in the Southern provinces their popularity rests on a lasting basis.

K

KANSAS. The entire vote of this State at the presidential election was 20,132, of which Mr. Lincoln received 16,441, and Gen. McClellan 3,691. The only division in the election of State officers was between those who were friendly and those who were opposed to U. S. Senator Lane. On the vote for Governor the Lane ticket (Crawford) received 11,577 votes, and the anti-Lane ticket (Thatcher) 7,794. In the Legislature, the Senate and House were unanimously Republican. Senator Lane was reelected by this body to Congress by a vote of 82 to 17 scattering.

The military department of Kansas was placed under the command of Maj.-Gen. Curtis, who entered upon his duties Jan. 17th. Some disturbances, arising from the appearance of small parties of guerrillas, were created on the southern and eastern border. In other parts nothing of importance took place to disturb the peaceful pursuits of the citizens. The approach of Gen. Price toward Kansas, in his retreat from Missouri, caused the small force under Gen. Blunt to be concentrated to oppose him. At the commencement of the year the State had contributed 14,000 men to the Federal service. This number was still further increased in answer to the various calls for troops made during the year.

The improvement in the finances of the State, arising from the increased ability of the citizens to pay taxes by the aid of Federal currency, has been quite favorable. The State debt scarcely exceeds two hundred and fifty thousand dollars. The institutions of the State comprise a system of public schools, a State university and normal school, and an agricultural college. These, however, are in their infancy, and the latter are as yet hardly organized. Arrangements have been made also for the establishment of institutions for the insane, blind, and deaf mutes.

KENTUCKY. The manifest purpose of the Federal Government to bring the able-bodied negroes of Kentucky into the army, produced much excitement in the State early in 1864. On the 10th of Dec., 1863, the Governor was notified by Capt. Edward Cahill, that he had been ordered to Kentucky to recruit free colored men for the army, and the assent of the Governor to the necessary proceedings was requested.

In reply, on Dec. 14th, the Governor said:

You do not inform me by what authority you come to Kentucky to recruit "free colored men." I know of no act of Congress requiring such service, nor have I seen any order from the war department directing it. On the contrary, I am well assured, that in deference to our peculiar position, and to avoid unnecessarily aggravating the troubles of the loyal men of Kentucky, the authorities at Washington do not contemplate recruiting "colored men" in Kentucky. We are ready to fill our quota from the "free" white citizens of Kentucky. We will unhesi-

tatingly comply with the requisition for men to defend our Government. We claim the right to furnish from citizens whose duty it is to make that defence, and who are ready to comply with the requirements of duty. The duty of defence devolves upon those who enjoy the benefits of our Government. From such we will fill the call upon us. We presume that white men, who owe the duties of allegiance to the Government, will be accepted for its defence. We will furnish them. If, therefore, you came to recruit "colored men" for the benefit of Kentucky, we decline your services. If you came to recruit for the benefit of another State, we deny your right to do so, and forbid it. No State has the right under any law or order to enter Kentucky to recruit either white or "colored" men. We do not intermeddle with any State that chooses to recruit "colored" men within its own limits. But no State that is not willing to meet the measure of duty by contributing its quota from its own population shall be permitted to shelter from duty behind the free negro population of Kentucky.

We shall meet the call upon us without enlisting colored men, and your State must meet its call from its own white or "colored" men, as may best suit its people, and not assume to recruit either white or black in Kentucky.

Yours, &c. THOMAS E. BRAMLETTE,
Governor of Kentucky.

In a letter to Gen. Boyle on the same subject, dated Jan. 13th, the Governor says: "No such recruiting will be tolerated here. Summary justice will be inflicted upon any who attempts such unlawful purpose."

On the 18th of February, the Legislature being in session, adopted the following resolutions; the vote of the House was, yeas 79, nays 5; of the Senate, on the first resolution, yeas 21, nays 1; on the second, unanimous; on the third, yeas 21; on the fourth, yeas 18, nays 3.

Resolved by the General Assembly of the Commonwealth of Kentucky: 1. That this State need make no further declaration, by legislative resolutions, of her intense loyalty or of her sincere and unalterable devotion to the National Union and the Constitution. Her stand has been taken after the maturest deliberation, and is known to the world. She will not now prove recreant by taking any backward step, but will go forward with all her resources of men, money, and credit, to the support of our gallant armies in the field, until the rebellion is subdued and treason disarmed; and she will, through the peaceful mode prescribed by the fundamental law of the land, use her efforts to correct any errors that have been committed, either by the Executive or the Legislative Department of the Government.

2. That we regard as impolitic the enlistment of negroes as soldiers into the armies of the United States, and we earnestly protest against their enlistment within the State of Kentucky; and we respectfully request the President of the United States to remove from our limits and borders all camps for negro soldiers, by which our slaves are enticed to leave the services of their owners.

3. That, in the opinion of this General Assembly, the constitutional relation of the States in rebellion, as regards the Union, was not changed by the criminal action of their people in attempting to secede, thus forcing a civil war upon the country; and when the people of any or all those States shall, in good faith, return to their allegiance, their States are, as

before the war, members of the great American Union, and the people thereof are citizens—all subject to the Constitution and laws of the United States.

4. That the inaugural address and message of Gov. Bramlette (*see ANNUAL CYCLOPEDIA*, 1863) to the present General Assembly, so far as the same treat of our Federal relations, reflect truly the sentiments of the Union people of Kentucky, are approved by the present General Assembly, and are recommended to the patriotic consideration of the American people.

On Feb. 24th Congress passed an act directing that all able-bodied male colored persons between twenty and forty-five, resident in the United States, should be enrolled and form a part of the national forces. When a slave of a loyal master should be drafted, his master should have a certificate and the bounty of one hundred dollars, and the slave should be free. Under this act of Congress the enrolment was commenced in the State, and the Governor, on March 16th, issued the following proclamation:

FRANKFORT, March 15th, 1864.

To the People of Kentucky:

FELLOW-CITIZENS: In view of the disturbance of the popular mind, produced by the enrolment of slaves for the army in Kentucky, it is deemed prudent to make the following suggestions for the benefit and guidance of the loyal people of Kentucky: Your indignation should not move you to commit acts of violence, nor to unlawful resistance. Standing as we have stood, and will ever stand, "for the Constitution, the Union, and the enforcement of the laws," we must repel the efforts of rebellion to overthrow our Government, by our gallant soldiers in the field, and meet and correct unjust or unconstitutional legislation by legitimate appeals to the constituted tribunals of the Government; and through the ballot-box displace, in the constituted modes, those who pervert or abuse the trusts committed to them. This is the only true mode of maintaining "the Constitution, the Union, and the enforcement of the laws."

The mere act of enrolling the names of slaves does not affect any right of the citizen. No draft has been ordered, nor do we know that a draft will be ordered. It may or it may not. We should abide by and maintain the law, and pursue in the modes provided the remedy it affords. If any violence or wrong to the person or property of the citizen be committed by any officer or soldier, against the known laws of the land, make your "accusation" in the mode prescribed by law; and, if the commanding officer refuses or neglects to use his utmost endeavors to arrest the officer or soldier under his command so accused, and hand him or them over to the civil magistrate for trial, when officially advised of the facts, the Executive of the State will prefer charges and demand a court-martial. In the Union, under the Constitution, and in accordance with law, assert and urge your rights. It is our duty to obey the law until it is declared, by judicial decision, to be unconstitutional. The citizen, whose property may be taken under it for public use, will be entitled, under the imperative mandate of the Constitution, to a just compensation for his private property so taken for public use. Although the present Congress may not do us justice, yet it is safe to rely upon the justice of the American people; and an appeal to them will not be unheeded or unanswered. Peace restored, and the unity of our Government preserved, will drive to ignominious disgrace those who, in the agony of our conflict, perverted their sacred trusts to the base uses of partisan ends and fanatical purposes. Uphold and maintain your Government as constituted, and obey and enforce its just demands as the only hope of perpetuating free institutions.

THOMAS E. BRAMLETTE.

At the same time the Union State Central Committee issued a call for a State Convention, to meet at Louisville on May 25th, to nominate an electoral ticket, and appoint delegates to the Chicago Convention.

On the 22d of March the Governor proceeded to Washington. The object of his mission he thus states, in a letter dated April 22d, addressed to Col. Hodges:

The object of my mission to Washington was to have the quota of militia called into service from Kentucky assigned upon the basis of enrolment, and not of population; and to obtain relief to the citizens of Kentucky against the unauthorized and offensive interference of officers, soldiers, and recruiting brokers, with the slaves in Kentucky; and to have the enlistment and draft of slaves confined within the purview of the act of Congress for enrolment and draft, &c.

He was quite successful in the objects of his visit, and further says:

It is a source of gratification to me to add, that the President and Secretary of War manifested the most cordial readiness to bestow upon the people of Kentucky every favor which, under the existing laws, could reasonably be demanded; and expressed the most earnest sympathy for them, and a desire to avert, so far as may be, the recurrence of those calamities to which, as a Border State, they have been subjected.

In the interviews between the authorities at Washington and the Governor, it was agreed that, when any county filled its quota, in any way, no further recruiting of negroes should be permitted in such county, except in such cases as where the master and slave both concurred in the application for enlistment. When the draft was necessary to fill the quota, all subject to draft had to take their chances of such involuntary service. It was agreed that all recruiting should be strictly limited to the regularly appointed officers for that service; and that those engaged without authority, or in the offensive and unlawful modes of sending out bodies of troops to gather up negroes by force and otherwise, and put them in camps, should be arrested and summarily punished. It was further agreed, that all negroes recruited by enlistment or draft should be removed to camps outside of the State, for organization and instruction. This was to prevent the entire demoralization and destruction of what might be left of that class of labor. Maj.-Gen. Burbridge, then in command in Kentucky, was selected, and charged with carrying out these points.

While at Washington, Gov. Bramlette, Senator Dixon, and Mr. A. G. Hodges, had an interview with President Lincoln, at the close of which the President remarked "that he was apprehensive that Kentuckians felt unkindly toward him in consequence of not properly understanding the difficulties by which he was surrounded," &c. It was subsequently suggested to the President, by Mr. Hodges, to write out his remarks at this interview for publication, as likely to remove much of the prejudice which was attempted to be created against him in Kentucky. The following is his letter:

EXECUTIVE MANSION, WASHINGTON, April 4.

A. G. Hodges, Esq., Frankfort, Ky.

MY DEAR SIR: You ask me to put in writing the substance of what I verbally said, the other day, in your presence to Gov. Bramlette and Senator Dixon. It was about as follows:

I am naturally anti-slavery. If slavery is not wrong, nothing is wrong. I cannot remember when I did not so think and feel. And yet I have never understood that the Presidency conferred upon me an unrestricted right to act officially upon this judgment and feeling. It was in the oath I took, that I would to the best of my ability preserve, protect, and defend the Constitution of the United States. I could not take the office without taking the oath. Nor was it my view that I might take an oath to get power, and break the oath in using the power. I understood, too, that in ordinary civil administration, this oath even forbade me to practically indulge my primary abstract judgment on the moral question of slavery, I had publicly declared this many times and in many ways. And I aver that, to this day, I have done no official act in mere deference to my abstract judgment and feeling on slavery.

I did understand, however, that my oath to preserve the Constitution to the best of my ability, imposed upon me the duty of preserving, by every indispensable means, that Government—that Nation, of which that Constitution was the organic law. Was it possible to lose the Nation, and yet preserve the Constitution?

By general law life and limb must be protected; yet often a limb must be amputated to save a life; but a life is never wisely given to save a limb. I feel that measures, otherwise unconstitutional, might become lawful, by becoming indispensable to the preservation of the Constitution, through the preservation of the nation. Right or wrong, I assumed this ground, and now avow it. I could not feel that to the best of my ability I had even tried to preserve the Constitution, if to save slavery, or any minor matter, I should permit the wreck of Government, country, and Constitution, all together. When, early in the war, Gen. Fremont attempted military emancipation, I forbade it because I did not then think it an indispensable necessity. When, a little later, Gen. Hunter attempted military emancipation, I again forbade it, because I did not yet think the indispensable necessity had come.

When, in March, and May, and July, 1862, I made earnest and successive appeals to the border States to favor compensated emancipation, I believed the indispensable necessity for military emancipation and arming the blacks would come, unless averted by that measure. They declined the proposition, and I was in my best judgment driven to the alternative of either surrendering the Union, and with it the Constitution, or of laying strong hand upon the colored element. I chose the latter. In choosing it, I hoped for greater gain than loss; but of this I was not entirely confident. More than a year of trial now shows no loss by it in our foreign relations; none in our home popular sentiment; none in our white military force; no loss by it anyhow, anywhere. On the contrary, it shows a gain of quite a hundred and thirty thousand soldiers, seamen, and laborers. These are palpable facts, about which, as facts, there can be no cavilling. We have the men, and we could not have had them without the measure.

And now, let any Union man who complains of the measure, test himself, by writing down in one line, that he is for subduing the rebellion by force of arms, and in the next that he is for taking these hundred and thirty thousand men from the Union side, and placing them where they would be, but for the measure he condemns. If he cannot face his cause so stated, it is only because he cannot face the truth.

I add a word, which was not in the verbal conversation. In telling this tale, I attempt no compliment to my own sagacity. I claim not to have controlled

events, but confess plainly that events have controlled me. Now, at the end of three years' struggle, the nation's condition, is not what either party or any man devised or expected. God alone can claim it. Whither it is tending seems plain. If God now wills the removal of a great wrong, and wills also that we of the North, as well as you of the South, shall pay fairly for our complicity in that wrong, impartial history will find therein new cause to attest and revere the justice and goodness of God.

Yours truly,

A. LINCOLN.

The Governor stated in his message to the Legislature, in January, 1865, relative to the agreements made with the authorities at Washington, and which Gen. Burbridge was appointed to carry out, as follows:

It was not contemplated by me that this was to save slavery in Kentucky, nor did any such idea occur to the President. It was not sought thereby either to perpetuate slavery or to exterminate it, but solely with the view of protecting the interests of a loyal people, by securing them exemption from unlawful and offensive courses; from insults and unnecessary injuries; the State from the loss of its proper credits, and the country from the unnecessary destruction of a large amount of productive labor.

Having uniformly held and continuously announced the conviction, from the commencement of rebellion, that secession was the worst form of abolition, that it would abolish slavery in blood, it never entered my mind that anything I might do to relieve my people from suffering on account of it, could either prevent or stay the hand of rebellion from working its destruction. The object of this arrangement was to benefit and protect the loyal whiteman, and prevent him being subjected to wanton and uncalled-for injury and unprovoked insult and outrage, by lawless acts, on account of the negro.

Had these agreements been carried out, a very different state of feeling would have existed in Kentucky. But, instead of carrying them out, the most offensive and injurious modes were adopted to violate them, by him who was selected and charged with their fulfilment.

The Governor then proceeds in the same message to lay before the Legislature his views as to the manner in which military affairs were conducted in the State:

In Western Kentucky, Brigadier-General E. A. Paine, confederated with other officers and some citizens, ran a career of shameful criminality. Though brief it was terrible. Hearing that wrongs were being perpetrated in that section, but that the citizens were afraid to speak out and make them known, I sent Lieut.-Col. J. J. Craddock, of the "Capital Guards," to Paducah, to inquire into and report to me the facts. Upon getting his report, I preferred charges against Gen. Paine and others to the President of the United States. By order of Lieut.-Gen. Grant, Gen. Paine was promptly relieved by Gen. Meredith, whose soldierly bearing and just administration have given peace and confidence in that section.

A commission, composed of Brigadier-Gen. S. S. Fry and Col. John M. Brown, 45th Kentucky mounted infantry, was appointed to investigate the conduct of Gen. Paine, etc. I send with this communication a copy of their report, with my letter to the President, and also letter of the 2d of September, touching other subjects.

The commandant of the District of Kentucky established a system of trade permits in violation of law and to the detriment of the public interests.

The Secretary of the Treasury, under the law, had fixed regulations; the military, without law, and in violation of law, assumed to organize Boards of Trade, who, for certain fees, were to pass upon and

determine who should buy and sell, not only in the ordinary course of trade, but for family supplies. As administered in Kentucky, it was a most shameful and corrupt system of partisan political corruption and oppression. This machinery of fraud and corrupt oppression is still retained, and the facts showing its corrupt use, should be collected and presented, by the authority of the Legislature of Kentucky, to the national authorities, in such form as to secure the abolishment and future prohibition of all such interferences with the lawful and necessary trade of the country.

An attempt was also made, under cover of these military trade regulations, through the Commissary Department, to perpetuate a most extensive swindle upon the farmers of Kentucky in the purchase of their hog crop. Under the trade orders none could ship or drive to market without a permit; and all were prohibited from shipping across the Ohio River, thus closing the Cincinnati and other markets to our farmers. The buyers and packers of Louisville and elsewhere were warned off under threats of arrest and confiscation, etc. Agents, who were assigned to this wholesale swindle, went actively to work, notifying the farmers that the Government had determined to take their hogs, and had fixed the price which they must take—a price greatly below the market value. To have a stop put to this swindle, which was being carried on through the Commissary Department, under the patronage of the commandant of the District of Kentucky, I sent a communication to the President, borne by reliable messengers, to explain the details of the matters of my letter.

The hog swindle was promptly ended, but not until the farmers had sustained losses to at least \$300,000, yet in time to save them the loss of over one million dollars. I suggest that it is due to the honest farmers of the State that you collate, or provide for so doing, the facts bearing upon this attempted and partially-executed fraud, and present them also in connection with the "military trade regulations."

The gravest matter of military outrage has been, and yet is, the arrest, imprisonment, and banishment of loyal citizens without a hearing, and without even a knowledge of the charges against them. There have been a number of this class of arrests, merely for partisan political vengeance, and to force them to pay heavy sums to purchase their liberation. How the spoils, so infamously extorted, are divided, has not transpired to the public information. For partisan political ends Gen. John B. Huston was arrested at midnight, preceding the election, and hurried off under circumstances of shameful aggravation. He was, however, released in a few days; but that does not atone for the criminality of his malicious arrest and false imprisonment. The battle-scarred veteran, Col. Frank Wolford, whose name and loyal fame is part of his country's jewelled memories, and whose arrest, for political vengeance, should put a nation's cheek to the blush, is yet held in durance vile, without a hearing and without an accusation, so far as he or his friends can ascertain.

Lieut.-Governor Jacobs, whose yet unclosed wounds, received in battle for his country, was victimized to partisan and personal vengeance, and hurried, without a hearing and without any known accusation, through the rebel lines into Virginia. The indecent and guilty haste with which he was hurried off, and through the lines stamps the personal malignity of the deed with the infamy of conscious criminality. Other cases might be mentioned, but these are selected because they are known to the whole country; their acts are part of the glorious history of loyal heroism, and their accusers shrink from the light of investigation, but cannot escape the scourging judgment of an outraged people.

The military authorities are as much bound to observe the laws as the civil. Though the law governing the action of the military may and does often and materially differ from that which controls the action

of the civil, yet the law applicable to each is alike binding on each. Although the facts which constitute reasonable and probable cause for the arrest and imprisonment of a citizen by the military are different from and far more extensive than civil arrests, yet the rules of law are the same in the application of the facts.

By the act of Congress, approved March 3, 1863, entitled "An act relating to habeas corpus and regulating judicial proceedings in certain cases," the mode of proceeding, when non-combatants and others have been arrested, is fixed. This law, which was intended to limit the action of military commandants in the various localities and give some assurance of ultimate justice to the citizen, has been wholly and utterly set at defiance by Brevet Maj.-General S. G. Burbridge in the instances of Colonel Wolford and Lieut.-Gov. Jacobs and others. Nay, further, the action in the case of Lieut.-Gov. Jacobs is in defiance of Federal and State Constitutions and laws; in defiance of the laws of humanity and liberty; dishonors the cause of our country, and degrades the military rank to the infamous uses of partisan and personal vengeance.

The contributions of the State to the army of the United States to Dec. 31st, 1864, were as follows: Three-years men, 39,645; one-year men, 18,085; nine-months men, 3,057—total, 61,317. This is exclusive of the colored troops, of whom there were 14,918, three-years men. The total of white and colored troops is 76,335. The returns of the enrolment presented the following results: 113,410 whites, 20,083 negroes; total, 133,493. About 5,000 should be added to the colored, as no returns were made from two districts. The receipts into the Treasury during the fiscal year were greatly decreased, and the Governor recommended an increased rate of taxation.

Near the end of the year 1863 a call was issued by some citizens of Missouri for a convention of the friends of freedom in slave States, to assemble at Louisville on June 8th, "for the promotion of a more cordial understanding between those who concurred in the necessity of adopting freedom policies; for the more effective initiation of local State organizations to accomplish the work of emancipation; and for such mutual interchange of opinions and experiences as may make the teachings of the past profit in the guidance of the present." The convention thus called was postponed to February 22d, at which time it assembled. About one hundred delegates from Missouri, Tennessee, Kentucky, and Arkansas were present. Wm. P. Thomason was chosen President, and the following resolutions were adopted:

Resolved, 1st. That the unity of this country, with the present republican form of government, State and National, must be preserved, and rebellion suppressed.

2d. That slavery was the cause and now constitutes the strength of the rebellion; that we see no hope of permanent peace until the principles of freedom announced in the Declaration of Independence and the Federal Constitution are carried into practice. The question whether slavery is to be perpetuated or not is no longer exclusively a State but a national one. It is, therefore, proper that the Constitution of the United States should be so amended as to secure freedom to every human being within its jurisdiction. Such a guarantee of individual freedom is as neces-

sary in the Constitution of the United States as that of a republican form of government to each State.

3d. The Government has the constitutional right to command the services of every man, no matter what his color or condition, whether bond or free. The master cannot interpose his right between the man and the Government; and we are in favor of enlisting and enrolling all alike.

4th. That during a rebellion the President, in the exercise of the war power, has full and ample authority to free all slaves in the rebellious districts, and they are hereby invested irrevocably with all the rights of freemen; and in the present rebellion he ought to exercise this power to its full extent.

5th. That with the effect of the President's Amnesty Proclamation before us we declare that in our opinion the same has been injurious to the Union cause and its operations within the district to which it especially applies, humiliating and unjust to loyal men, by placing them upon the same footing with rebels, and we would urge its recall or suspension until armed rebellion is wholly crushed.

6th. That the Slave-State Freedom Convention be made a permanent organization by the formation of an executive committee of one member and one alternate from each of the slave States for the purpose of carrying out its principles, and that the delegation for each State represented in the convention appoint the members on the committee.

7th. That we declare ourselves favorable to such an amendment of the Constitution of the United States as shall make the President elective for one term only.

A State executive committee was appointed by the Kentucky delegates to the convention, and a call issued for a State convention to assemble at Louisville on May 9th, and appoint delegates to the Baltimore Presidential Convention. The following persons were appointed the State executive committee: James Speed, afterwards U. S. Attorney-General, John Tompkins and L. N. Dembitz, Louisville; C. A. Preston, Covington; C. F. Beyland; Ham Cummings, Newport; Dr. Perry S. Leyton, Lewis County; George D. Blakey, Russellville; Thomas B. Calvert, Bowling Green.

A Republican, or a Republican Union convention, assembled at Lexington on April 11th, at which Mr. Goodloe was appointed chairman. Speeches were made, and delegates appointed to the Baltimore Presidential Convention.

On May 25th a Union Democratic convention assembled at Louisville, at which James Guthrie was chosen chairman. Delegates were appointed to the Chicago Presidential Convention, and an electoral ticket appointed. Resolutions were also unanimously adopted, affirming the principles expressed by the previous convention of March 17th, 1863, condemning the doctrine that the insurrectionary States have ceased to be States of the Union, that the object of the war should be to subjugate armed insurrection, condemning the enlistment of negroes, &c., &c.

A convention was also called by some of the most prominent members of the Democratic party of the State, to meet at Louisville on May 15th for the purpose of appointing delegates to the Chicago Presidential Convention. It had been previously proposed by the senators and some of the representatives from the State at Washington that the Union Democrats and Dem-

ocrats should meet in joint convention on June 18th. The former, however, declined the proposition. Both, however, acted in union at the Chicago Convention and at the subsequent election. The Democratic convention assembled June 15th, and Chas. A. Wickliffe was chosen chairman. The resolutions express the sovereignty of the people, that the declarations of the authors of the Constitution, the deliberations of the Federal conventions, the resolutions of 1798 and 1799, and the decisions of the Supreme Court, were the guides for its interpretation, that the coercion of eleven States is an act of suicidal folly; that the administration has attempted to strike down State sovereignty, interfered with the right of suffrage, &c., &c., and that they are uncompromisingly opposed to the elevation of the African race to citizenship and their formation into standing armies to control white men, &c. The convention also appointed a committee to address President Lincoln for the purpose which they thus state:

To Abraham Lincoln, President, &c. :

The Kentucky Democratic State Convention meeting in Louisville on the 28th of June respectfully requests, through the undersigned committee, your immediate attention to a grievance under which Kentucky is now suffering, of an extraordinary, if not anomalous, character in a republic.

For more than a week Democratic newspapers from other States have been excluded from the city of Louisville, by the order, we are informed, of the provost marshal, under the authority of General Ewing; and for nearly the same time the Cincinnati *Inquirer* and Chicago *Times* have been excluded from the whole State of Kentucky under the order, as reported, of General Burbridge.

Early in June an invasion of the eastern and central part of the State was made by Col. John Morgan from East Tennessee. For the object and details of the invasion see ARMY OPERATIONS. Guerrillas acting as thieves, were infesting the southern borders, greatly to the injury of the peaceable inhabitants. On June 21st Gen. Sherman issued the following instructions to the commander of the division of Kentucky:

HEADQUARTERS MIL. DIV. OF THE MISS., IN THE FIELD, }
BIG SHANTY, GA., JUNE 21, 1864. }

Gen. Burbridge, Commanding Div. of Ky. :

GENERAL,—The recent raid of Morgan, and the current acts of men styling themselves Confederate partisans or guerrillas, calls for determined action on your part.

Even on the Southern "State Rights" theory Kentucky has not seceded. Her people by their vote and their actions have adhered to their allegiance to the National Government, and the South would now coerce her out of our Union, and into theirs, by the very dogma of coercion upon which so much stress was laid at the outset of the war, and which carried into rebellion the people of the middle or border slave States.

But politics aside, these acts of the so-called partisans or guerrillas, are nothing but simple murder, horse stealing, arson, and other well-defined crimes, which do not sound as well under their true name as more agreeable ones of warlike meaning.

Now before starting on this campaign I foresaw it, as you remember, that this very case would arise, and I asked Gov. Bramlette to at once organize in each county a small trustworthy band under the sheriffs,

and at one dash arrest every man in the community who was dangerous to it; and also every fellow hanging about the towns, villages, and cross-roads who had no honest calling, the materials out of which guerrillas are made up; but this sweeping exhibition of power doubtless seemed to the Governor rather arbitrary.

The fact is, in our country personal liberty has been so well secured that public safety is lost sight of in our laws and institutions, and the fact is we are thrown back one hundred years in civilization, law, and every thing else, and will go right straight to anarchy and the devil, if somebody don't arrest our downward progress.

We, the military, must do it, and we have right and law on our side. All governments and communities have a right to guard against real and even supposed danger. The whole people of Kentucky must not be kept in a state of suspense and real danger, lest a few innocent men should be wrongfully accused.

1st. You may order all your post and district commanders that guerrillas are not soldiers, but wild beasts, unknown to the usages of war. To be recognized as soldiers they must be enlisted, enrolled, officered, uniformed, armed, and equipped, by a recognized belligerent power, and must, if detailed from a main army, be of sufficient strength with written orders from some army commander to some military thing. Of course we have recognized the Confederate Government as a belligerent power, but deny their right to our lands, territories, rivers, coasts, and nationality—admitting the right to rebel and move to some other country, where laws and customs are more in accordance with their own ideas and prejudices.

2. The civil power being insufficient to protect life and property *ex necessitate rei* to prevent anarchy, "which nature abhors," the military steps in and is rightful, constitutional, and lawful. Under this law everybody can be made to "stay at home and mind his or her own business," and if they won't do that, can be sent away where they cannot keep their honest neighbors in fear of danger, robbery, and insult.

3d. Your military commanders, provost marshals, and other agents, may arrest all males and females who have encouraged or harbored guerrillas and robbers, and you may cause them to be collected in Louisville; and when you have enough—say three or four hundred—I will cause them to be sent down the Mississippi, through their guerrilla gauntlet, and by a sailing ship send them to a land where they may take their negroes and make a colony, with laws and a future of their own. If they won't live in peace in such a garden as Kentucky, why we will send them to another if not a better land; and surely this would be a kindness to them and a God's blessing to Kentucky.

I wish you to be careful that no personalities are mixed up in this, nor does a full and generous "love of country," "of the South," of their State or country, form a cause of banishment, but that devilish spirit which will not be satisfied, and that makes war the pretext of murder, arson, theft, in all its grades, perjury and all the crimes of human nature. My own preference was, and is, that the civil authorities in Kentucky would and could do this in that State; but if they will not, or cannot, then we must, for it must be done. There must be an "end to strife," and the honest, industrious people of Kentucky and the whole world will be benefited and rejoiced at the conclusion, however arrived at.

I use no concealment in saying that I do not object to men or women having what they call "Southern feeling," if confined to love of country, and of peace, honor, and security, and even a little family pride; but these become "crimes" when enlarged to mean love of murder, of war, desolation, famine, and all the horrid attendants of anarchy.

I am, with respect, your friend,
(Signed) W. T. SHERMAN, Maj.-Gen.

On July 5th the President issued the following proclamation, establishing martial law in Kentucky:

Whereas, by a proclamation which was issued on the 15th day of April, 1861, the President of the United States announced and declared that the laws of the United States had been for some time past, and then were, opposed, and the execution thereof obstructed, in certain States therein mentioned, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals of law;

And *whereas*, immediately after the issuing of the said proclamation, the land and naval forces of the United States were put into activity to suppress the said insurrection and rebellion;

And *whereas* the Congress of the United States, by an act approved on the 3d day of March, 1863, did enact that during the said rebellion the President of the United States, whenever in his judgment the public safety may require it, is authorized to suspend the privilege of the writ of *habeas corpus* in any case throughout the United States, or in any part thereof;

And *whereas* the said insurrection and rebellion still continue, endangering the existence of the Constitution and Government of the United States;

And *whereas* the military forces of the United States are now actively engaged in suppressing the said insurrection and rebellion in various parts of the States where the said rebellion has been successful in obstructing the laws and public authorities, especially in the States of Virginia and Georgia;

And *whereas* on the 15th day of September last, the President of the United States duly issued his proclamation, wherein he declared that the privilege of the writ of *habeas corpus* should be suspended throughout the United States in the cases where, by the authority of the President of the United States, military, naval, and civil officers of the United States, or any of them, hold persons under their command or in their custody, either as prisoners of war, spies, or aiders or abettors of the enemy, or officers, soldiers, or seamen enrolled, or drafted, or mustered, or enlisted in or belonging to the land or naval forces of the United States, or as deserters therefrom, or otherwise amenable to military law or the rules and articles of war, or the rules or regulations prescribed for the military or naval service by authority of the President of the United States, or for resisting a draft, or for any other offence against the military or naval service;

And *whereas* many citizens of the State of Kentucky have joined the forces of the insurgents, and such insurgents have on several occasions entered the said State of Kentucky in large force, and, not without the aid and comfort furnished by disaffected and disloyal citizens of the United States residing therein, have not only greatly disturbed the public peace, but have overborne the civil authorities and made flagrant civil war, destroying property and life in various parts of that State;

And *whereas* it has been made known to the President of the United States by the officers commanding the national armies that combinations have been formed in the said State of Kentucky, with a purpose of inciting rebel forces to renew the said operations of civil war within the said State, and thereby to embarrass the United States armies now operating in the said States of Virginia and Georgia, and even to endanger their safety;

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the authority vested in me by the Constitution and laws, do hereby declare that, in my judgment, the public safety especially requires that the suspension of the writ of *habeas corpus*, so proclaimed in the said proclamation of the 15th of September, 1863, be made effectual and be duly enforced in and throughout the said State of Kentucky, and that martial law be for the present

established therein. I do, therefore, hereby require of the military officers in the said State that the privileges of the writ of *habeas corpus* be effectually suspended within the said State, according to the aforesaid proclamation, and that martial law be established therein, to take effect from the date of this proclamation, the said suspension and establishment of martial law to continue until the proclamation shall be revoked or modified, but not beyond the period when the said rebellion shall have been suppressed or come to an end. And I do hereby require and command, as well all military officers as all civil officers and authorities existing or found within the said State of Kentucky, to take notice of this proclamation and to give full effect to the same.

The martial law herein proclaimed, and the things in that respect herein ordered, will not be deemed or taken to interfere with the holding of lawful elections, or with the proceedings of the constitutional Legislature of Kentucky, or with the administration of justice in the courts of law existing therein between citizens of the United States in suits or proceedings which do not affect the military operations or the constituted authorities of the Government of the United States.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the city of Washington this fifth day of July, in the [L. S.] year of our Lord, one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, Secretary of State.

Arrests of individuals by a military force soon commenced, and a large number of persons were thus seized. A correspondent of the *N. Y. Times*, writing from Louisville, Aug. 5th, says :

What will be done with all the numerous arrested has not transpired. They were arrested under Gen. Sherman's instructions to Gen. Burbridge, and upon Gen. Carrington's information to Gov. Morton. The policy is to arrest the prominent guilty, and make a wholesome example of them. Those proved to be leading "Sons of Liberty," "American Knights," "Knights of the Bush," or leading sympathizers and aiders and abettors of such, will doubtless be at least banished for the war. No convicted conspirators and traitors can be tolerated upon Kentucky soil, any more than their knightly friends, the guerrillas. J. R. Buchanan, J. N. Leathers, and other Peace Democratic delegates, and not a few prominent Kentuckians of all professions and callings, are in limbo.

The following persons were among those arrested previous to Aug. 11th, at Louisville and in Jefferson County, on a charge of being "Sons of Liberty": Joshua E. Bullitt, Chief Justice of Kentucky, residence, county; G. W. G. Payne, residence, city; Dr. H. F. Kalfus, ex-Colonel Fifteenth Kentucky, residence, city; John Colgan, city; W. K. Thomas, jailer, Jefferson County, residence, city; Alfred Harris, President Louisville Water Company, residence, city; Thomas Jeffries, city; J. R. Buchanan, president Democratic Central Committee, city; M. J. Paul, chief of fire department, city; John Hines, Henry Stickrod, Michael Carroll, Wm. Fitzhenry, Erwin Bell, A. J. Brannon, Thomas Miller, county; A. J. Mitchell, John Rudd, R. S. Tharin, Charles J. Clarke, B. C. Redford, John H. Talbott, W. G. Gray, R. S. P. Vaughn,

Dr. A. B. Chambers. The Lieut.-Governor of the State, Jacobs, was also arrested on Nov. 13th, and banished to Richmond. In Dec. he was allowed to return.

On August 11th a party of nearly forty persons, citizens of Columbus, Paducah, and the vicinity, arrived at Detroit under the charge of Capt. B. H. Norton, 8th U. S. colored artillery, and about twenty artillerymen, on their way to Canada, whither they had been banished by orders of Gen. Paine. The party consisted of men, women, and children, all of whom belonged to the prominent families of the State. They consisted of judges, magistrates, wealthy merchants, young women, &c. They had not been allowed a hearing, nor trial, nor any opportunity to vindicate themselves.

The State election is held on the first Monday in August. It was confined to local officers and to a judge of the court of appeals from one district at this time, and took place on Aug. 1st. The candidates were Chief Justice Duvall and M. M. Benton.

On Friday, July 29th, Gen. Burbridge issued the following order :

HEADQUARTERS DISTRICT OF KENTUCKY, }
FIRST DIVISION, TWENTY-SEVENTH ARMY }
CORPS, LEXINGTON, Ky., July 29, 1864. }

To the Sheriff of Kenton Co., Independence, Ky. :

You will not allow the name of Alvin Duvall to appear upon the poll books as a candidate for office at the coming election.

By order of Maj.-Gen. BURBRIDGE.
J. BATES DICKSON, Capt. and A. A. G.

Duvall was the nominee of the Union Democrats, and Benton of the Republican Unionists. Duvall now declined, and his friends immediately substituted the name of Judge Robertson, and by means of activity, secured a vote for him in fourteen of the twenty-three counties of which the district is composed. The result was as follows: Benton, 1,830; Robertson, 3,511; Duvall, 1,200.

The vote at the Presidential election in Nov. was as follows :

	Lincoln.	McClellan.
Home vote,	26,592	61,478
Soldiers' vote,	1,194	2,823
Total,	27,786	64,301

McClellan's majority, 36,515.

On Oct. 17th the Governor issued a proclamation, of which the following are extracts :

If military force is brought to menace the officers of election or voters, your duty is clearly marked out by law. The law is as binding upon the soldier as upon any other citizen. He has no more right to violate it, and is as amenable to its penalties. As no officer of any rank, from the President down, has any right or authority to interfere with elections, no order to do so can legalize the act. If there be sufficient power in the citizens present at any place where such interference may be attempted to arrest the offenders, and hold them over to answer to the violated laws, it will be the duty of the sheriff to make the arrest in such case. He has authority to require the aid of every citizen, and it should be readily and promptly given, in defence of a common right—of a blood-bought franchise. If the force employed to interfere with the election be too great, at any place of voting, to be arrested, the officers of

election, in such case, should adjourn, and not proceed with the election. If you are unable to hold a free election, your duty is to hold none at all; but adjourn, and report the offenders to the grand jury of your county for indictment and punishment. This is the lawful mode of meeting unlawful attempts to disturb the freedom of elections.

The laws regulating elections prescribe all the duties of the officers, and all the qualifications and tests of the voters. Observe those rules and none other. None other are of authority or binding.

While Gov. Bramlette visited Washington in April, the duties of his office were performed by Lieut.-Gov. Jacobs. During that time he granted a pardon to Rev. Calvin Fairbanks, who being implicated with Delia Webster in enticing slaves from the State some twelve years previous, had been sentenced to the State penitentiary for fifteen years.

The effect of these unsettled affairs in Kentucky during the year was utterly to "demoralize" the system of labor. The uncertainty of the tenure of slave labor destroyed its value. Some farmers who held slaves had lost a part or all of them. Others have had the wives and small children of their men left on their hands, a present and prospective burden, and, what adds to the perplexity of their position, the active men of every age and many of the younger and middle-aged women, have been going away and will continue to go until apparently the institution of slavery will remove itself, and with it goes nearly all the labor of the State. The Government wants the active black men for soldiers; the policy of their enlistment has become settled by legal enactment, and by the same power it is decided that the wives and children of colored soldiers obtain with the enlisted negro the status of freedom. Thus the question of labor to produce the crop began to create much anxiety.

Under the Provisional or Confederate Government of Kentucky an election was held for members of the Congress at Richmond, at which the following vote was cast on a general ticket throughout the State:

1. Machen.....998;	Noble..... 15;	
2. Morris.....445;	Triplett .....390;	Dennis..... 76
3. Read.....782;	Cofer.....427;	
4. Ewing .....722;	Barrick.....262;	
5. Crisman.....571;	Napier.....313;	
6. Burnett.....817;	Thompson ...208;	Hardin..... 81
7. H. W. Bruce.873;	Cocke.....149;	
8. H. Marshall.888;	Pickett.....240;	
9. E. M. Bruce.734;	All others....361;	
10. Moore.....964;	Johnson.....142;	May.....113
11. Bradley.....775;	Breckinridge..211;	
12. Elliott.....908;		

Willis B. Machen, Henry E. Read, Geo. W. Ewing, James G. Crisman, H. W. Bruce, E. M. Bruce, and John M. Elliott were reelected members.

KING, THOMAS BUTLER, an American politician, born in Hampden County, Mass., August 27, 1804, died at his residence in Waynesboro', Ware County, Ga., of pneumonia, May 10, 1864. He was educated at Westfield Academy, Mass., and studied for the bar, but removed to Georgia in 1823, where he married, and devoted himself to cotton planting. In 1832, 1834, 1835, and

1837, he was a member of the State Senate of Georgia, and from 1839 to 1843, and again from 1845 to 1849, he was a Representative in Congress from Georgia, serving much of the time on the Committee on Naval Affairs, in which he took a special interest. In 1849 Gen. Taylor appointed him collector of the port of San Francisco, but he resigned after two years, though he continued to reside in California for some years. Returning to Georgia he was elected in 1859 State Senator. He was also a member of the Milledgeville Convention in 1833, of the Macon Railroad Convention in 1836, and of the Young Men's Convention in Baltimore in 1840, and had taken a practical interest in several railroad and canal companies in Georgia, of which he was some years president. His political sympathies had been for many years with the State Rights party, and in 1861 he identified himself with the secessionists, and was active in the effort to withdraw his State from the Union; and soon after its secession was sent as its commissioner to Europe, where he remained for about two years, although he accomplished little or nothing for the benefit either of his State or the Southern Confederacy. On his return he retired to his estate, and did not again mingle in public life. He was a man of cultivated literary tastes and extensive acquirements, and of fine and commanding address.

KIRKLAND, CAROLINE MATILDA (STANSBURY), an American authoress, born in New York in January, 1801, died there April 6, 1864. After the death of her father, who was a publisher in New York, she removed with her family to Geneva, in the interior of the State, where she was married to Professor Kirkland, of Hamilton College, who subsequently established a seminary at Goshen, on Seneca Lake. In 1843, after a residence of several years in Michigan, Mrs. Kirkland, accompanied by her husband, returned to New York, where she chiefly resided until her death, engaged in literary and educational enterprises. Her literary career commenced in 1839, with the publication of "A New Home—Who'll Follow?" a record of her own experiences in the West, written with such vivacity and freshness as to obtain for her an immediate and widespread popularity. This work, as well as "Forest Life" (1842), and "Western Clearings" (1846), was published under the pseudonyme of "Mrs. Mary Clavers." After the death of her husband in 1847 she assumed for eighteen months the editorship of the "Union Magazine," and in 1848-'49 made a tour in Europe, of which she published an account, under the title of "Holidays Abroad; or, Europe from the West" (2 vols., 1849). Among her remaining works are "The Evening Book; or, Fireside Talk on Morals and Manners, with Sketches of Western Life" (1852); "A Book for the Home Circle" (1853); the letter press for the "Book of Home Beauty," a volume containing portraits of twelve American ladies; "Per-

sonal Memoirs of George Washington" (12mo, illustrated, 1858); an "Essay on the Life and Writings of Spenser," and a great variety of magazine articles and miscellaneous contributions to the periodical press. Her latest publication was a tasteful selection of poetical extracts called "The School Girl's Garland," series first and second, which appeared but a few days before her death. As a teacher of young ladies she was more than ordinarily successful, and her culture, her literary tastes, and the charm of her conversation, drew around her a circle of the most refined people of the metropolis, comprising authors, artists, and divines. Her sketches of Western life remain

among the most faithful and lively ever drawn, and stamp her as a vigorous and original writer, whose reputation rests on no uncertain basis. She was of eminently philanthropic impulses, and employed much of her time in forwarding charitable objects. For several weeks previous to her death, as one of the ladies' committee of the New York Sanitary Fair, she labored with great enthusiasm to insure the success of that enterprise. She witnessed the opening of the Fair, and in her official capacity was on duty during the day and evening in the department of arms and trophies. She died the following morning of apoplexy, brought on probably by the fatigue of the few previous days.

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LAFONTAINE, M. LOUIS HYPOLYTE, was born at Boucherville, Lower Canada, in October, 1807, being the third son of A. M. Lafontaine. Applying himself to the profession of the law, he worked with assiduity and success; nor did he permit any thing to distract his attention from his profession till he had acquired a competence. While he accumulated what was considered a handsome fortune for a professional gentleman in Canada, he enhanced his social position by a marriage with a daughter of M. Amable Berthelot, who long held a seat in the legislative assembly of Lower Canada.

Coming on the stage when Papineau was in the zenith of his fame and at the giddy height of a popularity from which he was to be dashed, never to rise again, M. Lafontaine was counted among that gentleman's followers. The different characters and talents of the two men were ultimately to assign them to very different positions. A period of rivalry between them was to come; and after a short and sharp struggle the mastery was to remain indisputably with M. Lafontaine. Till the period of the rebellion, M. Papineau was the leader, M. Lafontaine the follower; at first a distant and humble follower. Few prominent men of the popular party in Lower Canada escaped imprisonment at the time of the revolt. On the 4th of November, 1838, under a warrant issued by M. H. Edmond Barron, J. P., M. Lafontaine, *suspecté d'être suspect*, was ordered to be sent to jail. The same warrant included Charles (since Mr. Justice) Mondelet, Dennis Benjamin Viger, and a number of others more or less celebrated. This warrant was issued at the time when it was known that M. Lafontaine was on the point of starting for England as the agent, the Constitutional Association of Montreal said, of the Canadians; and they suggested that their delegate, who was about to proceed there, should be authorized to cause him to be arrested. Before his departure M. Lafontaine underwent an examination before a

special tribunal. On arriving on the other side of the Atlantic he did not deem it advisable to remain long in England; and accordingly passed over to France. He found, when in England, a powerful protector in Edward Ellice; and as no evidence had been adduced against him, he returned to Canada at pleasure, being neither outlawed nor having a price set upon his head.

After the return of M. Lafontaine, the old and once popular chief of the French Canadians, M. L. J. Papineau, long remained under ban. This gave M. Lafontaine an opportunity to lay the foundation of that leadership which his old chief had not the remotest chance of rivalling. In 1841, becoming a candidate for the representation of Terrebonne, he withdrew from the contest before its close, for reasons which he stated at great length at the time. It was after his defeat in Terrebonne that M. Lafontaine found a constituency in Upper Canada, North York electing an eminent stranger of another race and speaking a different language, in preference to a resident.

Under Sir Charles Bagot, M. Lafontaine first attained influence as a member of the Administration in 1842. This was the inauguration of responsible government in Canada. The successor of Sir Charles Bagot, Lord Metcalfe, conceived a prejudice against the ministry of which M. Lafontaine was a member, almost as soon as he reached Kingston, and perhaps before. He took an early opportunity to lay the foundation of a quarrel with them; and about the 28th of November, 1844, succeeded in compelling them to resign, on the ground that he had made appointments and offers of appointments without their knowledge or advice. A party contest of no ordinary vehemence followed, in which the name of the Governor-General was mixed up in a way that has fortunately since become impossible. Lord Metcalfe went to the extremity of ruling the country for a period of nine months with only a Secretary for adviser. By plunging into the

contest, by a lavish use of money to churches, charities, and for more direct support, the elections went in favor of the Governor and against his late advisers. The majority, one or two at first, finally increased to about seven. In 1848 a new election having in the interim changed the majority largely the other way, on a motion of non-confidence moved by Mr. Baldwin, and seconded by Mr. Lafontaine, the ministry of Lord Metcalfe's preference fell. He had himself, in the mean time, left the province in the last stages of a terrible disease, and died.

Now came the period of Mr. Lafontaine's greatest power. The majority of the ministry was enormous; but it was overweighted, and inclined to fall to pieces. But this tendency was not observable in the Lower Canada section.

M. Lafontaine retired from political life at exactly the right period to save his reputation and his credit. He had probably done all the good it was possible for him to do. At an important and in some respects critical period he had rendered good service to the country. He reconciled Lower Canada to a union it had detested, and did much to knit together two people in indissoluble bonds. But he was a finality statesman, and when he retired he had reached the farthest goal of progress. This was in 1850. Becoming Chief Justice of Lower Canada, he was created a baronet, and discharged the duties of that exalted position with credit and advantage. He died February 26th, aged fifty-eight years.

LANDOR, WALTER SAVAGE, an English author, born at Ipsley Court, Warwickshire, January 30, 1775, died in Florence, September 17, 1864. He was the eldest son of a wealthy country gentleman, and was educated at Rugby School and at Trinity College, Oxford; but for irregularities of conduct was rusticated and never returned to the university to take his degree. A certain wild strength and individuality of character made him an unfit companion for the staid society of the chapel or common room; and despising creeds and formularies, and aspiring already toward Greek culture and Greek love of art and freedom, he gladly renounced academic restraints and discipline to go out into the world. Thenceforth he was in politics a republican, in religion little better than a pagan. In 1795, soon after leaving Oxford, he published a volume of poems, followed in 1798 by "*Gebir*," an epic poem of some pretensions, a favorable notice of which by Southey abundantly compensated the author for the strictures or neglect of the smaller critics—a class whom he invariably despised. A few years later he published a Latin version of this poem. Refusing to enter the army or study for the bar, he lived for some years on a small stipend granted by his father, and travelled on the Continent, where he seems to have imbibed a hatred of the French perfectly characteristic of the time. Upon succeeding to the paternal estates he expended large sums in improving them; but becoming exasperated in

1806 by the bad conduct of some of his tenants, he disposed of his whole landed property, some of which had been in the family upward of seven hundred years, pulled down a handsome mansion recently built by him, and determined to live abroad, free from the vexations incidental to a British landlord. This rash impulsiveness pervaded his literature as well as his whole life. In 1808 he went to Spain to assist the patriots of that country against Napoleon, raised a body of troops at his own expense, and contributed twenty thousand reals to the cause, receiving in return the thanks of the Government and a colonel's commission in the Spanish army. On the return of King Ferdinand to Madrid, and the consequent violation of the constitution framed by the Spaniards during their struggle for independence, Landor threw down his sword, and left the country in disgust, declaring he would have nothing to do with a perjurer and a traitor. In 1811 he married Julia Thuillier de Malaperte, the daughter of a French *émigré* of ancient family, and in 1815 removed to Florence, where the greater part of his subsequent life was passed in literary culture and labor.

After more than thirty years' residence in Italy incompatibility of temper induced him, when considerably past his seventieth year, to separate from his wife and children. Settling upon them his elegant villa in Florence and the greater part of his fortune, he returned to England, and for several winters passed a solitary existence in Bath, cultivating few friendships, and rather shunned by the world. A man of violent temper, intolerant, revolutionary, and sarcastic, he repelled rather than attracted. His poems, of which he published a new edition in 1831 under the title of "*Gebir*, Count Julian, and other Poems," were too severely Hellenic in genius and style to find many readers, and his *Idyllia Heroica*, despite their elegant Latinity, appealed necessarily to a small though select audience. His "*Imaginary Conversations*" (5 vols. 8vo, 1824-'29), written in pure nervous English, and among the most finished productions in the language, form his chief title to literary distinction; but even these so abound in paradox, in contradictions, in attacks upon received opinions, for no other purpose apparently than to gratify a spirit of opposition, and in theories subversive of all social laws, that the public almost feared while they admired them. The author seemed too extravagant and dogmatical, too much at war with all opinions but his own, too solitary and proud in his egotism to attract general sympathy. His residence in Bath, however, was not an idle one. Immersed as ever in books and study, he produced within a few years his "*Hellenics*" (1847), "*Imaginary Conversations of King Carlo Alberto and the Duchess Belgiojoso on the Affairs and Prospects of Italy*" (1848); "*Popery, British and Foreign*" (1851); "*The Last Fruit of an Old Tree*" (1853); "*Letters of an American*"

(1854), under the pseudonyme of Pottinger; "Antony and Octavius" (1856); and "Dry Sticks Fagoted" (1857). For certain grossly indecent verses and slanders in the last-named work, directed against a lady of Bath, he was sued for libel and amerced in damages to the amount of £1,000. The odium arising from the trial compelled him to quit Bath, and, in his eighty-third year, he returned to Florence, where he passed his latter years in comparative tranquillity. Until within a short time of his death an occasional letter, epigram, or imaginary conversation, written with all his earlier combative vigor, and with no abatement of his peculiarities of spirit or style, would appear in the columns of the "Examiner" or the "Athenæum."

Though a life-long student, Landor was not a rapid or fertile writer. His literary productions, the result of seventy years of labor, were polished to the highest degree which a fastidious taste could exact, and might easily be included in three moderate-sized volumes. Caring nothing for critics, and aware that he appealed to an unsympathetic public, he conceived an apathy, if not an antipathy, to popularity, and wrote chiefly to gratify himself, and to put on protest his opinions. What these were may be imagined from the fact that he justified tyrannicide, and offered to settle an annuity upon the widow of the man who should assassinate the Emperor Napoleon III. In private social intercourse he showed less of this violence and intolerance of spirit, and his conversation is said to have been unusually pleasing, manly, and instructive. The imaginary conversation, as a wide vehicle for thought and feeling, may be said to have been created by him. Plato and Lucien had indeed adopted this form of literature to illustrate moral and metaphysical science; but Landor dramatized man. "In his hands," says a recent writer, "conversation became a new power—the wit, passion, insight, railery, going to the illumination, not of a mere speculative point in science, but to the progress of nature and human life. Something of what Shakspeare did for drama Landor may be said to have done for dialogue. He found it sectarian; he made it secular." However true this estimate may be, Landor's writings would possibly soon be forgotten were it not for the admirably pure, terse, and beautiful style in which they are written. This will always have its fascination for scholars, in whose estimation he ranks among the chief masters of English prose. No collected edition of his works has appeared since 1846. A selection from his writings was edited by G. S. Hillard (Boston, 1856).

LEAD, EROSION OF. The erosion of lead, and even of type metal, by certain species of insects, is not generally known, and may be extremely mischievous. Not long ago it attracted the attention of the French Academy of Sciences, and several communications respecting it have been published with their pro-

ceedings in the *Comptes Rendus*. Of these the following is a *resumé*:

In 1858 Marshal Vaillant exhibited to the Academy leaden bullets brought back from the Crimea in some of which the larvæ of insects had excavated circular passages three or four millimetres in diameter, and in others superficial grooves. Inquiry was made through the Russian Ambassador, M. de Kisselef, whether similiar erosion had been observed in Russia. M. V. de Motschulsky replied that nothing of the kind had been detected in the cartridges of the Russian army in the Crimea, and that the insect which had caused the injury appeared to be very rare in Russia, not having been discovered by Russian entomologists in the Crimea. It is stated to be very common in England, Sweden, and Germany, and to occur in the Jura in France. It attacks silver firs and pines.

The insect which damaged the French cartridges was imported from France in the wood of the cases in which they were packed. All the excavated passages were originally circular in section, and those that were semicircular in section, that is, superficially grooved, were only segments of which the other half was in the contiguous surface of other bullets or of the wood forming the sides of the cases. The passages were always open at both ends. Excavation was effected by the mandibles of the insect, the apparatus consisting of a saw toothed, and cut like a file. The insects do not eat the lead, but simply bore it out; and it was observed that their remains after metamorphosis had been carried downwards by the particles of the metal, reduced to powders, and dispersed on the outside through the cracks in the bottom of the packing-case. The perfect insects did not attack the lead, but died in the passages, even immediately after their complete metamorphosis, as very often occurs with insects in general.

In 1833 Audouin exhibited to the Entomological Society of Paris sheet lead from the roof of a building deeply grooved by insects. In 1844 Desmarest mentioned erosions and perforations of sheet lead by a species of *Bostrie* (*B. Capucina*), and illustrated the fact by cartridges from the arsenal at Turin. Mr. Westwood, the well-known British entomologist, has recorded observations by himself on the perforation of lead by insects. M. Bouteille, curator of the Museum of Natural History at Grenoble, sent to the French Academy of Sciences, from the collection under his charge, specimens of cartridges gnawed by insects, which were found *in situ*, and the following report upon the subject was made by Marshal Vaillant, de Quatrefages, and Milne Edwards:—The insect was *Sirex gigas*, a large hymenopterous species which, in the larva state, lives in the interior of old trees or pieces of wood, and which, after the completion of its metamorphosis, quits its retreat for the purpose of reproduction. As previously stated, it cuts its

way by its mandibles, gnawing the woody substance or other hard bodies which it meets within its course. Analogous perforations are made by the mandibles of the *Callidium sanguineum*. The reporters add:

"If it is probable that it is always with their mandibles that coleopterous as well as hymenopterous insects thus attack lead or other hard bodies, it is not well established that it is always the desire of liberty which prompts them so to act. Indeed, in some cases, coleopterous insects have been seen to gnaw the exterior of similar bodies."

Reference was made to a paper by Antonio Berti on the perforation of leaden pipes by an insect named *Apate humeralis*.

Scheurer-Kestner, in 1861, communicated to the French Academy a notice of the erosion by an insect of the sheet lead of a new sulphuric acid chamber. The creature was caught in the act of escaping through the lead, having been imprisoned between it and a wooden support.

Perhaps the most interesting and important case of insect erosion is that of stereotype metal, which was communicated in 1843 by M. du Boys to the Agricultural Society of Limoges. Specimens riddled with holes were shown in illustration.

LEECH, JOHN, an English artist and humorist, born in London in 1817, died there October 29th, 1864. At an unusually early age he was placed in the Charterhouse school, where he remained eight years, having as schoolmates Thackeray and others, subsequently distinguished in many ways. Upon leaving school, in accordance with the wishes of his friends, he commenced the study of medicine and surgery in St. Bartholomew's Hospital. Although remaining there long enough to be qualified for a doctor, he evinced no liking for the profession, and, yielding finally to his own inclinations toward art, essayed to draw on wood for publication. The establishment of "Punch" about this time afforded an opportunity for the display of his ability, and thenceforth, until his death, his name and genius are inseparably connected with that periodical. It is an unquestionable fact, indeed, that "Punch" owes no slight degree of its reputation to the humorous and satirical, but ever kindly, pencil of Leech. As an illustrator of "Punch," he looked into every phase of life having ludicrous associations, travelled over many parts of Europe, and his note-book, which was his never-failing companion, recorded every characteristic face, and every bit of composition, humor, or effect, which he encountered, or which was suggested to him. These notes often supplied themes, or were used as occasion required, and the fertile memory of the artist brought them forth. Several thousand sketches, illustrating the politics, fashions, and follies of the day, testify to the industry of his pencil and the fertility of his invention; and the greater part of these, though hastily thrown off, have high artistic

merit as well as humor. In all his earlier sketches the humor is paramount, and is expressed by means of that exaggeration of drawing and character which distinguish the mere caricaturist; but he gradually advanced to a higher level, and at the time of his death was in the full maturity of his powers. In one aspect he takes rank above all contemporary English artists, for he rescued his generation from oblivion. "A collection of his works," says a recent writer, "will be for our children's children a record of our customs, our habits, our fashions, our social relations, and even our figures of speech. We shall speak again and again through him to those who shall come after us; and in this view his versatility and the multitude of his productions leave little room for the regret that has sometimes been expressed, that such rare faculties should not have found a worthier medium for expression than rough woodcuts in the pages of 'Punch.'" He did not deal more happily with men and women than with landscape, and some of his backgrounds are replete with incident, light, and shade, and even color—in fact, are true pictures in the best sense of the word. He owed this result to his large as well as intricate knowledge of effect and detail; and whether he illustrated a street incident, a hunting field, or a sporting scene, there was a graphic power and a truthfulness in the design which impressed the beholder quite as much as the humor. He was in reality a part of much that he depicted, being fond of fishing, riding, and athletic sports, and capable of adapting himself to almost every state of society in which circumstances might place him. No one having knowledge of horse-flesh can have failed to perceive how happily he delineated horses of every condition, from the thoroughbred to the knock-kneed, broken-down hack, and in all possible attitudes; how careful were his studies of the anatomy of the animal, and how truthful his details of its surroundings. A similar habit of accuracy of detail was carried into all his pictorial efforts. Leech was not of a naturally vigorous constitution, and his ceaseless labors as an illustrator began of late years to tell upon him, until finally his whole nervous system fell into a state of extreme irritability, so that, at times, the slightest noise caused him great suffering. He was about to enjoy a period of much needed rest, which might have prolonged his life many years, when he was suddenly cut off by death. Apart from his numerous designs for "Punch," several series of which have appeared in separate publications, he illustrated the "Comic History of England," the "Ingoldsby Legends," several of Albert Smith's novels, and a variety of minor works. He even experimented in oils, with a view of producing a gallery of painted designs from "Punch;" but his efforts in that direction were not considered happy. As an author he was known to his contemporaries by an occasional paper in the periodical to which his designs imparted such interest. For his picto-

rial contributions during twenty-three years to "Punch," he is said to have received the sum of £40,000. In all the social relations he was irreproachable, and his death was sincerely lamented by a large circle of friends. It may be truly said that "Punch" has not been itself since that event.

LIGHT. The light emitted by burning magnesium wire is rich in chemical rays—so much so that it may be used instead of sunlight for the purpose of photography. The spectrum of burning magnesium is exceedingly rich in violet and ultra-violet rays, partly due to the incandescent vapor of magnesia, and partly to the intensely heated magnesia formed by the combustion. So long ago as 1859 the chemically active power possessed by this light, compared with that of the sun, was determined, and the use of this light for the purpose of photography was proposed. It was shown that a burning surface of magnesium wire, which, seen from a point at the sea level, has an apparent magnitude equal to that of the sun, effects on that point the same amount of chemical action as the sun would do if shining from a cloudless sky at a height of $99^{\circ} 53'$ above the horizon. On comparing the visible brightness of these two sources of light, it was found that the brightness of the sun's disk as measured by the eye, is 524 times as great as that of burning magnesium when the sun's zenith distance is $67^{\circ} 22'$; whilst at the same zenith distance the sun's chemical brightness is only five times as great. Hence the value of this light as a source of the chemically active rays for photographic purposes becomes at once apparent. The steady and equable light evolved by magnesium wire burning in the air, and the immense chemical action thus produced, render this source of light valuable as a simple means of obtaining a given quantity of chemical illumination, and the combustion of this metal constitutes so definite and simple a source of light for the purposes of photo-chemical measurement, that the wide distribution of magnesium becomes desirable. The application of this metal as a source of light may become even of technical importance. Professor Roscoe, in a paper read before the British Association, is of opinion that a burning magnesium wire, of the thickness of .012 inches, evolves as much light as 74 stearine candles, of which 5 go to the pound. In order to produce a light equal to 74 stearine candles burning for 20 hours, whereby about 20 lbs. of stearine is consumed, two and a half ounces of magnesium would be required. The magnesium wire can be easily prepared by forcing out the metal from a heated steel press having a fine opening at bottom; this wire might be rolled up in coils upon a spindle, which could be made to revolve by clock-work, and thus the end of the wire, guided by passing through a groove or between rollers, could be continually pushed forward into a gas or spirit-lamp flame, in which it would burn.

LITERATURE AND LITERARY PROGRESS IN 1864. Notwithstanding the greatly enhanced cost of manufacturing books, and the resulting increase in the price, which, during the year, advanced fully one hundred per cent., the year 1864 has been remarkable for its literary activity. The number of works published varied but slightly from the aggregate of the preceding year, but a larger proportion of them were in more than one volume. The number of distinct publications, aside from occasional pamphlets, reports, circulars, catalogues, single sermons, etc., was 2,028. The number of reprints was comparatively small, considerably less than English reprints of American books. In all there were 301 foreign books, English, French, German, and Italian, republished. Of these 77 were either American translations, or had received extensive revision and additions from American authors, and 90 more were reprinted in the foreign language in which they were originally published, leaving only 134 simple reprints of English works. The greater part of these were works of fiction.

Of the publications of the year 25 appertained to military science; 143 to the domain of history, of which 13 were histories of the war; 14 histories of particular battles or campaigns; 53 narrative or didactic works on subjects appertaining to the war, though not strictly and formally histories; 23 were American local and other histories, having no relation to the war; 27 were histories of other countries or of the United States or Colonies during or before the Revolution; 7 were historical reprints; 8 were historical magazines or transactions of historical societies, and 8 ecclesiastical histories.

In the department of biography there were 104 publications, of which 88 were single and 16 collective biographies. In theology 26 works were published, of which 4 were doctrinal and 22 polemical. Of religious works, not theological, there were 139; of treatises on moral and intellectual science, 5; of works appertaining to physical science, 41; of which 15 were astronomical, 1 a treatise on geology, 16 monographs on zoological topics, 1 on botany, 2 on natural philosophy, and 6 on chemistry.

The number of works on topics connected with political, social, financial, and statistical science was 187; philology, 10; technology and mechanical science, 36; agriculture, 18; medical science, 54; legal treatises and essays, and compilations of laws, 68; educational science, 43; geography and travel, 30; essays and didactic literature, 65; poetry and music, 165; novels, 242, of which only 9 were professedly religious fictions; juvenile books, 428, and miscellaneous, 19.

Several of the works on military subjects possess high merit, and do honor to their authors and the literature of the country. Only 4 were republications, and of these, 3, viz., Dufour's "Strategy and Tactics," translated and edited by Captain Craighill; Jomini's "Life of Napoleon," translated and annotated by Major-

General Halleck, and Jomini's "Grand Military Operations" and "Art of War," translated by Col. S. B. Holabird, owe very much to their American translators and editors. Mr. Lynal Thomas's "Treatise on Rifle Ordnance" has been republished without alteration. Of the original military treatises issued during the year, the most important were Major-General Gillmore's "Engineer and Artillery Operations against the Defences of Charleston Harbor in 1863," a work of great labor, and of great value as demonstrating the possibility and method of employing artillery for breaching purposes at much greater ranges than had previously been deemed possible, and as giving the result of extensive practical experiment of the comparative value of different kinds of ordnance for such service; Mr. Alexander L. Holley's admirable and exhaustive "Treatise on Ordnance and Armor," which, in the present state of the questions of great guns and armored ships, leaves nothing more to be said; and General Haupt's excellent "Treatise on Military Bridges," a work which must become a standard authority everywhere. Several of the military works were intended as Manuals of Instruction in different departments of the army or navy service. To this class belong Commander Parker's "Squadron Tactics under Steam;" General W. H. Morris's "Field Tactics for Infantry," and his "Infantry Tactics," now adopted by the War Department; Mahan's "Descriptive Geometry applied to the Drawing of Fortifications;" the "Manual of Gunnery" for the navy; the "Gunnery Catechism," also for the navy; "Instructions for Field Artillery;" Congdon's "Cavalry Compendium;" Elliot's "Manual of Cavalry," and Kautz's "Customs of Service for Non-Commissioned Officers and Soldiers." Osbon's "Hand-Book of the Navy" is a valuable historical compilation of the actions in which any of our naval vessels have been engaged in the course of the present war. A new edition of "Winter Campaigns a test of Generalship," by J. Watts De Peyster, also made its appearance during this year.

In HISTORICAL LITERATURE there has been less interest than during the previous year in attempted histories of the existing war, and few new claimants for the public regard. Those histories which were in progress as serials have been continued, and some of them issued as bound volumes. Among them may be named, Crafts, Duyckinck's, and Tomes', as well as the Rebellion Record. Harper's History has made some progress, and a second volume of Schmucker's has appeared, as also the "Third Year of War," by E. A. Pollard, editor of the Richmond Examiner. Among the new histories are Mr. Horace Greeley's "American Conflict," the first volume of which brings the history from the Revolution in 1776 to 1862. This work has had an immense sale, not less than 75,000 copies having been subscribed for. The late Hon. Joshua R. Giddings (see GIDDINGS) had prepared a history of the

Exciting Causes of the Rebellion, under the title of "History of the Rebellion," which was published in the spring of 1864. It is to a considerable extent a history of Congress for nearly twenty-five years, embracing the period of the bitterest conflicts in that body on the slavery question. An admirable compend has been prepared by Mr. Edward McPherson, clerk of the late House of Representatives, under the title of "Political History of the Rebellion," 1860-1864. All political action, State or National, bearing on the Rebellion, up to July, 1864, is carefully collected in this volume.

A number of valuable contributions to the history of the war have been made in the way of reports or narratives of particular battles or campaigns, or of the service of particular regiments, brigades, or divisions. Among these the late Edward Everett's Gettysburg Oration, giving an account of that terrible battle with his peculiarly eloquent power of narration, is entitled to the first place; and the narrative of Rev. M. Jacobs, "The Rebel Invasion of Maryland and Pennsylvania and Battle of Gettysburg," is also deserving of notice. To this class of works also belong Gen. McClellan's report of his campaigns, published in several forms; Mr. William Sumner Dodge's "History of the Old Second Division in the Army of the Cumberland," Mr. Franklin B. Hough's "History of Duryee's Brigade," Stevenson's "Indiana's Roll of Heroic and Patriotic Dead," Bechtel's "Atlas of Battles," Mr. Frederick Milnes Edge's "Englishman's View of the Battle between the Alabama and Kearsarge," Capt. Raphael Semmes' "Journal of the Cruise of the Alabama and Sumter," "Chickamauga the price of Chattanooga," by the author of "Annals of the Army of the Cumberland," "The Soldiers of Indiana in the War for the Union," "The Last Campaign of the 22d Regiment N. Y. State National Guard," Rev. R. Eddy's "History of the 60th Regiment, N. Y. V.," "Our Campaign around Gettysburg," a history of the march of the 23d Regiment (Brooklyn) N. Y. S. N. G., Mr. H. T. John's "History of the 49th Regiment Mass. Vols.," and J. C. Myers' "Daily Journal of 122d Regiment Penn. Vol." In this connection, too, notice should be taken of those periodicals which have contained full narratives of particular campaigns or single battles, or of the movements or history of particular regiments, brigades, divisions, or corps. Among these are the United States Service Magazine, which has contained admirable narratives of Sherman's campaigns, by Col. S. M. Bowman, and accounts of many other battles and movements; the Army and Navy Journal, which, though devoted more exclusively to military science and official reports, has contained much valuable historical matter relative to the war; Harper's Weekly and Monthly, both containing important war narratives from the pens of eye-witnesses; the Connecticut War Record, a valuable monthly journal of war matters; the

Northern Magazine, which has given special attention to historical sketches of Maine regiments; "The Sanitary Commission Bulletin," and the Massachusetts Annual Register, which has published histories of most of the Massachusetts Regiments. The Bureau of Military Statistics of the State of New York is collecting the histories of the regiments of the State, and has published two interesting reports concerning them.

A still larger class of works pertaining indirectly to the history of the war, are those narrations of personal adventure in connection with it, on essays or topics directly involved in it, and sketches, hardly historical, yet furnishing some elements of history, of special expeditions or campaigns, usually by newspaper correspondents. The number of these is legion; a few only of the most important of them can be mentioned. Among those first named are Freemantle's "Three Months in the Southern States," a reprint; Carleton's (C. C. Coffin) "Following the Flag;" "My Cave Life at Vicksburg;" Rev. A. M. Stewart's "Camp, March, and Battle-Field;" Rev. A. H. Quint's "Potomac and Rapidan;" F. Colburn Adams' "Story of a Trooper;" C. S. Bryant's "History of the Sioux Massacre;" Lieut.-Col. F. F. Cavada's "Libby Life;" A. F. Hill's "Personal Experiences of a Soldier in the Army of the Potomac;" E. S. P. Rouse's "Bugle Blast," containing incidents of the Conflict;" "The Burning of Chambersburg," by Rev. B. S. Schenck; "The Yankee Conscript," by George A. Fisher; and "Notes of Hospital Life," by a Philadelphia lady. Among the narrations not by eye-witnesses, are "Poetical Pen Pictures of the War," collected by J. H. Hayward; "Legends of the War," by D. J. Weeks; Bradshaw's "Volunteer's Roll of Honor;" Prof. H. B. Hackett's "Christian Memorials of the War;" Mrs. Sallie Rochester Ford's "Raids and Romances of Morgan and his Men;" "The Days of Sixty-Three;" "Thrilling Stories of the Great Rebellion," by a Disabled Officer; "Rebel Barbarities at Fort Pillow, Libby Prison," &c., two works, one by the Government Committee on the Conduct of the War, the other by the Sanitary Commission; Edmund Kirke's (J. R. Gillmore) "Down in Tennessee, and Back by Way of Richmond," and Ledyard Bill's "Pen Pictures of the War."

Of the essays, &c., the most important were: Rev. G. S. Phillips's "American Republic and Human Liberty;" Rev. W. D. Potts' "Freemen's Guide to the Polls;" J. Watts De Peyster's "Secession in Switzerland and the United States Compared;" "Shots from the Monitor," by Leo Grenard; Vol. 2 of Count Gurowski's "Diary;" J. Ferrer de Coute's "Enough of War; the Slavery Question Conclusively and Satisfactorily Settled;" "Philanthropic Results of the War," by an American Citizen; Gen. Juan Prim's account of "General McClellan and the Army of the Potomac;" "Soldiers and Soldiers' Homes," by Mrs. Phoebe Harris Phelps; C. C. S. Farrar's "The War: its Causes

and its Consequences;" Secretary Welles' volume on "Armored Vessels;" Mrs. A. H. Lincoln Phelps' "Our Country and its Relations to the Past, Present, and Future;" "America and her Commentators," by H. T. Tuckerman; Rev. R. L. Stanton's "The Church and the Rebellion;" Rev. C. B. Boynton's "English and French Neutrality and the Anglo-French Alliance in their Relations to the United States and to Russia;" "The Adder's Den," by John Smith Dye; "General McClellan's Oration at the Laying of the Cornerstone of the West Point Monument;" "The History of the Western Sanitary Commission," by Rev. J. G. Forman; and "The General Orders of the War Department from 1861 to 1863," compiled by O'Brien and Diefendorf.

The various sanitary fairs which took place in our larger cities during the year added considerably to our war literature, both directly and indirectly. Numerous poems, essays, &c., were contributed to or published to aid in increasing the sales of the fairs; but in addition to this, each of the great fairs had a daily newspaper published during its continuance, which was largely occupied with narratives of incidents connected with the war or the hospitals. Some of these papers possessed a high degree of merit. The paper of the Brooklyn Fair was called the "Drumbeat;" that of the New York Fair, "Spirit of the Fair;" the Philadelphia Fair gave to their's the title of the "Haversack." "Autograph Leaves of our Country's Authors," 1 vol. 4to, published in Baltimore, Md., for the benefit of the Sanitary Fair held in that city. Memorial volumes, with portraits, views, &c., have also been issued of each fair.

Turning to the department of local and other American histories not connected with the present war, we find these very diverse in their character; some, like Mr. J. C. Hamilton's "History of the Republic, as Developed in the Writings of Alexander Hamilton and his Contemporaries;" Dr. Lieber's "Washington and Napoleon;" Mr. G. H. Calvert's drama of "Arnold and André," and Wallace's "Oration on the 200th Anniversary of the Birthday of William Bradford, the First Printer of the Middle Colonies," or Gen. Henry Lee's "Champe's Adventure," are almost biographical in their character; others, like volume 3d of "Palfrey's History of New England;" M. W. Montgomery's "History of Gay County, Indiana;" Mr. W. W. Waldron's "Huguenots of West Chester and the Parish of Fordham;" Abbott's vol. vii. of his American Histories (The Revolution); Mr. Fred. Freeman's "History of Cape Cod;" the Address, &c., at the Centennial Anniversary of Machias, Me.; Judge Daly's "History of the Introduction of the Drama into America;" Mr. Dwinelle's "Colonial History of San Francisco," and Hon. J. R. Bartlett's "Records of the State of Rhode Island," are distinctively local histories, generally prepared with great care and research. A few are elaborate reprints on large paper of old narratives of bat

tles of the Revolution, issued to gratify the fashionable taste for large paper copies of valuable or rare books. Among these may be named: "Journal of the Expedition to Quebec in 1775," by James Melvin; another volume of Mr. H. B. Dawson's "Gleanings from the Battle-Fields of American History, containing a Narrative of the Assault on Stony Point;" "Observations on Mr. Stedman's History of the American War," by Lieut.-Gen. Sir Henry Clinton, K.B.; "Crumbs for Antiquarians," and Major Return J. Meigs' "Journal of the Expedition against Quebec under Benedict Arnold, in 1775," both edited by Mr. Charles J. Bushnell; and "The Operations of the French Fleet under Count de Grasse, in 1781-'2." A reprint has also been issued of Milet's "Relation de sa Captivité parmi les Onneions, 1690-1691;" and of Increase Mather's "Early History of New England," as edited by Mr. S. G. Drake. A new "History of Ireland," by Martin Haverty, is the only American history of a foreign country published for the first time the past year.

The reprints of foreign historical works during 1864, though not numerous, were important. There has seldom been occasion to chronicle the simultaneous republication of so many works of high character. The republication of Merivale's "History of the Romans Under the Empire," commenced the previous year, was completed during 1864, and the issue of Mr. Philip Smith's "History of the World," which, from the volumes already issued, promises to be by far the ablest universal history yet published, was commenced. A fourth volume of Carlyle's "History of Frederick the Second" was issued. The first two volumes of Miss Martineau's "History of England from 1800 to 1854" were published; but this can hardly be considered wholly a reprint, as Miss Martineau writes a preliminary and a supplementary volume for the American publishers. The translation of Mr. Henri Martin's great and admirable "History of France" was undertaken, and two volumes (Age of Louis XIV.) issued, enriched by the annotations of American editors; Dean Milman's "History of the Jews," revised and enlarged by himself, was reprinted in a fine edition. Among other reprints were Curwen's "Journal and Letters (an American in England), 1775 to 1783," edited by G. Atkinson Ward; the third volume of D'Aubigne's "Reformation in Europe under Calvin, giving an account of the Reformation in France and Switzerland;" George Trevor's "Ancient Egypt;" and Chambers' "Book of Days."

Of Ecclesiastical histories, the most important were Rev. E. H. Gillett's "History of the Presbyterian Church in the United States of America;" Rev. Abel Stevens's "History of the Methodist Episcopal Church in America;" Rt. Rev. George Burgess's "Pages from the Ecclesiastical History of England from 1740 to 1840;" Dr. S. P. Hildreth's "History of the Northwest, including an account of the Moravian Missions in

Ohio," and a new edition of Rev. John Marsh's "Epitome of General Ecclesiastical History." There were also a considerable number of historical discourses delivered, giving the history of particular parishes or churches.

In BIOGRAPHY, the year has been remarkably prolific. Among individual biographies Lieut.-Gen. Grant has been honored with five; Peniman's, Larke's, Headley's, Willett's, and an anonymous writer in Philadelphia. Of these the first three are works of considerable merit and research. The Presidential candidates were, of course, the subjects of numerous biographical works, some of them carefully written, and intended for future as well as present use, while others were mere campaign documents. The life of McClellan was written by George S. Hillard, of Boston, W. H. Hurlbut, Alexander Delmar, A. J. Victor, Markinfield Addy, and by two anonymous writers; and his military career reviewed by William Swinton and Gen. J. G. Barnard. Among the memoirs of Mr. Lincoln was an elaborate one by Benjamin F. Barrett, of Cincinnati; a history of his Administration, by Henry J. Raymond, and a campaign life, from the same pen; a boy's life, by the Rev. Mr. Thayer, of Boston; and campaign lives by O. J. Victor, Abbott A. Abott, and two anonymous writers. Archbishop Hughes was the subject of three pamphlet biographies, by anonymous authors, and an elaborate one by Mr. John R. G. Hassard was announced, but not published till 1865. Four biographical sketches or volumes on Rev. Thomas Starr King, also appeared, one a compilation from various authors, the others by Rev. Mr. Bartol, Rev. Dr. Bellows, and Hon. Richard Frothingham. General Butler's career was commemorated by Mr. Parton (a cheap edition), and a German version of his memoir, as well as by a biography by an anonymous writer. Thackeray had two biographers (or rather collectors of reminiscences, for no satisfactory memoir has yet appeared), an English writer, Mr. Theodore Taylor, and Hon. William B. Reed, of Philadelphia. Of other single biographies the most noteworthy were Weiss' "Life of Theodore Parker," a most admirable biography, as presenting the subject in the light of his own correspondence and writings; "Memoirs of Edward Livingston," by Charles H. Hunt, an interesting history of one of our ablest jurists and statesmen; the "Autobiography, Letters, &c., of Lyman Beecher, D. D.," compiled and arranged by Charles Beecher, a Boswellian book, but deeply interesting for the *naïveté* of its revelations of character; "The Life of Benjamin Franklin," by James Parton, the only satisfactory biography of the great printer, philosopher, and statesman; a revised and enlarged "Memoir of Aaron Burr" from the same able pen; "The Blennerhasset Papers" and Memoir, by W. H. Safford; "Forty Years of Pioneer Life; Memoir of John Mason Peck, D. D.," by Rufus Babcock, D. D., a memoir of an earnest and useful Western pioneer preacher;

a "Memoir of Dr. Thomas Chalmers," by Francis Wayland, D. D.; a "Memoir of Bird Wilson, D. D., LL. D., late Professor in the General Theological Seminary, N. Y.," by W. White Bronson; "Letters and Life of John Calvin," edited by Dr. Jules Bonnet, and translated by M. R. Gilchrist; the "Life of David Coit Scudder," by his brother, Horace E. Scudder, an admirably drawn picture of a restless but interesting young missionary; "Memoirs of Mrs. Caroline P. Keith" (also a missionary), by William C. Tenney; the "Apologia Pro Vita Sua" of Dr. John Henry Newman, a skilful piece of casuistry; Lieutenant-General Scott's "Memoirs by Himself," interesting, and exhibiting somewhat summarily the career of the venerable author; "Rev. Horatio Gray's Life of Rev. Benjamin C. Cutler, D. D.," an instructive memoir of a good man; "Cousin Alice: a Memoir of Alice B. Haven," pathetic and attractive; "Philip Doddridge," by D. A. Harsha; "Memorial (and also a Funeral Sermon by Rev. Dr. Sprague) of Rev. John N. Campbell, D. D.," "The Miner Boy and his Monitor," a life of Captain John Eriessson, by P. C. Headley; "The Ferry Boy and the Financier," a boy's memoir of Chief Justice Chase, by a contributor to the "Atlantic;" and the "Tailor Boy," a memoir of Andrew Johnson; Irving's incomparable "Oliver Goldsmith: a Biography," also appeared in a new form as one of the "Riverside Series" during the year. Of biographies of persons less widely known or making less claim to completeness, we note a "Memorial of Rev. Frederick Croswell," by Rev. E. Harwood, D. D.; "Father Matthew," by John Francis Maguire; "Pius VII.," by Archbishop Hughes; a pamphlet life of General Meade, by an anonymous author; a "Memorial of Rev. N. A. Staples," by Rev. C. A. Staples; "Lieut. Joseph P. Burrage," by Rev. Daniel S. Cady; "Bryant Gray," by Rev. Joseph P. Thompson, D. D.; "Life and Lectures of John Dempster," D. D.; "Besser's Life of Paul," translated by Frederick Putmann; "Nineteen Beautiful Years," a girl's life, by Rev. R. S. Foster; "Letters and Reminiscences of Felix Mendelssohn Bartholdy," by P. and C. Mendelssohn Bartholdy, translated by Lady Wallace; Renan's "Vie de Jesus;" "Mrs. Sherwood's Life," by herself; "Jenny Wade of Gettysburg;" "Dr. Sprague's Memorial of Revs. John and William A. McDowell;" "Glorying in Tribulation: a Brief Memoir of Hannah Carson;" "Memorial of John Allan;" "Walter S. Newhall," a Memorial of the Sanitary Commission; "Lieutenant Franklin B. Crosby;" "Washington an Example," by Mrs. L. C. Searle; "John Mary Decalogue," translated from the French; "Memoirs of Mrs. Coghlan, daughter of the late Major Moncrieffe, written by Herself." Among *Collective Biographies* we have Duyckinck's "National Portrait Gallery," a serial; J. Gilmary Shea's "American Nation Illustrated in the Lives of her Fallen, Brave, and Living Heroes;" Frank Moore's "Portrait Gallery of the War;"

Winslow's "Biographies of Successful Philadelphia Merchants;" "Old Merchants of New York," by Walter Barrett, clerk (J. F. Scoville); Joseph Palmer's "Necrology of Harvard University 1851-'2 to 1862-'3;" new and enlarged editions of Sabine's "Biographies of Loyalists," and of Mary Forrest's "Women of the South;" Waterbury's "Sketches of Eloquent Preachers," and reprints of Smiles' "Industrial Biography," and Ellen Creathorne Clayton's "Queens of Song."

In the way of *Genealogies* we have the record of the "Hyde Family," by Chancellor Walworth; "The Gilman Family," by Arthur Gilman; "The Holt Family," by Daniel S. Durrie; "The Price Family," by Eli K. Price; "The Preston Family," by Orlando Brown; "The Giles, etc., Memorial," by John Adams Vinton; W. L. Weaver's "Genealogy of Ancient Windham;" "Inscriptions on the tablets and grave-stones of Christ Church, Philadelphia," by Edward L. Clark.

The number of contributions to *Theology* and *Polemic Divinity* has not been large or generally important. In *General Theology*, the principal works were, Oxenden's "Pastoral Office, its duties," etc., (a reprint); the Complete Works of Archbishop Hughes; "The Principles of Church History adapted to the Young;" "Justification," by Rev. T. S. Childs, D. D.; "Expository Lectures on the Heidelberg Catechism," by Rev. G. W. Bethune, D. D.; "Liturgic Worship, Sermons on the Book of Common Prayer," by the Bishops and Clergy of the Protestant Episcopal Church; and Lectures on the "Communion Office of the Protestant Episcopal Church," by a Presbyterian.

The principal *Polemical Works* were: Rev. William Barnes "Ne Plus Ultra; or, Lay Representation Unscriptural, Unreasonable," etc.; "Gilbert Haven's Defence of Lay Representation in the Methodist Episcopal Church," Rev. Edwin Hall, D.D.'s "Explanation of the Law of Baptism" (Presbyterian); Rev. G. S. Bailey's "Manual of Baptism" (Baptist); Burckett's "Plain Words about Infant Baptism," edited by Rev. J. H. Hobart De Mille (Episcopal); J. B. Holgate's "Shortcomings of the Puritan Church;" Dr. S. P. Parker's "Catholic Mission of the Protestant Episcopal Church;" Rev. G. C. McWhorter's "Church Essays;" Rev. C. H. Fowler on "Colenso's Fallacies;" Archbishop Hughes on the "Emancipation of the Irish Catholics;" Dr. Daniel D. Whedon on the "Freedom of the Will;" Rev. John H. Egar's "Doctrine of the Trinity defended against J. F. C.;" "The Two Sabbaths," etc., by Rev. E. Q. Fuller; Sadlier's "Confessions of an Apostate;" Bishop John H. Hopkins' "Scriptural, Ecclesiastical, and Historical View of Slavery," and Watson's "Theological Institute," defended by Rev. John Livingston.

Religious Books not distinctively theological may be arranged in four classes, viz.: Sermons, either single or collected; works on the Practical Duties of Christianity; Commem-

taries on the Scriptures, and Miscellaneous. Of Sermons, twenty-four volumes were published during the year, besides numerous single Sermons in pamphlet form not reported. The most important were "The Discourses of the Paulist Fathers for 1863 and 1864;" Rev. W. Aikman's discourses on "The Moral Power of the Sea;" Rev. Dr. Hitchcock's "Final Triumph of Christianity;" Rev. J. Matthews, D. D., "Sermons on the Influence of the Bible in improving the Understanding and Moral Character," with a life of the author; Dr. John Cumming's "Great Consummation, 2d Series;" Archbishop Hughes' "Sermon on laying the cornerstone of the New St. Patrick's Cathedral;" Rev. F. W. Robertson's "Sermons, 5th Series" (a reprint); Rev. Gardiner Spring, D. D., "Pulpit Ministrations and Sabbath Readings;" Rev. T. S. Preston's "Sermons on the principal Seasons of the Sacred Year" (Catholic); Rev. James Freeman Clark's "The Hour which Cometh and now Is;" Rev. George Junkin, D. D., LL. D., "The Two Commissions, the Apostolical and Evangelical;" Henry B. Smith, D. D., on "Christian Union and Ecclesiastical Reunion;" Josiah D. Smith, D. D., "Sermons: The Truth in Love," with Memoir of the author; a new edition of the Sermons of Rev. Samuel Davies, D. D., edited by Rev. Dr. Sprague; Andrew Jackson Davis's "Morning Lectures, delivered before the Friends of Progress;" Rev. Morgan Dix, D. D.'s Lectures on the "Pantheistic Idea of an Impersonal-Substance Deity, as contrasted with the Christian Faith concerning Almighty God;" Horace Bushnell, D. D., "Christ and His Salvation;" Charles Kingsley's "The Good News of God" (reprint); Rev. J. A. Collier's "The Dawn of Heaven," with a memoir of the author, and Rev. J. Spaulding's "Christ and the Sea."

Of Commentaries the most important work of the year was the publication of the first volume of Dr. J. P. Lange's Commentary on the Scriptures, translated and edited by Philip Schaff, D. D., with additional notes from eminent theologians of different denominations. This first volume contained a General Theological and Homiletical Introduction to the New Testament, and a Commentary on the Gospel according to Matthew. The work will extend to a considerable number of volumes, and is an enterprise of great importance. Other Commentaries of the year were, Prof. Charles Hodge on "The Epistle to the Romans;" Rudolph Stier's "Words of the Lord Jesus," translated and edited by Profs. J. Strong and H. B. Smith; Rev. L. A. Sawyer's First Gospel (Mark) translated, with notes, and Daniel, with the Apocryphal additions, translated and annotated; Rev. M. Dix, D. D.'s Exposition of Galatians and Colossians; Archbishop Leighton on First of Peter; Rev. W. Hanna, D. D., on the "Forty Days after our Lord's Resurrection;" Dr. David Brown's "Commentary on the Four Gospels;" Rev. Sylvanus Cobb's "The New Testament, with Explanatory Notes and Practical

Observations;" William Nast, D. D.'s Commentary on Matthew and Mark; M. W. Jacobus, D. D.'s Notes Explanatory, &c., on Genesis; The American Bible Union's New Version of the New Testament; Joseph Lathrop, D. D., "Exposition of Ephesians," edited by Rev. Dr. Sprague; Dr. W. S. Plumer's "Law of God (Ten Commandments) Explained;" E. C. Wines, D. D., "The Penitent Portrayed," in a practical exposition of the fifty-first Psalm.

Among the works on Practical Religious duties, five, by Rev. Robert Nelson, Rev. J. Chaplin, D. D., Rev. D. X. Junkin, D. D., Miss Sewell, and an anonymous author, are intended as guides to the reception of the Eucharist; ten are either forms of prayer for private and family or camp use, or treatises on prayer; they are by Rev. S. J. Prime, D. D., Rev. J. G. Forman, S. H. Tyng, D. D., John S. Hart, LL. D., J. R. Macduff, D. D., and several anonymous authors. Four are books of consolation, viz.: "Choice Consolation for the Suffering Children of God" (anonymous); "The Prayer of the Afflicted," by G. F. Smith, D. D.; "Over the River," a book of Consolation for the Sick, the Dying, and the Bereaved, by Rev. T. B. Thayer; and "Human Sorrows," by the Countess de Gasparin, translated by Miss Mary L. Booth. Attractive editions of Jeremy Taylor's "Rule and Exercise of Holy Living," and "Rule and Exercise of Holy Dying;" "Selections from Works of Jeremy Taylor;" Thomas Fuller's "Holy and Profane States;" Dr. Goldburn's "Thoughts on Personal Religion;" Rev. K. Tweedie's "Life and Work of Eminent Men," and a little English work entitled "Ore from Precious Mines," have appeared during the year. Other practical religious works published in the course of the year were: "Christian Missions: their Agents and their Results," by T. W. M. Marshall (Catholic); "The Spirit in the Word," by J. A. Smith, D. D.; "Satan's Devices and the Believer's Victory," by Rev. W. L. Parsons; "Thoughts for the Christian Life," by Rev. J. Drummond, with an introduction by J. G. Holland; "The Foot of the Cross and the Blessings Found There," by Octavius Winslow, D. D.; "The Star of Bethlehem, a Guide to the Saviour," by Rev. D. A. Harsha; "The Good Steward, or Systematic Beneficence an Essential Element of Christianity," by D. X. Junkin, D. D.; "The Religion of Childhood, or Children in their Relation to Depravity, to the Family, and to the Church," by F. G. Hibbard, D. D.; "Religious Training of Children, in the School, the Family, and the Church," by Miss Catherine E. Beecher; "None but Christ, or the Sinner's Only Hope," by Robert Boyd, D. D.; "Life Lessons in the School of Christian Duty," by E. H. Gillett, D. D.; "God's Way of Holiness," by H. Bonar, D. D. (reprint); "Treatise on Sanctification," by George Junkin, D. D., LL. D.; "The Immortality of the Soul considered in the Light of the Holy Scriptures, the Testimony of Reason and Nature, and the various Phenomena

of Life and Death," by Rev. Hiram Mattison; "Man all Immortal," &c., by Rev. D. W. Clark, D. D. Of Religious books of a more miscellaneous character, the following are the most important: "Redeemer and Redeemed," by Charles Beecher; "Death and Life," by Mary G. Ware; "Reposing in Jesus," by G. W. Mylne; "Believer's Daily Remembrancer," by Rev. James Smith (reprint); "Soldier's Armor of Strength," by Pilgrim John; "The Virgin Most Faithful," by Rev. T. Joslin; "Consciousness Revealing the Existence of God, Man, and Nature" (anonymous); "The Healing of the Nations," by Charles Lenton; "Bethlehem," by F. W. Faber, D. D. (Catholic); "Letters to a Theological Student," by Rev. Leverett Griggs; "The Marriage Gift," by Rev. James Petrie; "The Right Use of Speech," by the author of "The Formation of Christian Belief;" "The Veil Partly Lifted and Jesus Becoming Visible," by Rev. W. H. Farness; "Light in Darkness" (an answer to the preceding), by Rev. W. L. Gage; "Origin of Evil and Immensity of God," by Samuel B. Smith; "Treatise on Homiletics," by D. P. Kidder, D. D.; "Gleanings from the Fields of Science, Art, and History, or Incidental Testimony to the Inspiration of Scripture," by Rev. A. B. Rich; "The Prayer Book and its Story," by Rev. R. M. Abercombie; "Christian Union: its Moral Obligation and the Only Mode of Obtaining it" (anonymous); "The Red Sea Freedmen," by Alexander Clark; "Religion and Chemistry" (Graham Lectures), by Josiah P. Cooke, Prof., &c.; "The Voice of Blood in the Sphere of Nature and the Spirit World," by Rev. Samuel Philips; "The Bible and Modern Thought," by Rev. T. R. Birks; "Beauties of Sacred Literature, a Compendium of Christian Doctrine, Faith, and Practice;" "Briefs on Prophetic Themes," by a Member of the Boston Bar; "The Predictions of the Prophets which have been most Wonderfully Fulfilled since the Commencement of the Christian Era, and especially those Predictions concerning the United States of America," by Rev. P. E. Royce. Besides these, there have been several Manuals of Discipline and Rituals published, and a "Register for Army Chaplains," by Rev. J. Tuttle Smith.

In *Moral and Intellectual Science*, there have been but few additions to our literature. Herbert Spencer's "First Principles" of his New System of Philosophy, and "Classification of the Sciences;" Vol. I. of "Philosophy as Absolute Science," &c., by Messrs. E. L. & A. S. Frothingham; Rev. Dr. Whedon on the "Freedom of the Will," and Mr. Rowland G. Hazard's "Freedom of the Mind in Willing," are the only noteworthy books in this department.

The friends of the Spiritualistic Philosophy have published several works in advocacy of their views. Among these are: Mr. S. B. Brittan's "Man and his Relations;" "Spiritual Influence as it relates to Sciences;" "The Davenport Brothers: their History, Travels,

and Manifestations," by Orrin Abbott; "The Constitution of Nature," theories intended to unfold Nature and her Operations," by William Andrew; and "The Philosophic and Scientific Ultimatum," by W. A. Allibaco.

In *Mathematical Science* we notice "Manual of Elementary Problems on the Lunar Prospective of Form and Shadow," by S. Edward Warren, C. E., Professor in the Rensselaer Polytechnic Institute; "Elements of Design," Book First, by W. Remmer; "Dead Reckoning; or, Day's Work," by Edward Barrett, Lieutenant Commander U. S. N.; and "The Laws and Principles of Whist stated and explained," by Cavendish.

Philosophy and Chemistry have had somewhat larger contributions, and some of them of great value. Dr. Alexander Wilcock's "Thoughts on the Influence of Ether in the Solar System, its relations to the Zodiacal Light, Comets, the Seasons, and periodical Shooting Stars," a paper read before the American Philosophical Society, and published in their transactions, is one of the most important; and "The Correlation and Conservation of Forces," a collection of Essays on the newly-propounded principles of Natural Philosophy, edited, with an admirable scientific introduction, by Edward L. Youmans, M. D., is another. "Spectroscopy; or, Surprising Spectral Illusions," also belongs to this class, while in Chemical Science we have Prof. John A. Porter's "Principles of Chemistry;" "The Elements of Chemistry, Theoretical and Practical," by William Allen Miller, M. D., LL. D., parts 1st and 2d (a reprint); a new edition, by Prof. S. M. Johnson, of Fresenius' "Chemical Analysis;" "Heat in its relations to Water and Steam," by Charles Wye Williams; and the 3d part of Dr. F. H. Storer's "First Outlines of a Dictionary of Solubilities of Chemical Substances."

In *Astronomy and Meteorology*, the Government have published "Almanac for the use of Navigators for 1866," and "Results of Meteorological Observations at the Patent Office and Smithsonian Institute for the years 1854-1859."

In *Zoology* there has been remarkable activity, the monographs greatly exceeding those of former years. Proceedings and Annals of the Boston Society of Natural History, of the California Academy of Natural Sciences, of the Cambridge Museum of Comparative Zoology, of the New York Lyceum of Natural History, and of the Philadelphia Academy of Natural Sciences, were published during the year. Aside of these, the following monographs also appeared: "Monograph of the Bats of North America," by H. Allen, M. D.; Daniel Giraud Elliot on the "Tetraonidæ, or Grouse Family;" "Legends of the Birds," by C. G. Leland; J. W. Weidemeyer's "Catalogue of North American Butterflies;" A. S. Packard, Jr.'s "Synopsis of the Bombycidæ of the United States;" "Lives of Familiar Insects," by the author of "Violet;" "Observations on the Terrestrial Pul-

monifera of Maine, with a catalogue of all the species of Terrestrial and Fluviatile Mollusca," by Edward S. Morse; "Contributions to Conchology No. 2, The Pholadacea," by George W. Tryon, Jr., and "Rafinesque on Recent and Fossil Conchology," edited by W. G. Binney and George W. Tryon, Jr. In Botany we have "Preliminary List of Plants in Buffalo and Vicinity," by George W. Clinton, and "Icones Muscorum: the Mosses peculiar to Eastern North America, not before figured," by W. S. Sullivant, LL. D. To the Department of Physical Science also belongs the "Annual of Scientific Discovery for 1864," by David A. Wells.

In *Political and Social Science*, though the number of publications was considerable (38 distinct works having appeared), there were comparatively few of permanent value. The Presidential campaign, and the strife of parties, led to the publication of many ephemeral and worthless books and pamphlets. Among those of a higher character were: Herbert Spencer's "Essays: Scientific, Political, and Speculative;" "American Politics: a Moral and Political Work, treating of the Causes of the Civil War," &c., by W. W. Handlin; "Inside Views of Slavery on Southern Plantations," by John Roles, twenty-five years a resident of the South, and ten years an overseer; "The Future: a Political Essay," by Montgomery H. Throop; "England's Liability for Indemnity, a reply to Historicus," by Chas. G. Loring; "Transactions of the Rhode Island Society for the Encouragement of Domestic Industry, for 1863;" "The Democrat; or, the Fundamental Principles of Democracy as Established by the Constitution of the United States;" "An Address on the Subjects of Rebellion, Slavery, and Race," by N. G. Upham; "The Federalist; a Collection of Essays," &c., edited by John C. Hamilton; "Letter to a Whig Member of the Southern Independence Association," by Prof. Goldwin Smith; "The True Temperance Platform; or, an Exposition of the Folly of Alcoholic Medication," by R. T. Trall, M.D.; "Mistakes and Failures of the Temperance Reformation;" "The Wrong of Slavery, the Right of Emancipation, and the Future of the African Race in the United States," by Robert Dale Owen; "The Negro Problem Solved; or, Africa as she was, as she is, and as she shall be, her Curse and Cure," by Rev. Hollis Read; "Report of the Debates and Proceedings of the Peace Congress of 1861," by Hon. L. E. Chittenden; "Dissertations and Discussions," by John Stuart Mill; "The Suppressed Book about Slavery;" "Southern Slavery in its Present Aspects: a reply to Bishop Hopkins," by Rev. D. R. Goodwin, D.D.; "Free Government in England and America, containing the Great Charter, the Petition of Rights, the Bill of Rights, and the Federal Constitution," by S. M. Johnson; "State Rights: a Photograph from the Ruins of Ancient Greece," by Prof. Taylor Lewis; "Practical Thoughts on Sisterhoods, in reply to a Letter of Inquiry," by one

of the Sisters of the Holy Communion (St. Luke's Hospital); "Manual of Social Science, being a Condensation of H. C. Carey's Principles of Social Science," by Kate McKean. Early in the year a pamphlet appeared from the pen of an anonymous author, bearing the title, "Miscegenation: the Theory of the Blending of the Races, applied to the American White Man and the Negro." It was written with considerable ability, and called out many replies, one of which, "Subgenation: the Theory of the Normal Relation of the Races," had a somewhat extensive sale.

The works on *Financial Science* published during the year, had generally a particular reference to the somewhat anomalous condition of the national finances. The most important were: "The National Debt, Taxation, Currency, and Banking System of the United States," by James Gallatin; "The Great Paper Bubble; or, the Coming Financial Explosion," by Alexander Delmar; "Gold Currency and Funded Debt," by G. H. Wainwright; "Acts of Congress relating to Loans and the Currency, from 1842 to 1864;" "Greenbacks; or, the Evils and Remedy of using 'Promise to Pay the Bearer on Demand' as a Measure of Value;" by Observer; "Industrial and Financial Resources of the United States of America, as developed by official Federal and State Returns," by Samuel Hallett, banker; "Considerations for Bankers and Holders of United States Bonds," by Lysander Spooner; "The National Banking Law;" "Our Resources: a Series of Articles on the Financial and Political condition of the United States," by a Citizen of Rhode Island; "Essai d'Economie Sociale," par F. Tufferd; "The Coins of the Bible and its Money Terms," by J. Ross Snowden; "Principles of Percentage Explained and Illustrated," by J. H. Partridge, A.M.; "Sterling Exchange for the reduction of Sterling into United States Currency, and of Currency into Sterling," by Alfred Phillips; "Historical Sketch of Continental Paper Money," by Samuel Buck.

In *Encyclopædias and Statistical Works*, the principal publications were the United States Census Report of the 8th Census, Vol. 1, Population, by J. C. G. Kennedy; The American Annual Cyclopædia for the year 1863; Chambers's Encyclopædia, Vol. 6; The National Almanac for 1864, and thirty-seven other Almanacs, many of them containing Statistics; fifty-nine Registers and Directories; four Indexes and Statistical Catalogue, and twelve Statistical Reports in bound volumes.

The most important contribution to *Philology* during the year was the publication of the Illustrated edition of Webster's quarto unabridged Dictionary. This work, which had long been in preparation, and on the revision of which years of labor had been bestowed by several eminent scholars, was in many respects the greatest addition to the philology of the present age which has appeared within half a

century. "The Mercantile Dictionary," containing commercial terms and phrases, and correspondence in English, French, and Spanish, by Mr. I. de Veitelle, is also a notable addition to our philological resources. Among other important philological works we notice the second series of Mr. Benj. W. Dwight's "Modern Philology: its Discoveries, History, and Influence;" Mr. William Swinton's "Rambles among Words;" "A Hebrew Chrestomathy; or, Lessons in Reading and Writing Hebrew," by Prof. W. H. Green, of the Princeton Theological Seminary; "Phrasis; a Treatise on the History and Structure of the different Languages of the World," &c., by J. Wilson, A. M.; Mr. J. E. Worcester's "Comprehensive Spelling Book;" Archbishop Trench's "Synonyms of the New Testament," second series (reprint); "Poems in the Dorset Dialect," by William Barnes, also a reprint, and "Judgment Erroné de M. Ernest Renan sur les Langues Sauvages," par N. O., a Canadian contribution to Philology.

In works on *Technology* and *Mechanical Science* the year has been unusually prolific. Those appertaining to architecture and landscape gardening were: "Villas and Cottages," by Calvert Vaux, architect; "Carpenter's and Joiner's Hand-Book," by H. W. Holly; "Roads and Walks of the Central Park, mode of Construction, and Materials used." On steam engines the principal works were: "The Steam Engine Indicator and Improved Monometer," by Paul Stillman; "The Indicator and Dynamometer, with their Practical applications to the Marine Steam Engine," by Thomas J. Maine and Thomas Brown; "The Marine Steam Engine," by the same authors (both reprints); "The Boiler Explosion of the Martin Boiler on board the United States 'Double Ender' Chenango;" "Questions on subjects connected with the Marine Steam Engines, and Examination Papers," &c., by T. J. Main and T. Brown (reprint). On Metal working: "The Practical Metal Worker's Assistant," by Oliver Byrne; "The Management of Steel," by George Ede; "The Art of Sawfiling Scientifically Treated and Explained," by H. W. Holly; "Practical Work Shop Companion for Tin, Sheet Iron, and Copper Plate Workers," by Leroy J. Blinn.

There have been three new treatises on Photography, viz.: "Photographic Manipulations," by S. R. Divine, Practical Photographer; "The Silver Sunbeam, a Practical and Theoretical Text-Book on Sun Drawing and Photographic Printing," by J. Towler, M. D.; and "The Camera and the Pencil; or, the Heliographic Art, its Theory and Practice in all its Branches," by M. A. Root. Of female occupations, we have four treatises on cookery, "A Complete Treatise on Perfumery," by M. Pradal, Perfumer Chemist, and M. F. Malpeyre; "Ladies Complete Guide to Needle-Work and Embroidery," by Miss Lambert; "Wax Flowers, and How to Make Them;" "Phantom Flowers; a Treatise on the Art of Producing Skeleton Leaves." In

the way of miscellaneous manufactures and useful arts, the principal works were: "History of American Manufactures from 1806 to 1860," by J. Leander Bishop, A. M., M. D.; "Umbrellas and their History," by Clyde and Black; "Americanische Weinbauschule," von Friedrich Münch; "History and Processes of Manufacture and Uses of Printing, Gas Light, Pottery, Glass, and Iron," a reprint from the Encyclopædia Britannica; "Infallible Counterfeit Detector at Sight," by Laban Heath; "Practical Treatise on the Fabrication of Matches, Gun Cotton, Colored Fires, and Fulminating Powders," by Prof. H. Dussauce; "Theory and Practice of the Art of Weaving by Hand and Power," by John Watson, manufacturer; "The Compendium of Tachygraphy, or Phonetic Short Hand," by D. P. Lindsley; "The American Angler's Book: Instructions in Fly Fishing, Fly Making, and Rod Making," by Thad. Morris; "Hints to Riflemen," by H. W. S. Cleveland; "All About Petroleum and the Great Oil Districts of Pennsylvania, West Virginia, and Ohio," by Alexander von Millern, LL. D., Professor. The new works on agriculture were very few, and with two or three exceptions of no particular merit. "Ten Acres Enough," by Edward Morris, was a very successful attempt to demonstrate the value of small farms in the neighborhood of large cities, where they could be cultivated as market gardens; "How to get a Farm and Where to Find One," a compilation by the same author, of the advantages offered for purchasing farming lands in New Jersey, Long Island, Northern New York, and the West, possessed less merit. Mr. A. S. Fuller, a practical horticulturist of Brooklyn, N. Y., published two valuable little manuals, "The Grape Culturist," and the "Illustrated Strawberry Culturist;" "The Forest Arcadia of Northern New York: its Mineral, Agricultural, and Timber Resources," is a tolerably well written and very well printed account of that region published in the interest of land owners there; "Flowers for the Parlor and Garden," by E. S. Rand, jr., is a pretty manual for the fair flower-growers; the reprint of Mr. Robert Jennings' work on Sheep, Swine, and Poultry, is timely. Mr. Solon Robinson, agricultural editor of the "N. Y. Tribune," has gathered into a volume facts and opinions which he has garnered for many years under the title of "Facts for Farmers, and also for the Family Circle." The report of the agricultural department for 1863 was published in 1864; it is a large 8vo volume, and contains some valuable essays. The number of medical treatises and monographs published was large, and many of them display marked ability. Of fifty-four works published only eight were reprints, and most of these had undergone editorial revision here.

Of general treatises the most important were Dr. J. M. Da Costa's "Medical Diagnosis with special reference to Practical Medicine;" Dr. G. H. B. Macleod's "Outlines of Surgical Diagnosis;" Dr. S. D. Gross's "System of Surgery,

Pathological, Diagnostic, Therapeutic, and Operative;" Dr. Frank H. Hamilton's admirable "Treatise on Military Surgery;" "Military, Medical, and Surgical Essays, prepared for the Sanitary Commission, and edited by William A. Hammond, late Surgeon General United States Army;" Dr. J. M. Scudder's "Eclectic Practice of Medicine;" "The Homœopathic Theory and Practice of Medicine," by Drs. E. E. Marcy and F. W. Hunt; "Manual for Medical Officers of the United States Army," by C. R. Greenleaf, M. D.; a new edition of Dr. Alfred Stillé's "Therapeutics and Materia Medica;" T. H. Tanner, M. D., "Manual of the Theory and Practice of Medicine" (a reprint); Dr. W. W. Hall's Essays on "Health and Disease," and on "Sleep;" Dr. John B. Beck's "Essays on Infant Therapeutics and other subjects;" Dr. William Grace's "Army Surgeon's Manual;" Dr. John King's "American Dispensatory," sixth revised edition; Dr. Hugh S. Hodge's "Principles and Practice of Obstetrics," a new and enlarged edition; Dr. R. S. Trall's "Hand-book of Hygienic Practice, intended as a Practical Guide for the Sick Room." The principal monographs were: Dr. Austin Flint's "Compendium of Percussion and Auscultation;" Dr. H. H. Salter's "Asthma: its Pathology and Treatment;" Dr. Louis Elsbürg's "Laryngoscopic Medication;" Dr. A. Troltsch's "Diseases of the Ear; their Diagnosis and Treatment;" D. F. A. Von Moschizker's "The Ear: its Diseases and their Treatment;" Dr. C. Both's "Sketch of the Theory and Cure of Phthisis;" Dr. W. H. Byford's "Treatise on the Chronic Inflammation and Displacement of the Unimpregnated Uterus;" Dr. F. J. Bumstead's "Pathology and Treatment of Venereal Diseases;" Dr. C. Fayette Taylor's "Mechanical Treatment of Angular Curvature; or, Pott's Disease of the Spine," and his "Spinal Irritation; or, the Causes of Backache among American Women;" Dr. W. H. Fuller "On Rheumatism, Rheumatic Gout, and Sciatica; their Pathology, Symptoms, and Treatment;" Dr. J. O'Reilly's "The Nervous and Vascular Connection between the Mother and the Fœtus in Utero;" Dr. H. F. Damon's "Leucocythemia;" a Boylston medical prize essay; Dr. Silas Durkee's "Treatise on Gonorrhea and Syphilis," a second revised edition; Dr. S. R. Percy's "Inquiry into the Physiological and Medicinal Properties of the *Veratrum Viride*," a prize essay; Dr. E. J. Tilt's "Hand-book of Uterine Therapeutics;" W. A. Hammond, M. D., "Lectures on Venereal Diseases;" Dr. T. H. Tanner's Memoranda on Poisons" (a reprint); William Acton, M. R. C. S., "Functions and Disorders of the Reproductive Organs in Childhood, Youth, Adult Age, and Advanced Life;" Dr. J. C. Dalton's "Observations on *Trichina Spiralis*," and Dr. Peter D. Keyser's "Glaucoma: its Symptoms, Diagnosis, and Treatment." The Homœopaths, besides their work on the theory and practice of medicine already named, have published a

"Monograph on Diphtheria: its Nature, Pathology, and Homœopathic Treatment," by W. T. Helmuth, M. D.; John Ellis's "Family Homœopathy;" a work on "New Remedies in Homœopathic Practice," by Dr. E. W. Hall, and a "Homœopathician's Medical Diary," by Dr. E. P. Mosman. The only other medical works of importance are the reprint of "Braithwaite's Retrospect," still maintained; a third edition of Dr. Edward Parish's "Treatise on Pharmacy;" Dr. E. Small's "Anatomy and Physiology rendered Attractive;" Mrs. C. H. Dall's "Sunshine: a New Name for a Popular Lecture on Health;" Dr. J. Thomas' "Comprehensive Medical Dictionary;" a new edition of Dr. Henry Beasley's "Book of Prescriptions;" Dr. J. H. Wythe's "Physician's Dose and Symptom Book;" several "Medical Diaries, Visiting Lists and Hand-books," and Mr. Edward Mayhew's "Illustrated Horse Management."

In *Legal Literature* there were the usual number of State reports of the cases in the higher courts; reports of cases in the United States Courts, and in the English exchequer and common law courts, amounting in all to about thirty volumes; but aside from these the year was remarkably prolific in treatises on great law questions, as well as in the productions of those standard authorities and textbooks which are so constantly required both in the courts and in the law schools. Of the former class were Mr. Richard H. Dana, Jr.'s "Enemy's Territory and Alien Enemies;" Mr. Theodore W. Dwight's "Argument in the Rose Will Case," and his collection of "Cases in England of Disposition of Property for Charitable and Public Uses;" Mr. George Bemis's "Precedents of American Neutrality, in reply to Sir Roundell Palmer;" Mr. R. S. Blackwell's "Practical Treatise on the Power to Sell Land for the Nonpayment of Taxes, embracing decisions of the Supreme Court of the United States, and the Supreme Judicial Tribunals of the several States;" ex-Governor Washburn's "Treatise on the American Law of Property;" Chief Justice Redfield's Law of Wills, embracing not only the Jurisprudence of Insanity in that connection, but all other points affecting their validity; Mr. Francis Hilliard's revised edition of his "Law of Mortgages and Personal Property;" Mr. Charles C. Bonney's "Rules of Law for the Carriage and Delivery of Persons and Property by Railway," with statutes and decisions; a new edition by Mr. G. S. Hutchinson of Cleveland's "Banking System of New York, with notes and references to adjudged cases;" Mr. William Whiting (Solicitor General United States) "War Powers under the Constitution of the United States."

Among the text and reference books may be mentioned: Mr. C. H. Scribner's "Treatise on the Law of Dower;" Mr. Pomeroy's "Introduction to Municipal Law;" President Woolsey's "Introduction to the Study of Interna-

tional Law;" Judge Parsons's "Law of Contracts," fifth edition; Mr. J. B. Ecclesine's "Compendium of Laws and Decisions relating to Mobs, Riots, Invasions, &c., as affecting Fire Insurance Companies in the United States;" Judge Stanley Matthews "Summary of the Law of Partnership for Business Men;" "Commentaries on the law of Marriage and Divorce," by J. P. Bishop, fourth edition; Bernard Roelker's "Manual for the use of Notaries Public and Bankers;" Mr. George W. Raff, "On the Law relating to Roads and Highways in the State of Ohio;" Mr. Henry Sumner Maine's "Treatise on Ancient Law: its Connection with the Early History of Society, and its relation to Modern Ideas," with an Introduction by Professor Dwight. To this class also belong the numerous volumes on the Pleading and Practice of different States and of different courts in the same State, and the treatises on the law relating to the powers and duties of Justices of the Peace and Constables in Indiana and Kentucky, as well as "The Forms of Practice and Pleadings in Actions," by Messrs. Abbott Brothers; "The Tax-payer's Guide" of Mr. Thompson Westcott; Messrs. Tiffany & Smith's "New York Practice," and "The New York Code of Procedure amended to 1864," by John Townsend. Among the laws and proposed laws published during the year we find, "The United States Statutes at large for the first session of the Thirty-eighth Congress," edited, as usual, by Mr. George P. Sanger; "The United States Digest," vol. 15, edited by H. Farnam Smith; "The Tax and the Tariff Laws," each alphabetically arranged; "The Act authorizing the Formation of Corporations for Manufacturing, Mining, Mechanical, and Chemical Purposes," with all the subsequent amendments thereto; and the "Draft of a Penal Code for the State of New York," prepared by the Commissioners of the Code, and submitted to the Judges for examination before final revision.

We have also two legal documents appertaining rather to the antiquarian than the jurist. These are: A Calendar of New York Colonial Manuscripts, endorsed "Land Papers," in the office of the Secretary of State; and a reprint (on large paper) of the proceedings of a court-martial held at New Brunswick in 1778, for the trial of General Charles Lee.

In *Educational Literature* but little has been done, except in the way of Text-books for colleges, academies, seminaries, and public schools. Rev. Asa D. Smith, D. D., has published his inaugural on assuming the Presidency of Dartmouth College, and Governor J. A. Andrew his address to the graduating class of the Medical College of Harvard University, and both are replete with sound and useful suggestions on the subject of education. Mr. J. P. Wickersham, Principal of one of the Pennsylvania Normal Schools, has prepared a volume of great value entitled "School Economy: a treatise on the Preparation, Organization, Em-

ployment, Government, and Authorities of Schools;" Mr. James E. Murdoch, the actor, who has given his whole time and talents to the cause of his country during the war, has collected some of the poems, &c., he has been in the habit of reading at his public readings and recitations, in behalf of the soldiers, under the title of "Patriotism in Poetry and Prose." Among the Text-books, the most noteworthy are: Prof. J. E. Boise's "First Three Books of Xenophon's Anabasis," with notes, vocabulary, and Kiepert's excellent map; Prof. Albert Harkness' "Latin Grammar for Schools and Colleges;" Prof. Francis Bowen's "Treatise on Logic;" Prof. Hiram Corson's "Elocutionary Manual;" Prof. R. R. Raymond's "Patriotic Speaker;" Prof. J. W. S. Hows' "Ladies' Book of Readings and Recitations;" Prof. N. C. Brooks' "Vita Virorum Illustrum Americæ;" Prof. W. B. Silber's "Progressive Lessons in Greek;" Rev. J. W. French's "Grammar," part of a course on language prepared for the Cadets at West Point; Messrs. Benjamin F. Shaw and Fordyce A. Allen's "Comprehensive Geography, combining Mathematical, Physical, and Political Geography, &c.;" Prof. A. E. Church's "Elements of Descriptive Geometry, with its application to Spherical Projections;" Prof. J. Madison Watson's "Manual of Calisthenics;" Prof. E. C. J. Krauss's "German Manual, or First Instruction in the German Language;" and several readers and other elementary text-books in French and German. Mr. G. P. Quackenbos, well known as an author of successful school books, has prepared a "First Book in English Grammar," as a part of his course on Grammar, and a "Primary and Elementary Arithmetic," based on the works of G. R. Perkins, LL. D. Mr. Nelson M. Holbrook has continued the series of Towne and Holbrook's Progressive Readers by the publication of a "Fourth Reader;" and Messrs. Ivison, Phinney, Blakeman & Co. have done good service to the higher schools by the publication of "Arithmetical Examples; or, Test Exercises for the use of Advanced Classes."

The publication of Barnard's "American Journal of Education" (quarterly), and of the "American Educational Monthly," has been continued during the year, and both journals, as well as the numerous local ones of which there are one or more in almost every Northern State, have contributed powerfully to promote the cause of education, in its relations to teacher, scholar, and parent. Notwithstanding the large number of teachers who have joined the army, impelled often by the most patriotic motives, there has been no retrogression in educational effort in the Northern States; the schools have generally been better sustained and taught than before, and though in some of the colleges there has been a little falling off in numbers, yet it has been made up in others.

In *Geography and Travel*, the event of the year was the publication of Capt. Charles Fran-

cis Hall's "Arctic Researches and Life among the Esquimaux," a work of great interest, and creditable to its author both as an explorer and narrator; the "Journal of the Discovery of the Source of the Nile," by Captain John Hanning Speke, and of Mr. W. Winwood Reade's "Savage Africa: a Narrative of a Tour in Equatorial, Southwestern, and Northwestern Africa," both reprints, were also important additions to our geographical literature. Among other original American works of this class we notice "Man and Nature," by Hon. George P. Marsh; Mr. Edward L. Clark's "Daleth; or, the Homestead of the Nations, Egypt. Illustrated;" "A Summer Cruise on the Coast of New England," by Mr. Robert Carter; "The Hawaiian Islands: their Progress and Condition under Missionary Labors," by Rufus Anderson, D. D.; "From Dan to Beersheba; or, the Land of Promise as it now appears," by Rev. J. P. Newman, D. D.; "Arizona and Sonora; the Geography, History, and Resources of the Silver Regions of North America," by Sylvester Mowry; Mr. J. Ross Browne's "Crusoe's Island, Washoe, &c.;" Mr. Edward H. Hall's "The Great West: Emigrants, Settlers, and Traveller's Guide and Hand-book of the Pacific States and the Territories;" Rev. Lewis Grant's "Zulu-Land; or, Life among the Zulu-Kafirs of Natal and Zulu Land;" Mr. J. S. Campbell's "Idaho: Six Months in the New Gold Diggings;" "The Silver Mines of Nevada, with Map;" Rev. G. S. Bailey's "The Great Caverns of Kentucky—Diamond Cave, Mammoth Cave, and Hundred Dome Cave;" Mr. John Austin Stevens, Jr., "The Valley of the Rio Grande: its Topography and Resources;" Rev. Joshua Leavitt, D. D., "Denmark and its Relations;" Mr. J. Milton Mackie's "From Cape Cod to Dixie and the Tropics;" Mrs. H. Dwight Williams' "A Year in China: and a Narrative of Capture and Imprisonment, when Homeward-bound, on board the Rebel Pirate Florida;" a new and enlarged edition of Mr. P. McD. Collins's "Overland Explorations in Siberia, Northern Asia, and the Great Amoor River Country;" a condensed narrative of Moffatt's "Adventures as a Missionary in South Africa;" a compilation of great interest, entitled "Treasury of Travel and Adventure;" and Miss S. W. Lander's "Spectacles for Young Eyes, Zurich." In the way of Maps, Guide, and Hand-books, we have Colton's condensed 8vo "Atlas of the Union;" the third year of Harper's "Hand-book for Travellers in Europe and the East, prepared by Mr. W. P. Fetridge;" "A Guide Book of the Central Railroad of New Jersey and its Connections through the Coal Fields of Pennsylvania;" Mr. J. Disturnell's "Traveller's Guide to the Hudson River, Saratoga, Lake George, the Saguenay River," &c.; and "The Washington Sketch Book," by Viator.

The *Essays* were quite numerous. We have already enumerated the principal ones on topics connected with the war. Those on other subjects may be classified into those discussing religious and moral questions, literary or scien-

tific, and reprints. Of the first class are Rev. T. L. Cuyler's "Cedar Christian and other Sketches;" Mary G. Ware's "Death and Life;" Rev. Orville Dewey's "Problem of Human Destiny;" Gail Hamilton's (Miss A. Dodge) "Stumbling Blocks" and "New Atmosphere;" Miss Frances Power Cobbe's "Broken Lights," an inquiry into the present condition and future prospects of religious faith, which though written the other side of the Atlantic was primarily intended for American readers; Fenelon's "Reflections and Meditations," with a memoir by Mr. John R. G. Hassard; Mrs. L. Maria Child's "Looking Toward Sunset;" Mr. A. B. Muzzey's "The Blade and the Ear: Thoughts for a Young Man;" "A Pastor's Jottings;" "St. John's Land, a Retro-Prospectus;" Mr. Frank W. Ballard's "The Stewardship of Wealth, as Illustrated in the Lives of Amos and Abbott Lawrence." Of the literary, scientific, and philosophic essays, the most important were Mr. W. W. Story's "Roba di Roma;" Miss Henrietta's Wilson's "Chronicles of a Garden: its Pets and its Pleasures;" Rev. Dr. Horace Bushnell's "Work and Play; or, Literary Varieties;" Jean Paul Friedrich Richter's "Campaner Thal and other Essays," translated by C. T. Brooks; Mrs. Eliza W. Farnham's "Woman and her Era;" T. Starr King's "Patriotism and other Papers;" Mr. Howard Payson Arnold's "European Mosaic;" "Autograph Leaves of our Country's Authors;" Ik Marvel's (Mr. Donald G. Mitchell) "Seven Stories with Basement and Attic;" Mr. J. J. Jarves's "The Art Idea;" Mr. H. D. Thoreau's "The Maine Woods;" "Jennie June's;" "Jennie Juneiana: Talk on Women's Topics;" Mr. James Russell Lowell's "Fireside Travels;" "Eliana;" hitherto uncollected writings of Charles Lamb; Mr. S. B. Ruggles's "Semi-centennial Address to the Class of 1814 and the Society of Alumni of Yale College, on the Past and the Present;" President Felton's "Familiar Letters from Europe;" "Autumn Leaves," by the late Samuel Jackson Gardner; "Wet Days at Edgewood," by Ik Marvel; Mr. Charles D. Drake's "Union and Anti-Slavery Speeches delivered during the Rebellion;" Mrs. H. B. Stowe's "House and Home Papers;" and new editions of Irving's "Sketch-Book;" Headley's "Adirondack;" Hawthorne's "Thrice Told Tales;" and Longfellow's prose works. A few of the reprints were of some importance; among them were Sir E. B. Lytton's "Caxtoniana;" two volumes of Francis Bacon's Works; the interminable A. K. H. Boyd's "Counsel and Comfort Spoken from a City Pulpit;" Mr. Herbert Spencer's "Illustrations of Universal Progress," and "Essays: Moral, Political, and Æsthetic;" Madame D'Hericourt's "A Woman's Philosophy of Woman; or, Woman Affranchised;" a new edition of D'Israeli's "Amenities of Literature;" Edmund About's "*Les Progres*;" "Essays on Social Subjects," from the "Saturday Review;" "The Gentle Life;" "Essays in Aid of the Formation of

Character;" Mrs. Jameson's "Sacred and Legendary Art," and "Legends of the Monastic Orders;" Mr. E. M. Whitty's "Bohemians of London;" Leigh Hunt's "The Seer; or, Common Places Refreshed;" Guizot's "Love in Marriage, a Historical Study;" "Lady Rachel Russell;" Hugh Miller's Essays, Historical Biographies, &c., edited by Peter Bayne; "Pearls from Heine."

In *Poetry* there was an alarming increase of the number of new poets, who for the most part had come before the American public for the first time in a collected volume of their own poems. Forty of these adventurous spirits have thus laid claim to a literary immortality, and there is a slight possibility that some one of the forty may possibly attain to it. The poetry of most of these volumes is respectable, while three or four exhibit abilities above mediocrity; and while none as yet have given marked evidence of the possession of the divine afflatus, they may yet develop into something beyond their present condition.

We name a few of the most promising: Mr. Harvey Rice's "Mount Vernon and other Poems," has sold sufficiently to require a second edition; Mr. Edward Hopper's "Fire on the Hearth in Sleepy Hollow," has passages of great merit; "Utterances," by Col. A. J. H. Duganne, contains some songs and ballads which had already attained high reputation in the newspaper columns; "Idylls of Battle and Poems of the Rebellion," by Miss Laura C. Redden, a lady who is a semi-mute, exhibits harmony, grace of versification, and in a few of the pieces a poetic fire worth cultivating; "Faith and Fancy," by John Savage, is a volume of which its author has no occasion to be ashamed. The little volumes of Mr. F. G. Tuckerman and Mr. Henry F. Tuckerman, are worthy of the reputation of those gentlemen as elegant *belles lettres* scholars. Bishop Coxe's "Christian Ballads," and Messrs. Bayard Taylor, John G. Saxe, N. P. Willis, and Robert Lowell's collections of poems, now published in new forms, have been for some years before the public. One of the most remarkable volumes of poetry published during the year was a little collection printed in Germany, though nominally published in Milwaukee, from the pen of an American lady (Mrs. Mary H. C. Booth), since deceased at the early age of thirty-four; it bore the title of "Wayside Blossoms among Flowers from German Gardens," and some of the poems exhibited rare poetic genius. Mr. George H. Boker has published a volume entitled "Poems of the War," containing a number of lyrics which are favorites with the army. Other volumes of original poems issued during the year were: "Poems from the Inner Life," by Lizzie Doten; "Poems," by Henry Peterson; "Poems," by Una; "Secession, or Prose in Rhyme, and East Tennessee, a Poem," by an East Tennessean; "Sacred Poetical Paraphrase, and Miscellaneous Poems," by Rev. J. B. Steele; "The Book of Job in Poetry" (more correctly in rhyme), by Rev. H. W.

Adams; "Voices from the Hearth; or, a Collection of Poems," by Isidor (Isidor G. Ascher), a Montreal book; "Lyrics of a Day; or, Newspaper Poetry," by a United States Volunteer; "A Tribute to the Fair; a Collection of Vers de Société;" "Poems of the Republic," by William Oland Bourne; "Hymns of the Spirit," by Rev. S. Longfellow and Rev. S. Johnson; "Memorial Poems and Hymns," by Prof. E. Turney; "The Wind Harp, and other Poems," by Ellen C. Howarth; "The Burden of the South," in verse, by Sennoia Rubek; "The Poet, and other Poems," by Achsah W. Sprague; "War Songs for Freemen;" "First and Last; a Poem, intended to illustrate the Ways of God to Man;" "A Poetical Cook Book;" "Cabi-ro," a poem, by George H. Calvert; "Marble Isle, and other Poems," by Sallie Bridges; "Chimasia: a Reply to Longfellow's Theologian and other Poems," by Orthos; "Visions and Verses," by Charles Dexter; "Elim; or, Hymns of Holy Refreshment," by Rev. F. D. Huntington; "Young America; a Poem," by Fitz Greene Halleck; "The Palace Beautiful and other Poems," by Orpheus C. Kerr (Newell); "Rosa Mystica, Mary of Nazareth, the Lily of the House of David," by Maria Josephine; "Real and Ideal," by John W. Montclair; "Poems," by Astarte. Among the collections of poems by different authors, were three little volumes arranged and edited by Frank Moore; "Rebel Rhymes and Rhapsodies;" "Songs of the Soldiers;" and "Personal and Political Ballads;" "Poetry of the Age of Fable," by Thomas Bulfinch, a new edition; "Golden Leaves from British Poets," and "Golden Leaves from American Poets," both selected and arranged by Prof. John W. S. Hews; "Lyra Anglicana," and "Lyra Americana," both edited by Rev. George T. Ryder; "A Selection of War Lyrics," illustrated by F. O. C. Darley; Rev. W. D. Potts' "Campaign Songs for Christian Patriots and True Democrats;" "Ballads of the War and Ballads of the South;" "Hymns of the Ages," third series; "Sacred Poetry, selected from the Writings of Charles Wesley;" four American Poems, metrically translated into German by Charles Theodore Eben; twenty Hymns with Music; and three or four Selections of the Psalms, with Chants for Responsive Service. The reprints, though few in number, were important in character. Among them were Tennyson's "Enoch Arden and other Poems," of which seven editions appeared in as many different styles; Robert Browning's "Sordello, Strafford," &c., and his "Dramatis Personæ;" Adelaide Procter's Poems; "An Artist's Poems, written and illustrated by Carl Heinrich Schurze," and translated by Chas. G. Leland; a beautiful edition of Schiller's Poems and Ballads; Poems by David Gray, with a Memoir and an Introduction by Lord Houghton. An elegant uniform edition of the Poems of Byron, Moore, Scott, Burns, Keats, and Gray, has been issued by a Boston publishing house. A new edition of Keble's "Christian Year," and one

of Milton's Poetical Works, by Prof. C. D. Cleveland, has also appeared. Mr. Benson J. Lossing has done a good service to the public in editing, with abundant historical and biographical notes, Trumbull's Revolutionary Poem, "McFingal;" and for the first time we have a good translation of the German political and humorous ballad, "Reynard the Fox." We are obliged, for want of space, to omit all reference to works on *Music*, and to collections of music, either sacred or secular, as well as to the musical periodicals, some of which are edited with great ability.

Of the 233 *Works of Fiction*, not of a specially religious character, published during the year, 164 belonged to the cheaper class in paper bindings, and of these 65 were sold at prices ranging from ten to fifteen cents, and the remainder at from twenty-five to seventy-five cents each. Of these cheapest novels we shall have more to say further on. Twenty-six were French and German works reprinted here in their original language. Less than fifty were bound volumes; and of these, several were new editions of popular favorites, Dickens, Thackeray, Le Sage's *Gil Blas*, etc. Of the original novels of a higher class published during the year the most important were: "John Godfrey's Fortunes," by Bayard Taylor; "Cudjo's Cave," by J. T. Trowbridge; "The Three Scouts," by the same author; "Azarian, an episode," by Harriet E. Prescott; "Emily Chester, a novel," "My Own Story," by Marian Leigh; "The Morrisons," by Margaret Hosmer; "Eliza Woodson; or, the Early days of one of the World's Workers, a story of American Life;" "Honor; or, the Slave Dealer's Daughter," by Stephen G. Bulfinch; "Sophia; or, the Reign of Woman," "Woodcliff," by Harriet B. McKeever; "Waifwood, a novel;" "Chateau Frissac," by Oliver Logan; four volumes of *Novelettes*, by T. S. Arthur; "Hassan Abdallah; or, the Enchanted Keys and other Tales;" a republication of Robert Lowell's "The Story of the New Priest in Conception Bay," and of H. L. Barnum's "The Spy Unmasked; or, the original of Harvey Birch, Cooper's Spy." Among the reprints of foreign novels, not in pamphlet form, were "The Gypsies of Dane's Dike," by George T. Phillips, (January Searle); "Justice and Mercy, a tale of All Hallows' E'en," by Mrs. Am. Stewart; several volumes of the household edition of Dickens; a fine edition of "Le Sage's *Gil Blas*;" Thackeray's "Mr. and Mrs. Frank Berry." A charming little German story, "Annie and her Master," was also reprinted during the year.

Of the *Religious fictions* of the year, the most remarkable, both in their merit and success, were the books of Mrs. Charles, an English writer, who as a delineator of the scenes, customs, and manners of past ages, has had no superior in modern times. Her first work which attained to a high popularity (although she had written several previously), was "The Chronicles of the Schonberg-Cotta Family, by two of themselves." This, the scene of which

was laid in Germany in the time of Luther, was published in two rival editions late in 1863, and a subsequent illustrated edition of it in the summer of 1864, and all enjoyed a remarkable popularity. In the summer of 1864 this was followed by "The Early Dawn;" a series of sketches of Christian life in England, at different periods of the Christian centuries: and several of her earlier works, such as the "Cripple of Antioch," the "Martyrs of Spain," etc., etc., written in the same vein, were also republished and had an extensive sale. Late in the autumn of 1864 appeared her "Diary of Mrs. Kitty Trevelyon," a story of the Great Revival in the times of Whitfield and the Wesleys, which in its creative power and its graphic delineation of character surpassed all her previous works. The sale of these works has been very large, and is still maintained. Other religious novels of high character, published during the year, were "The Trial; or, More Links in the Daisy Chain," by Miss Yonge, author of the "Heir of Redclyffe;" "Melbourne House," by Miss Susan Warner, author of the "Wide Wide World;" "The Grahams," by Jane Gay Fuller; "Margaret's Secret and its Success," by Miss Carey Buck. A republication of Sargent's "Temperance Tales," by the American Tract Society, Boston, belongs also to this class of books.

The number of juvenile publications is so large, 428 distinct works having been issued during the year, and many of these in several volumes, that we can only indicate the authors, without attempting to specify the books themselves. Indeed, the task of naming all the authors of these books would itself be a laborious work, since they number 264, were it not that 154 are anonymous, and 14 others conceal their identity under initials or a *nom de plume*. Among these writers for the young the English writer A. L. O. E. still maintains her preëminence in the number of her books, having issued twelve during the year. She is followed closely, however, by Aunt Fanny (Mrs. Fanny Barrow), who has published eleven, and "Mrs. Madeline Leslie," who has brought out ten. "Nellie Grahame" comes next with seven, Mrs. Charles with six, Uncle John and Jacob Abbott with six, R. M. Ballantyne and Hans C. Anderson with five; an anonymous writer (author of *Weldon Woods*) with the same number; "Maxwell" with four; Mayne Reid, F. M. S., and two anonymous writers, with the same number; while John S. Hart, "Sophie May," T. S. Arthur, S. J. Donaldson, Jr., Rev. P. C. Headley, Rev. Daniel C. Eddy, "Oliver Optic," Susie M. Waring, and Harriet B. McKeever published three each, and Mrs. Jane D. Chaplin, Aunt Friendly, W. H. G. Kingston, Mrs. Phebe Harris Phelps, Alice A. Dodge, "Fluta," Mary Howitt, "Rose Ellenwood," "Aunt Susan," "Cousin Kate," "Laurens," Mrs. H. E. Brown, Mary Harvey Gill, Rev. W. Blackburn, Rev. Ashton Oxenden, Miss Yonge, Josephine Franklin, Sir C. F. Lascelles Wraxall,

Anne Bowman, Rev. J. A. Collier, Anna Cooke, Mrs. Carey Buck, Catharine M. Trowbridge, and Adolphe Monod two each. Of the authors of a single juvenile book published during the year, the following were the principal: Mrs. Bradley, Rev. John W. Brown, Mary J. Hoffman, Sarah A. Myers, Rose Morton, Rev. J. S. Sewall, Rev. O. Witherspoon, Samuel Croxall, Mrs. S. B. Drake, Chauncey Giles, Edward Payson Hammond, Caroline E. Kelly, "Robert Merry," Mrs. Emily C. Pearson, Mrs. H. B. Goodwin, "Cousin Sarah," Helen R. Cutler, Ezra M. Hunt, M. D., Mrs. H. C. Knight, Mrs. C. M. Kirkland, Mrs. Mary A. Denison, Jesse Thornton, Rev. A. R. Baker, Mrs. Caroline L. Blake, Rev. O. B. Frothingham, Rev. Asa Bullard, Miss M. E. Dodge, James Grant, Rev. W. K. Tweedie, "Brother Philippe," Marian Butler, Rev. Horatius Bonar, Gustav Nieritz, Rev. A. A. E. Taylor, J. Thomas Warren, Mrs. Fanny I. Burge Smith, Rev. Joseph H. Jones, D. D., Thomas Miller (the Basket Maker), Thomas Day, Fanny Fern, N. Hawthorne, William Dalton, Dr. Harley, Rev. S. M. Haskins, Horatio Alger, John C. Geikie, R. H. Stoddard, Mrs. L. C. Tutthill, Major Penniman, "Alfred Oldfellow," "Aunt Annie," J. H. Langille, Fanny Fuller, Miss Mary S. Chapman, Maria H. Bulfinch, Mary Granger Chase, Jean Ingelow, Julia Leonard, Frederick Howard Wines.

The class of *Miscellaneous Books* is small (only 19), and does not offer any publications worthy of note.

Under the head of *Works of Fiction*, we have alluded to the cheaper classes of these works in paper binding. The issue of one class of these, known as the "Dime Literature," has become a marked feature in the publishing enterprises of the day. Originating in 1859 with the house of Beadle & Co., who commenced in a small way the publication of fictions of one hundred pages large 16mo, at the retail price of a dime, it has extended and amplified until the issues of these books are reckoned by millions; and the issues of the "Dime Press" include not only fictions, of which, in all, perhaps one hundred and fifty different works have been published, but biographies, histories, school text-books, handbooks, manuals on different branches of art, industry, and behavior, and collections of songs and poetry. Five or six different houses have first and last entered upon this department of publishing, but the issues of the others have been small as compared with that of the originators of the business, Messrs. Beadle & Co., whose aggregate sales from 1859 to May, 1865, amounted to 6,655,450 volumes, of which 4,121,500 were novels; 1,633,700 songs; handbooks and manuals, 525,000; biographies, 225,000; border tales, &c., 480,250. Of the novels published in this series, nearly all have been American in authorship and subject; and it may be said to the honor of the publishers, that there is not one of them which is in the least

degree exceptionable in moral tone. Some of them may rank higher than others in literary merit, but all are alike free from any immoral tendency. The same high moral character extends to all their publications. The sales of single novels range from 35,000 to 80,000 copies, and other of their books have greatly surpassed this—their "Dime Song Book, No. 1," reaching a sale of more than 350,000 copies, and the dime edition of "The National Tax Law" of over 200,000 copies. A Dime publishing house has been established in London, and over forty of the Dime novels republished there. The large sales of these books are made in all parts of the country, the demand for them in the army being very large.

The publications of the other cheap publishing houses, which range in price from twenty-five to seventy-five cents, are with but few exceptions reputable in their character. Some of them are sensational, and thus gratify a morbid taste; but the number of really vicious novels is far smaller than a few years ago, and most of the cheaper novels of this class are reprints of English novels of high moral tone, and respectable ability. Indeed, a poor English novel will not generally repay the cost of printing.

In periodical literature, the year 1864 added but little to our stock of magazines and journals. The special magazines, The United States Service Magazine, and the American Educational Monthly, which though first issued really in December 1863, nominally commenced their existence with the year 1864, have been already noticed. There were several magazines projected during the year, but none we believe issued till just at its close, when "Our Young Folks," a magazine for youth, made its appearance in Boston, and Gazlay's Pacific Monthly, a magazine having in view the promotion of the literary interests of the Pacific States, was issued in New York. Both give good promise of success.

The extremely high price of paper and printing, and binding, still operate as a check on literary enterprise, and prevent the undertaking of publications which under other circumstances might be attempted; but with the close of the war the business is likely to attain to a higher degree of prosperity.

The number of publications in England, in 1864, as stated in the London Literary Gazette, was 3,553, including new editions and pamphlets. Of these there were of Religious Works, 715; Biography and History; 233, Geography, Topography, and Books of Travel, 151; Fiction, including Juvenile Works, 842; Poetry and General Literature, 565; Annuals and New Serials, 166; Law and Parliamentary Works, 79; Medicine and Surgery, 124; Foreign Philology, including Translations, 132; English Philology and Education, 177; Naval, Military, and Engineering Works, 32; Political Works, 56; Agriculture, Horticulture, and Field Sports, 46; Art, Architecture, &c., 52; Commercial, 41; Scientific Works, 122.

LONDON CONFERENCE. Upon the invitation of the Government of England, the plenipotentiaries of England, France, Russia, Austria, and Prussia, Denmark, Sweden, and the German Diet, met in conference in London on the 25th of April, for the purpose of attempting a peaceable solution of the Schleswig-Holstein question, which had already led to a war between Denmark and the two great German powers, Austria, and Prussia. The first endeavor of the conference was to obtain from the belligerent powers a suspension of hostilities for one month. This was agreed to by their representatives in the sitting of the 9th of May.

On the 12th of May Earl Russell called on the plenipotentiaries of Austria and Prussia to explain the motives which induced their Governments to occupy a large portion of the Danish territory, and to make known the intentions of their courts with a view to the re-establishment of peace. In reply to this appeal, the first plenipotentiary of Prussia declared that the German powers considered the ground of discussion as entirely free from any restriction resulting from engagements which might have existed before the war between their Governments and Denmark; that, however, they did not mean to exclude any combination which might tend to effect a solid and lasting peace, without prejudicing acquired rights. The explanations given by the plenipotentiaries of the German powers in the sittings of May 12th and 17th brought to light a complete divergence of opinion existing among the members of the Conference with regard to the validity of the Treaty of London of 1852. The plenipotentiary of Great Britain maintained that, although war may put an end to a treaty between two powers which have become belligerents, yet it cannot release those powers from their obligations to the other powers who joined in the signature of the same treaty. They were of opinion that the abandoning of an agreement ought to be justified by satisfactory means, and it ought to be understood what was intended to take its place. The plenipotentiaries of Russia and Sweden expressed themselves to the same purpose, while the French ambassador asked the German plenipotentiaries if in case the arrangements of 1851 and 1852 should not admit of being maintained, it would not be possible in their opinion to substitute for them a fresh combination without departing from the circle traced out by the stipulations of the treaty. The Danish representative insisted that the treaty of 1852 was still in force, while Baron de Beust, the representative of the Frankfort Diet, observed that its validity had never been recognized by the German Confederation.

In the sitting of May 17th Count Bernstorff, the Prussian plenipotentiary, announced the bases of pacification which the courts of Austria and Prussia proposed to submit to the Conference. He demanded, in the name of

Prussia, "the complete political independence of the duchies and their close connection by means of common institutions," while Count Apponyi, the Austrian ambassador, said the question of succession remained open, and future complications could only be avoided by the complete autonomy of the duchies with common institutions and entire independence in their political and administrative relations." Baron de Beust insisted that the German Diet would never consent to the restoration of a union between the duchies and Denmark.

In the sitting of the 28th of May the plenipotentiaries of Austria and Prussia brought forward a plan which had for its object to demand a complete separation of the Duchies of Schleswig and Holstein from the Kingdom of Denmark, and their union in a single state, under the sovereignty of the hereditary Prince of Schleswig-Holstein, Sonderburg-Augustenburg. The ambassador of Russia expressed his dissent from this proposition, and stated expressly that when the question of the succession of Holstein came to be considered, the Prince of Augustenburg would not be the only one who had claims to assert, and, as the plenipotentiary of Russia, he considered it especially his duty to present the claims of Oldenburg. The plenipotentiaries of Denmark declared that "if the Danish Government considered the proposal of the preceding sitting inadmissible, so much the more was it impossible for them to discuss this one."

In order, if possible, to meet this conflict of views Lord Russell read the following declarations proposing, in the name of Great Britain, a division of the duchies in accordance with the principles of nationality:

The plenipotentiaries of Great Britain have seen with deep regret that the last sitting of the Conference has not resulted in the establishment of the bases of an agreement between Germany and Denmark. In our opinion the elements of a solid and durable peace can neither be found in the engagements of 1851, which during twelve years have borne no other fruit than dissensions and troubles, nor in the analysis of an obscure and complicated law. But unless it is possible to lay down the bases of a solid and durable peace, it is not competent for the neutral powers to renounce the solemn treaty by which they recognized the integrity of the Danish monarchy, neither could they concur in a new arrangement which would be insufficient for Germany, or humiliating for Denmark. The elements of a solid and durable peace must therefore be sought elsewhere. For many years a lively sympathy for their brethren who are subject to the King of Denmark has animated the Germans of the Germanic Confederation. The Danes, on their side, are inspired by the love of independence and the desire of maintaining their ancient monarchy. These sentiments on either side deserve the respect of Europe. In order to prevent a future contest, and to satisfy Germany, it would be necessary, in our opinion, entirely to separate Holstein, Lauenburg, and the southern part of Schleswig from the Danish monarchy. To justify so vast a sacrifice on the part of Denmark, and to maintain the independence of the Danish monarchy, it is desirable, in our opinion, that the line of the frontier should not be drawn more to the north than the mouth of the Schlei and the line of the Danne-

werke. It is also necessary for the security of Denmark that the Germanic Confederation should not erect or maintain fortresses, nor establish fortified ports in the territory ceded by Denmark. An equitable arrangement of the public debt and the renunciation by Austria, Prussia, and the German Confederation of all right of interference in the internal affairs of Denmark, would serve to complete the friendly relations between Germany and Denmark. A question remains which would not form the object of the treaty of peace, but which interests Germany, and cannot be passed by in silence. In the opinion of the plenipotentiaries of Great Britain it should be understood that the future destiny of the Duchy of Holstein or the Duchy of Lauenburg, and of the southern part of the Duchy of Schleswig which will be annexed to the duchy of Holstein, shall not be settled without their consent. If the King of Denmark consents to the sacrifices of territory which are required of him in the name of peace, it would be just that the independence of his kingdom should be guaranteed by the great European powers.

The neutral powers accepted this proposal. The German plenipotentiaries accepted the principle of the plan, reserving to their courts the right of making counter propositions on the various questions of detail of which the projected arrangement was proposed. Denmark, on June 2d, also accepted the plan with certain reservations, which were stated in a declaration of M. de Quaade. The Danish plenipotentiary said that the King of Denmark was not opposed to a territorial cession, if the powers of Europe wished to abandon the Treaty of London, provided that he assumed thereby an independent and perfectly autonomous existence as regards the remainder of his States, and that the future destiny of the territories ceded be not decided without their consent. But there were limits to the sacrifices which it was desired to impose upon Denmark to which the Danish Government could not accede. The new frontier must provide for both her military and commercial interests, and that frontier must be protected by sufficient guarantees. To the cession of the duchy of Lauenburg the King of Denmark could only consent under special conditions, as this duchy was acquired by the King of Denmark in exchange for a part of Pomerania, to serve as an equivalent for the kingdom of Norway, and as it was essentially unconcerned in the dispute which has caused the present war. Finally, the Danish Government must claim the liberty to resume the position which they have invariably maintained on the ground of the Treaty of London, if a just and equitable arrangement should not be agreed upon.

In the same sitting of June 2d, the ambassador of Russia announced to the Conference that the emperor, desiring to facilitate as far as depended upon him the reestablishment of peace, had ceded to the grand duke of Oldenburg the eventual rights which section 3 of the protocol of Warsaw of May 24 (June 5), 1851, reserved to his Majesty, as chief of the elder branch of Holstein-Gottorp.

The Danish plenipotentiaries, after a good deal of hesitation, agreed on the 6th of June to a further suspension of hostilities, but they in-

sisted upon limiting the armistice to a fortnight, unless there should appear to be a fair probability of agreement upon a point so vital as that of the frontier.

The first line of demarcation adopted by the Danish Government had been traced from Eckernförde to Frederickstadt, a little to the south of the line proposed on the 28th of May by the plenipotentiaries of Great Britain. Later, the Danish plenipotentiaries were authorized to adhere to the line of the Schlei and the Dannewerke, but with the express understanding that no other arrangement whatever would be entertained. The plenipotentiaries of Prussia and Austria at first proposed the line from Apenrade to Tondern. Subsequently Count Bernstorff declared his readiness to recommend to his Government a line from Flensburg to the north of Tondern at Hoyer. The Austrian plenipotentiary did not at first consider himself authorized to adopt this line, but subsequently he received permission to do so. When, however, the Danes adhered to their determination not to entertain the proposition of any line south of the second line proposed by them, the plenipotentiaries of Austria and Prussia recurred to their first line traced from Apenrade to Tondern, and this proposition formed the extreme limit at which they finally took their stand. The efforts of the neutral powers to induce the belligerent powers to come to an understanding or a compromise about the intermediate territory between the Danish and the German line, proved fruitless.

On the 18th of June Lord Russell proposed arbitration, but to this proposition neither of the belligerents consented. The plenipotentiary of Denmark explained this refusal by the necessity which obliged him to regard the boundary proposed on the 28th of May as being intended by England as an ultimatum. Lord Clarendon combated this view. The line indicated on the 28th of May had been proposed in the interest of Denmark and of peace, and not with the intention of laying down a principle from which there could be no departure. The plenipotentiaries of Russia, France, and Sweden concurred in the opinion of Lord Clarendon.

Then came a proposition from the French plenipotentiary, that a vote should be taken in the mixed districts of Schleswig. Lord Russell said that the English plenipotentiaries would be disposed to concur, if the Danish Government thought proper to give their adhesion. M. de Quaade replied, that his instructions forbade him to consent to any other line than that proposed by the English plenipotentiaries on the 28th of May, and accepted by Denmark.

This declaration closed the debates of the Conference.

LOUISIANA. The proceedings relative to the formation of a State Government for Louisiana were continued early in the year. The basis of this State Government was the proclamation of President Lincoln of Dec. 8th, 1863. On Jan. 11th, 1864, Maj.-Gen. Banks issued his proclamation providing for the election of State

officers under the old constitution of the State on Feb. 22d, and for the election of delegates to a convention for the revision of the Constitution in April. (*See ANNUAL CYCLOPEDIA*, 1863, p. 592.) On Feb. 3d his general order relative to compensated labor plantations were issued. (*See ANNUAL CYCLOPEDIA*, 1863, pp. 594-5.) On Feb. 13th Gen. Banks issued the following proclamation prescribing the qualifications of voters:

HEADQUARTERS DEPARTMENT OF THE GULF, }
NEW ORLEANS, Feb. 13, 1864. }

General Orders No. 24:

1. Every free white male twenty-one years of age, who has been a resident of the State twelve months, and six months in the parish in which he offers to vote, who is a citizen of the United States, and who shall have taken the oath prescribed by the President in his proclamation of the 8th December, 1863, shall have the right to vote in the election of State officers on the 22d day of February, 1864.

2. Citizens of the State who have been expelled from their homes by the public enemy on account of their devotion to the Union, and who would be qualified voters in the parishes to which they belong, will be allowed to vote for State officers only in the election precincts in which, for the time being, they may reside.

3. Citizens of the State who have volunteered for the defence of the country in the army or navy, and who are otherwise qualified voters, will be allowed to vote in the election precincts in which they may be found on the day of election. And if the exigencies of the public service be such as to prevent their attendance at any established precinct, then commissioners fairly representing the interests involved in the election will be appointed to receive their votes wherever they may be stationed for that day, and to make due returns thereof, as well as of their own votes, to the Military Governor of the State as provided for other commissioners of election.

4. The Commissioners of Election, at any election precinct, are authorized to administer the oath of allegiance, as prescribed by the President, to any person otherwise qualified to vote, and to register the name of such voter in New Orleans where a register is required, or to receive it in other parishes where no register is required, at any time before the polls are closed on the day of election.

5. The Commissioners of Election in the several parishes will make prompt returns of the votes given to the sheriff of the parish, as provided by law, or in his absence to the provost marshal, who will immediately return the same to the Military Governor of the State.

6. The sheriffs of the several parishes, and in their absence, the provost marshals, will take especial care that the polls are properly opened, and that suitable Judges of Election and other officers are appointed. It is desirable that all persons properly qualified shall vote, but it is more important that illegal or fraudulent votes shall not vitiate the election.

7. The situation of Louisiana is not identical with that of other States designated by the President, but the test of loyalty required by him as a basis for the restoration of Government is unequivocal. Full opportunity has been given to the people for the suggestion of any obligation more in accordance, if possible, with the condition of this State, but no general unity of sentiment appears to exist as to the test of fealty which should be demanded. The inference is irresistible that all parties prefer the form prescribed by the President to any other than their own.

8. The oath prescribed by him offers amnesty and pardon only to those who have committed treason. To all others it is a simple pledge of continued fealty to the Government. The oath of allegiance cannot

be materially strengthened or impaired by the language in which it is clothed, but it may be accompanied by such explanations as to make known to the public the sense in which it is administered and received. Allegiance cannot be more or less than unreserved, unconditional loyalty.

9. The repetition of an oath once taken, or when unnecessarily clothed in unusual language, may well cause hesitation, but if it be identified with the restoration of a government, at a time when secret evasions and reservations have sapped public integrity, and endangered the safety of the nation, it is an unsound patriotism that criticizes the form or hesitates at its removal.

10. In times of public danger the Government has a right to demand an unreserved declaration of the purposes of all its people, and to provide, if necessary, an iron-clad defence against the weapons of its enemies. Those who seek its favor and protection must yield to its just demands. An exemption from all duties and an enjoyment of all privileges at the same time is a greater degree of happiness than is accorded to any man in this life. Let the People of Louisiana look at things as they are and base their political action upon a declaration of loyalty that cannot be misunderstood or misinterpreted. Upon this depends the restoration of peace and of private and public prosperity.

By command of Maj.-Gen. BANKS.

RICHARD B. IRWIN, A. A. Gen.

Three candidates for Governor were nominated: B. F. Flanders, Michael Hahn, and J. Q. A. Fellows. Mr. Hahn was the candidate of those who approved the measures of General Banks; the dissentients supported Mr. Flanders. The former was hostile to the admission of the men of African descent to the privileges of citizenship; the latter were generally in favor of it. Mr. Fellows was in favor of the "Constitution and the Union with the preservation of the rights of all inviolate." The election took place on Feb. 22d. The Federal lines at that time embraced the parishes of Plaquemines, St. Bernard, New Orleans, Jefferson, St. Charles, St. John the Baptist, St. James, Ascension, Assumption, Lafourche, Terrebonne, that portion of St. Mary's east of Bayou Teche, the portions of Iberville, East Baton Rouge and West Baton Rouge, immediately on the river bank; and the portion of East Feliciana and of St. Tammany, on which the troops were encamped. In all the parishes above St. John the Baptist, fronting on the river, there were guerrilla bands, which rendered the life of every man unsafe who was known to have taken an oath of allegiance to the United States. In the following parishes above named, the control was strictly limited to the surface occupied by the camps: St. Mary, Iberville, East Baton Rouge, West Baton Rouge, East Feliciana. The population of the State by the census of 1860 was 708,902; the population within the Federal lines, 233,185; balance outside the lines, 575,617. The vote of New Orleans for Governor was:

Michael Hahn.....	3,625
B. F. Flanders.....	1,007
J. Q. A. Fellows.....	1,189

The total number of votes was 10,270, including 107 cast by soldiers at Pensacola in Florida. Mr. Hahn received a majority of the votes cast.

The inauguration of Mr. Hahn, as Governor, took place on March 4th. The ceremonies on the occasion are thus described:

The dawn of yesterday was ushered in by the clangor of the iron-tongued bells, and the roar of artillery, waking the slumberous echoes from their lairs, and proclaiming to a disenthralled people the glad tidings of the reëstablishment of civil liberty. The early dawn was unpromising for the comfortable carrying out of the programme of inauguration, but the sun came out and chased away the mists and clouds like the scattered remnants of a broken battle host, and by eight o'clock the anxious multitude were assured of as bright and fair a day for the interesting ceremony as could be desired.

At an early hour, the multitude began to assemble in the region of Lafayette Square. Sentinels and policemen were posted at the entrance, to keep back the crowd until the scholars had entered, and anxious committee-men ran hither and thither, perfecting arrangements and taking a general supervision of affairs, looking all the time considerably worried and flurried, and red in the face with excitement and heat. Then the school children began to arrive from all directions, marching in two ranks, marshalled by their teachers. They were of all sizes, from the lisping five year old to the radiant maiden of sixteen, just blooming into glorious womanhood, with a proper proportion of young American manhood, in short jackets and saucy-looking hats, their bosoms swelling with the mingled pride of statesmen and warriors. Neatly dressed, and their cheeks flushed with excitement, they made a beautiful and imposing appearance.

Entering the Square through the St. Charles Street gate, beneath a painted bust of Washington, over which was the inscription, "A Free Government—the dearest object of my heart," a grand and magnificent *coup d'œil* burst upon the enraptured vision. There was the immense amphitheatre, in which were seated six thousand gaily dressed children. Around the back of the amphitheatre had been erected a frame-work which was covered with flags stretched around, forming a silken wall of red, white, and blue, from which shone the bright silver stars of American freedom—a "joy forever" to the heart of every American freeman which has not been blighted and blasted by the canker of treason. At intervals around this wall of bunting, handsomely emblazoned on heraldic shields, were displayed the coats of arms of the thirty-four different States—South Carolina in loving proximity to Massachusetts. In the centre of the amphitheatre was a large painted banner, representing a prolific pelican feeding a brood of fledglings from her torn and bleeding breast, and just above, a patient phoenix sitting upon its funeral pyre, gazing proudly and fearlessly into eternal space, and only awaiting the slow process of combustion to "rise from its ashes." Underneath the pelican was the inscription, "All Hail to the Chief," and on either side the inscriptions, "The Star of Louisiana as she was in 1860," and "So stands she now in the Bright Galaxy of 1864." Around the flag wall were displayed the following inscriptions, in large letters: "Admiral Farragut, the Bravest of the Brave;" "Major-Gen. Nathaniel P. Banks, the Noble Citizen and Dutiful Soldier;" "Michael Hahn, the First Free State Governor of Louisiana;" "Major-Gen. N. P. Banks, the Hero of Port Hudson, and of Freedom in Louisiana."

Immediately in front of the amphitheatre were seated the members of the immense orchestra, composed of nearly three hundred instruments, and the forty anvils to be used in beating out the metallic accompaniment to the "Anvil Chorus." In front of the orchestra was a circular raised platform, from the centre of which arose a tall flag-staff, held to its perpendicular by numerous ropes, trimmed with evergreens, which radiated in all directions from the

common centre, and found attachments to the neighboring trees in the square. From the sustaining ropes hundreds of signal flags of all shapes, sizes, and colors, waved in undulating grace and beauty. This platform was dedicated to the solemn and impressive ceremony of administering the oath to the newly elected officers of the Free State of Louisiana. In front of the platform hung suspended a banner fringed with arbor-vitæ-sprigs, with the words "Michael Hahn, our Governor," tastefully wrought in evergreens.

About 11 o'clock Gen. Banks, accompanied by a number of distinguished warriors and civilians, and the officers of the new Government, arrived and took his seat on the platform. Among those present we recognized Gen. Reynolds, commander of New Orleans defences; Gen. Hamilton, Military Governor, of Texas; Gens. Stone, Arnold, Ransom, Cameron and Bowen; Hon. Christian Roselius, Judges Peabody, Hiestand, and Howell; Captains Hoyt, McClure, and others. All seemed properly impressed with the solemnity of the occasion. The Governor, arrayed in a suit of black, with white vest and soft, mouse-colored felt hat, looked grave and thoughtful, but self-possessed and dignified.

The oath of office was, after some preliminary ceremonies, administered as follows:

I, Michael Hahn, do solemnly swear, in the presence of Almighty God, that I will henceforward faithfully support, protect, and defend the Constitution of the United States, and the Union of States thereunder, and that I will in like manner abide by and faithfully support all Acts of Congress passed during the existing rebellion with reference to slaves, so long and so far as not repealed, modified, or held void by Congress, or by decree of the Supreme Court, and that I will in like manner abide by and faithfully support all proclamations of the President made during the existing rebellion, having reference to slaves, so long and so far as not modified or declared void by the Supreme Court.

And I do further solemnly swear, that I am qualified according to the Constitution of the State to hold the office to which I have been elected, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Governor of the State of Louisiana, according to the best of my abilities and understanding, agreeably to the Constitution and Laws of the United States, and in support of and according to the Constitution and laws of this State, so far as they are consistent with the necessary military occupation of the State by the troops of the United States for the suppression of the rebellion, and the full restoration of the authority of the United States. So help me God.

MICHAEL HAHN.

Addresses were made by the Governor and Gen. Banks, and the city was illuminated in the evening, and an inauguration ball closed the day.

On March 15th the following letter was addressed to Governor Hahn:

EXECUTIVE MANSION, WASHINGTON, March 15, 1864.

His Excellency, Michael Hahn, Governor of Louisiana:

Until further orders, you are hereby invested with the powers exercised hitherto by the Military Governor of Louisiana. Yours, truly,

ABRAHAM LINCOLN.

On March 11th, Major-Gen. Banks issued an order relative to the election of delegates to the State Convention. The conditions were such as had been previously recommended by a committee to whom the General had referred the subject. One of the most important provisions

was that which defined the qualification of electors.

The constitution of the State under which Governor Hahn exercised his powers prohibited soldiers, seamen, or marines, from voting at elections.

HEADQUARTERS DEPARTMENT OF THE GULF, }
NEW ORLEANS, March 11, 1864. }

General Orders No. 35.

1. An election will be held on Monday, the 27th day of March, at 9 o'clock, A. M., in each of the election precincts established by law in this State, for the choice of delegates to a Convention to be held for the revision and amendment of the Constitution of Louisiana.

2. The several parishes shall be entitled to elect the number of delegates herein assigned to each upon the basis of white population exhibited by the census of 1860, to be chosen in each parish on one ticket by the qualified voters of the parish, except in the parish of Orleans, in which parish the election shall be held in the several representative districts established by law, for the number of delegates herein assigned to each district, to be chosen on one ticket, by the qualified voters of the district. * *

3. Any parish not now within the limits of the army shall be entitled to select delegates as herein specified, at any time before the dissolution of the Convention, should such parish be brought within the lines of the army.

4. Every free white man, twenty-one years of age, who has been a resident of the State twelve months, and six months in the parish in which he offers to vote, who is a citizen of the United States, and who shall have taken the oath prescribed by the President in his proclamation of the 8th December, 1863, shall have the right to vote in the election of delegates.

5. Citizens of the State who have been expelled from their homes by the public enemy on account of their devotion to the Union, and who would be qualified voters in the parishes to which they belong, will be allowed to vote for delegates in the election precincts in which, for the time being, they may reside.

6. Citizens of the State who have volunteered for the defence of the country in the army or navy, and who are otherwise qualified voters, will be allowed to vote in the election precincts in which they may be found on the day of election.

7. The Commissioners of Election appointed to superintend the polls at the election of State officers, February 22d, 1864, are authorized and directed, in the absence of other orders, to fulfil and discharge all the duties of Commissioners of Election in their respective precincts, for this election.

9. The Commissioners of Election, at any election precinct, are authorized to administer the oath of allegiance, as prescribed by the President, to any person otherwise qualified to vote, and to register the name of each voter in New Orleans, where a register is required, or to receive it in other parishes where no register is required, at any time before the polls are closed on the day of election.

10. The commissioners in the several parishes will make prompt returns of the votes given to the sheriff of the parish, as provided by law, or in his absence to the Provost Marshal, who will immediately return the same to the Secretary of State in the same manner and form as for members of the General Assembly.

11. The sheriffs of the several parishes, and in their absence the provost marshals, will take especial care that the polls are properly opened, and that suitable judges of election and other officers are appointed. It is desirable that all persons properly qualified shall vote, but it is more important that the integrity of the election shall not be vitiated by illegal or fraudulent acts.

12. The delegates duly elected to the Convention shall meet at Liberty Hall, Executive Building, in the city of New Orleans, at 12 o'clock, M., on Wednesday, the 6th day of April, 1864. In case any vacancy occurs by resignation or death after the organization of the Convention, a writ of election shall be issued by the Convention to fill the vacancy.

By command of Major-General BANKS.

RICHARD B. IRWIN, A. A. General.

On March 16th Governor Hahn issued his proclamation to the sheriffs, authorizing the election. He said:

Whereas, By General Orders No. 35, under date of March 11th, 1864, Major-General N. P. Banks, commanding the Department of the Gulf, has ordered that an election "be held on Monday, the 28th day of March next, at 9 o'clock, A. M., in each of the election precincts established by law in this State, for the choice of delegates to a Convention to be held for the revision and amendment of the Constitution of the State of Louisiana," and has directed that the several parishes shall be entitled to elect the number of delegates herein assigned to each, upon the basis of the white population exhibited by the census of 1860, to be chosen in each parish on one ticket by the qualified voters of the parish, except in the parish of Orleans, in which parish the election shall be held in the several representative districts established by law, for the number of delegates herein assigned to each district, to be chosen on one ticket by the qualified voters of the district. * *

Now, therefore, I have thought proper to issue this my proclamation, notifying the qualified electors throughout the State of the election aforesaid, and commanding all sheriffs, commissioners of election, and other officers therein concerned, to hold said election for delegates in their respective parishes, and in the parish of Orleans, in the Representative districts as aforesaid, and to give the proper public notice thereof; and I enjoin upon them care that said election be held and conducted at the places and in the manner designated by law and the General Orders aforesaid, and that the returns be promptly made to the Secretary of State at New Orleans. For all of which this proclamation, without further notice, will serve as authority.

Given under my hand and seal of the State, at the Executive Building, city of New Orleans, [L. S.] this 16th day of March, A. D. 1864, and of the Independence of the United States of America the eighty-eighth.

MICHAEL HAHN.

By the Governor:

S. WROTNOWSKI, Secretary of State.

The election was held on the 28th. The number of members returned as elected was ninety-seven, of whom two were rejected because of irregular returns. No return of the votes was published. A Committee of the House in Congress, on the application of the persons from Louisiana for seats in Congress, reported that the Parish of Orleans was represented by sixty-three members, leaving to the country parishes thirty-two:

"From all that is known of the balloting it appears that the Parish of Ascension, within the Federal lines, and neighboring to New Orleans, and which in 1860 had a white population of 3,940, elected her delegates by sixty-one votes; that Plaquemines, with a white population in 1860 of 2,529, cast 246; and in the Parish of Madison, Montague was elected by a vote of 28.

"Elections were held only in the parishes

included within the Federal lines, and these lines were the Teche on the one side and the Amities on the other, comprehending the parish or city of Orleans, and the neighboring parishes on the Mississippi. To a question propounded to Gen. Banks as to what portion of the State voted, his reply was:

"All as far up as Point Coupee, and there were some men from the Red River who voted at Vidalie."

"And in his statement he announces that: 'The city of New Orleans is really the State of Louisiana.'"

In 1860 there were 367,629 whites in the State, of whom 149,063, or much less than one-half, were in New Orleans.

The Convention assembled on April 6th, and was organized on the 7th by the election of E. H. Durell, president, by the following vote: Durell, 43; R. K. Howell, 42. After a session of seventy-eight days the Convention adjourned on July 25th. A proclamation was immediately issued by the Governor appointing Sept. 5th as the day upon which a vote should be taken on the Constitution. The vote was as follows: yeas, 6,836, for its adoption; nays, 1,566, for its rejection. The vote of New Orleans was: yeas, 4,664; nays, 789. The most important feature of the Constitution was thus described by Gen. Banks:

In a State which held 331,726 slaves, one-half of its entire population in 1860, more than three-fourths of whom had been specially excepted from the Proclamation of Emancipation, and were still held *de jure* in bondage, the Convention declared by a majority of all the votes to which the State would have been entitled if every delegate had been present from every district in the State—

Instantaneous, universal, uncompensated, unconditional emancipation of slaves!

It prohibited forever the recognition of property in man!

It decreed the education of all the children, without distinction of race or color!

It directs all men, white or black, to be enrolled as soldiers for the public defence!

It makes all men equal before the law!

It compels, by its regenerating spirit, the ultimate recognition of all the rights which national authority can confer upon an oppressed race!

It wisely recognizes, for the first time in constitutional history, the interest of daily labor as an element of power entitled to the protection of the State.

At the same election the following persons were chosen members of Congress: 1st district, M. F. Bonzano; 2d, A. P. Field; 3d, W. D. Mann; 4th, T. M. Wells; 5th, R. W. Taliaferro.

A legislature was chosen at the same time, the members of which were almost entirely in favor of a Free State. By this body seven electors of President and Vice-President were chosen.

Notwithstanding this formal adoption of a reorganized State government its authority was quite limited. At the end of the year there was more than three-fourths of the State to which it was not safe to send military supplies. On Dec. 27th the following order was issued:

HEADQUARTERS DEPARTMENT OF THE GULF, }
NEW ORLEANS, Dec. 27, 1864. }

Special Order No. 349.

* * * * *

3. Upon the official report of the Attorney-General of the State of Louisiana, that the ordinary courts of justice are insufficient to punish the offenders named by him, and in consideration that the State government and courts of Louisiana owe their present existence to military authority, it is ordered that Michael De Courcey, Benjamin Orr, E. McShane, Y. M. Robinson, A. G. Pierson, and B. Wadsworth, for peculation and other offences, be sent for trial before the Military Commission now in session in the city of New Orleans, and of which Brig.-Gen. B. S. Roberts, U. S. Vols., is president, and that the Attorney-General of the State of Louisiana be admitted to appear before said commissioner as public prosecutor.

* * * * *

By command of Maj.-Gen. HURLBUT.

(Signed) C. S. SARGENT,
1st Lieut. 3d La. Vols. and A. A. A. Gen.

The Provisional Court established by an order of President Lincoln, issued Oct. 20th, 1862, Judge Peabody presiding, still continued in operation. The validity of the proceedings of this court was called in question both before and after the reorganization of the State Government. The opinion of the Court itself on the question thus raised will be found at the end of this article.

The condition of persons of African descent continues the same as in 1863. A bill was introduced in the Legislature under the new Constitution to give suffrage to such persons, but it was rejected by a large majority. The clause of the Constitution relating to the subject is in these words: "The Legislature shall have power to pass laws extending suffrage to such other persons, citizens of the United States, as by military service, by taxation to support the Government, or by intellectual fitness may be deemed entitled thereto."

The views of Gen. Banks on granting suffrage to these persons, while he was in command at New Orleans, are thus stated by himself:

It was with much hesitation that the mass of people entered into measures for the organization of government. Some were ready, but others reluctant. Revolutions make the mass of men timid. It required the strongest representations of public advantage to induce them to venture again into the stormy sea of politics. Had it been announced that the negroes, who were largely in the majority, against the example, advice, and instructions of all branches of the Government, were to be admitted to the right of suffrage by military order, it would have resulted in an exclusively negro constituency. You might not object to this; but I know perfectly well that, while a Government formed, as heretofore, by white men, may clothe negroes with the right of suffrage, a Government, organized by negro voters, that should give the elective franchise to white men, would not be acceptable to the Administration, to Congress, nor to the country, nor any part of it. Such would have been the result in Louisiana, beyond question, under a general order conferring the right of suffrage upon negroes. It would not have secured to colored citizens, now or hereafter, that right. It would have deferred, if not defeated it.

I did not decide upon this subject without very long and serious reflection, weighing the whole subject in every light, with a desire to effect the extension.

My plan was consistent with my orders, and would have been as successful in this as in other respects. It was to obtain from the United States Court—following the judicial example both of free and slave States—a decree, fixing the standard of citizenship as to color, and declaring that a man, with a major part of white blood, should possess all the rights of a white man. Upon this decision I should have ordered all persons of that class embraced within the decision of the court to be enrolled as voters. This was the way and the only way to begin. It would have given the right of representation to 30,000 colored people, and have led, without contest, to the immediate extension of the franchise of the race.

I had arranged this with Judge Durell, who was ready to give the case a hearing in the United States Circuit Court, and with one of the most eminent conservative lawyers to argue the question for the Government in favor of the negro; but a few men, who wanted to break the bundle of sticks without loosening the band, defeated it. The President gave me too much to do—more than any other major-general in the army—or it would have been accomplished. My belief is now, that the question of suffrage will be settled sooner in Louisiana than in any other State.

A board of education for freedmen was established by Gen. Banks, whose duty it was to establish one or more common schools in each school district that has been or may be defined by the Parish Provost Marshals under orders of the Provost Marshal General, to erect school-houses, employ teachers, and in all respects exercise the same powers as school officers in the Northern States.

In order to provide the requisite funds for this work the board is empowered to assess and levy a school tax upon real and personal property, including crops of plantations, in each school district. The taxes so levied shall be sufficient in amount to defray the cost and expense of establishing, furnishing, and conducting for the period of one year, the school or schools so established in each district.

In the performance of all their duties the board is to coöperate, as far as practicable, with the Superintendent of Public Education, and the current school year is to be estimated from Feb. 1st, 1864, to Feb. 1st, 1865.

The Superintendent of the Bureau of Free Labor in the Department of the Gulf, for the year ending Feb. 1st, 1865, states that the number of freedmen (orphans, infirm persons, &c.) supported by the Government during the year was 1,416, and the cost \$113,426. The number of freedmen on the plantations who were managed by the bureau was 50,000, and the number of plantations under cultivation by military orders, 1,500. On twelve plantations it has been found necessary to seize property for the purpose of securing the payment of the freedmen working them. It having been an exceedingly unprosperous year the planters have found it very difficult to pay their laborers.

The disaster of the past season by the failure of the crops has been so great as almost to ruin nearly every planter in the department. Their estates are so heavily mortgaged that if the crops again fail, as last year, they cannot save themselves, and the old planting aristocracy will disappear. Even with fair crops it will be

impossible to prevent a very early change in the ownership of the plantations, and they are even now preparing to give way to new capital and new proprietorship.

In regard to the treatment of the freedmen, the old planters have, as a general rule, paid them more promptly, more justly, and apparently with more willingness than have the new lessees from other parts of the country.

Early in May Maj.-Gen. R. G. Canby was ordered to assume command of the forces west of the Mississippi and to relieve Maj.-Gen. Banks. The department was reorganized; some regiments were recruited from the plantations, but no extensive military operations took place within the State during the remainder of the year. (See ARMY OPERATIONS.)

The receipts of Western produce from September 1st to March 8th, in the respective years, compare as follows:

	1859-'60.	1862-'3.	1863-'4.
Flour, bbls.....	974,340	174,048	184,858
Wheat, sacks.....	13,116	316	19
Corn, sacks.....	1,758,131	207,792	132,632
Oats, sacks.....	609,550	327,007	96,711
Pork, bbls.....	216,523	36,192	38,288
Bacon, pkgs.....	88,616	15,678	18,928
Lard, bbls. and tierces.	65,784	7,714	7,612
" kegs.	90,699	5,289	10,373
Beef, bbls. and tierces.	44,934	44,341	21,642
Whiskey, bbls.....	185,042	5,687	577

The receipts of cotton at New Orleans in 1859-'60 were 2,255,448 bales; in 1861-'2 they were 38,882 bales; from Sept., 1862, to March, 1863, 7,865 bales; in 1863-'4 the receipts have increased to 84,402 bales.

A large amount of this produce was bought on Government account, and has been moved by the military authorities. New Orleans is thus not even a shadow of its former self. The receipts of Louisiana staples are only a moiety of what they were. The state of trade is thus reported: "Our trade for the supply of the interior with dry goods, hardware, groceries, etc., has fallen off in like proportion with the rest of our commerce. The whole volume of the year's business will barely reach the monthly record of the olden time. Most of our old population is scattered. New firms and new faces meet one at every corner. The memory of our former riches is almost all that remains to remind us of what New Orleans should be, and we may hope will be, after the termination of the war." Shreveport, in the northwest part of the State, was the seat of the former government, and there a Legislature assembled during the year, but nothing is known of its proceedings.

The validity of the organization of the Provisional Court of Louisiana as well as that of its proceedings, was brought before that court in the cases of the United States *vs.* Augusta Reiter, and the United States *vs.* John Louis. The following are the points of the opinion of Judge Peabody, in deciding the questions raised:

These two cases may without inconvenience or danger of confusion be considered together, although

they have in fact no connection with each other. The same objection to the proceeding of the Court to pronounce sentence upon the accused and in arrest of judgment, is made by both the defendants, and although the objection is urged on different grounds in the two cases, still the objection is proper to be considered on all the grounds in each case.

It is urged that this Court is not authorized to try these defendants, and that its proceedings have not the sanction of law in the premises. The accused have been indicted separately and tried separately on charges wholly different and having no connection the one with the other, and the consideration of their cases together rather than separately, now, is a matter of convenience solely. One of the accused, Reiter, has been indicted for murder. The other has been indicted for arson. Each has been tried before a jury of this parish and been duly convicted of the offence charged in the indictment, and each is now before the Court on a motion in arrest of judgment, and in each case the arrest is urged on the ground that the Court is not authorized in law, and has not jurisdiction to try the case.

The *first question* to be considered is whether the Court has ever had, from the nature of its origin and constitution, authority to try cases like these, and if this question shall be decided in the affirmative it will remain to examine—

The *second question*, namely, whether the power to try or the jurisdiction over such a case, once possessed by this Court, has been withdrawn or lost—whether the Court in fact has been in any way deprived of it by subsequent events.

It must be conceded that the Court, in its origin and structure, is quite out of the usual course and novel. It has not its origin or foundation in any constitutional or legislative enactment—is not the creature of any regularly organized constitutional or legislative body. This Provisional Court depends for its existence on the law of nations, and on that part of the law of nations relating to war—the law by which parties and neutrals are guided in their treatment of each other in a state of war; and that portion of it which relates to and determines the rights and duties of a belligerent, a conqueror in the territory of an enemy and holding it in armed occupation. On that law must depend the decision of the question presented by this motion, of the validity in law and the powers of this Court.

It was in that law that the President of the United States, pressed by the urgent wants of the community here, found his warrant for the establishment of this Court in the midst of the country of an enemy held by him *jure belli* in armed belligerent occupation.

The authority of this Court is derived from the President of the United States, the Chief Executive of the nation, and Commander-in-Chief of its forces, military and naval. It is conferred by an order, "Establishing a Provisional Court in Louisiana," dated Oct. 20, 1862. See AMER. CYC., 1863, p. 770. Provisional Court for Louisiana.

This order, by its terms, no doubt embraces cases like these under consideration, as indeed it does, perhaps, all others which can occur in life, or become the subject of judicial investigation. The President then sought to give power to this Court to try and determine cases of this kind, and having made an order to that effect, has given it that power, if he himself had authority to confer it. The authority of the President of the United States to create this Court, and invest it with powers which should embrace these cases, depends, to some extent at least, on the Constitution of the United States, which creates the office exercised by him, and determines its functions. That Constitution, article 2, section 1, paragraph 1, declares as follows:

"The executive power shall be vested in a President of the United States of America."

It also provides, article 2, section 2, paragraph 1:

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"The President shall be Commander-in-Chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States."

As President, Chief Executive, and Commander-in-Chief of the army and navy, he would not ordinarily have power to establish tribunals for the determination of questions civil and criminal, arising in civil life. Was there any thing in the condition of affairs existing at the time the order was made which could give him the power to establish them, and if so, what was there in the condition of affairs then existing to give him power in this respect not ordinarily possessed by him as one of the attributes of his office?

Between the Government of the United States and a people inhabiting a portion of country lying on the Atlantic Ocean and the Gulf of Mexico, and extending north beyond the northern boundary of the territory in question, and embracing within its borders that section of territory theretofore known, and still most conveniently designated as the State of Louisiana, a war had for some time been waged. It is a matter of public knowledge and notoriety that this war had been pending, and that the country over which the jurisdiction of this Court is in question, had been for a long time previous to, and also since the commencement of this war, inhabited, cultivated, and owned by the same people who had entered into and carried on war with the Government of the United States, and that it was still so inhabited by a people whose relations with the Government of the United States had for some time been and were still those of enmity. That it had, in the course of the war, been by force of the arms of the United States wrested from the enemy, and was at the time the order establishing this Court was made, held by the forces of the United States in armed belligerent occupation.

These institutions having been formed, established, and administered by the Government existing previous to and at the time of the conquest confessedly hostile to the Government of the United States, were the only institutions found there at the time the military authority of the United States was by force of its arms established there. By the conquest of the country, in this case as in others, the previously existing Government and the power by which it was administered were subverted and swept away, and those of the conquering power were substituted in their places. This is the necessary consequence of a conquest of a country—a transfer of the control, government, and sovereignty of it from one party to another. They may be transferred to and adopted by the new governing power and may be used and operated by it. However there may be retained in use by the new governing power some of the features or institutions of the Government which has been supplanted, it is nevertheless wholly another Government, and derives its life and all its vital qualities from a new source—the new sovereignty installed by the conquest. A conquest necessarily operates the extinguishment of the power of the party conquered in the country which is the subject of conquest, and the establishment there of the power of the conqueror. Without this there is no conquest of a country, and there can be none.

When the power previously dominant in a country has been extinguished by that of another party, and rendered incapable of governing it further, and a new one has been established in its stead, it is both the right and the duty of the party thus coming into power to see to it that a Government wholesome and salutary shall be established and administered; and as in such a case there is only one power, that of the new party succeeding, capable of giving and administering the Government, it follows that it is the duty as well as the right of that power to do it.

So the Government of the United States having conquered and expelled from the territory of country

theretofore known as the State of Louisiana, the power by which the Government of it had been theretofore administered, and having established there its own power, was bound by the laws of war, as well as the dictates of humanity, to give to the territory thus bereft a Government in the place and stead of the one deposed or overthrown, such an one as should reasonably secure the safety and welfare of the people thus reduced to subjection; in some manner, not inconsistent, to be sure, with the proper interests of the governing power, and the maintenance of it in its supremacy there.

The power established there was the military power of the United States, and the President of the United States, as we have seen, the Commander-in-Chief of the forces, military and naval, of the United States, was at the head of that power, and had the right and duty to exercise and direct it. It was incumbent on him, representing for this purpose the sovereignty of the United States, to see that the duty devolving on his Government should be properly performed. He acted in obedience to this duty, and in accordance with this right, when he attempted to establish there a judicial tribunal capable of deciding controversies and administering justice.

But how does this question stand on the authority of adjudged cases. In the case of *Cross et al. vs. Harrison*, in the Supreme Court of the United States, in 1853, reported in 16 Howard, at page 164, the Court held that a civil Government formed in California, under the direction of the President of the United States, as Commander-in-Chief of the army and navy, shortly after the conquest of the country, and while it was held in military occupation by the forces under him, was an act warranted by the laws of nations, and that the formation of such a civil Government was the rightful exercise of a belligerent right over a conquered country.

The decision covered the whole ground, that the Provisional Government of the United States there was rightful and legal, and that it continued in force a legal, rightful Government through the time the country was held in military occupation, and after that occupation ceased, and that it was, in fact, in force until some other system was provided according to law to supersede it.

For the doctrine that a conqueror in a conquered country may establish a Government, and courts for the administration of justice, the case of *Leitensdorfer et al. vs. Webb*, decided by the Supreme Court of the United States, in 1857, reported in 20 Howard, 176, is an authority directly in point. In that case the conduct of the Government of the United States by General Kearny, the officer in command of its forces there, was brought in question. It appeared that after the conquest of that country by the arms of the United States, General Kearny in command of the forces there, established a Government and provisional courts for the administration of justice.

Those courts, in the case referred to, were adjudged to be legal, and their decisions obligatory as warranted by law. The power to establish the Government and the courts was directly in question, and was directly passed upon by the Court, and was sustained on the ground of the right of conquest.

In that case, moreover, it appeared that the country conquered was subsequently, by treaty, ceded to the United States, and it was claimed that by the act of cession the rights of the United States to govern the country and enforce the laws made by the Provisional Government while it was held in military occupation, was terminated.

The Court say: "Of the validity of these ordinances of that Provisional Government there is made no question with respect to the period during which the territory was held by the United States, as occupying conqueror, and it would seem to admit of no doubt, that during the period of their valid existence and operation, these ordinances must have displaced and superseded every previous institution of the

vanquished or deposed political power which was incompatible with them. But it has been contended, that whatever might have been the rights of the occupying conqueror, as such, these were all terminated by the termination of the belligerent attitude of the parties, and that with the close of the contest, every institution which had been overthrown or suspended would be revived and reestablished."

"The fallacy of this pretension," the Court proceeded to say, "is exposed by the fact, that the conquered territory never was relinquished by the conqueror, nor restored to its original condition or allegiance, but was retained by the occupant until possession was matured into absolute, permanent dominion and sovereignty." The Court then proceeded to decide when the institutions of the Provisional Government would terminate.

They say: "We conclude, therefore, that the ordinances and institutions of the Provisional Government could be revoked or modified by the United States alone, either by direct legislation on the part of Congress, or that of the Territorial Government, in the exercise of powers delegated to it by Congress." The question there presented was the validity of an ordinance of the Territorial Government, authorizing attachments of property of debtors, enacted by the Provisional Government, while the country was held in military occupation, and before the cession of it, but sought to be enforced by the Provisional Territorial Court after the cession of the country to the United States, and after the military occupation had ceased. The Court upheld the law in its origin, and also in its continuance in force, and the administration of it by the Provisional Territorial Court after the cession of the country, and after the military occupation had ceased.

In the case of *Jecker vs. Montgomery*, 14 Howard, 498, decided in 1854, the same Supreme Court of the United States incidentally recognize the legality and powers of those Provisional Courts, and while deciding that, for reasons peculiar to cases of prize, and not at all applicable to any others, they could not legally act in cases of that class, the Court admit their powers and jurisdiction in other cases: making three decisions of the Court of last resort of the Government of the United States quite in point. Either of these should be sufficient authority for such a principle, if indeed a principle so plainly proper and necessary, can be thought to need authority of precedent at all.

But at the risk of being tedious and doing work of supererogation, which charges I am persuaded might well be maintained against me, I will add to these authorities already commented on, still another one, which has a bearing quite material on this case at more than one point. I mean the case of the United States *vs. Rice*, 4 Wheaton, 246. That case, as well as those already cited, decides that, by the conquest and military occupation by one nation of a portion of the territory of another, the portion so acquired passes from the operation of the laws and government of the nation to which it had previously belonged, and comes under the laws and government of the nation making the conquest. It also decides that while such territory is held by the conqueror, it is the right of the party so holding it to govern it, and for that purpose to make laws by which to govern it. In short, that, by conquest, the sovereignty and right to rule of the conqueror are introduced and established, and the sovereignty and right of rule in the party expelled are extinguished; and that the duty of allegiance in the people remaining there is transferred in like manner from the vanquished to the victorious party; in fact, that by such an act the change in the sovereignty and allegiance are complete, and new rights and duties in both parties are created accordingly. I think that all these conclusions certainly follow from what is decided, if, indeed, they are not all actually decided there.

The right, therefore, of a conqueror in a con-

quered country to ordain a system of government for it, and, among other institutions, to erect courts of justice, and maintain them in the discharge of their proper functions, is as well established and free from doubt, when considered on authority, as it is in principle.

But it may be said that this reasoning, if correct as to territory foreign to the conqueror, and as to which his rights and duties are simply and solely those of a conqueror by force of arms, is not applicable to the case in question, for this Louisiana is a part of the territory of the United States, over which the powers and duties of the President and the other departments of the Government were already fixed, and are dependent on the constitution and laws of the United States, and limited to the powers and duties conferred by them; and that those laws do not give the President the power to establish a court like this, and therefore that he has not that power.

It is quite certain that, ordinarily, he would have no such power; and hence, instead of looking for it to the Constitution and laws of the United States alone, I have looked elsewhere and to other facts than his merely occupying the place of President at the time. I have invoked also the fact that he was by virtue of that office, as commander of the forces of the United States, holding in armed belligerent occupation the country in which the Court was established, and in which its powers and authority are now brought in question.

It may be said that the act of the United States in this case had not the usual effect of a conquest of foreign territory—that instead of acquiring anew the rights of a conqueror, the United States by this conquest (as I for the sake of convenience have called it), has but removed the obstacles to the enjoyment of its preëxisting rights, and has not acquired any new ones of a conqueror.

As we have seen, the foundation of the right of a conqueror to govern conquered territory, and for that purpose to establish provisionally civil institutions in it, is necessity, and that chiefly the necessity of the conquered country and its inhabitants. A government of some kind they must have, for no community can exist without it.

The power of the conqueror has overridden and subjected all other power, and this necessity can be supplied from no other source than him, for he holds for the time being all power. Whilst this continues to be the case, what is there in the case in question of Louisiana, which should make it different from a foreign country?

The inhabitants of that country owed allegiance to and were entitled to the protection of the Government of the United States, it is said familiarly, and this is quite true in the sense in which the remark is usually made. But did the United States ever, at any time, or under any circumstances, owe the people of this territory a protection and government which would supply all, or any considerable part of their wants in this respect?

If the Government of the United States should afford to this country all the protection, and aid—should perform for it all the governmental offices which it by virtue of the Constitution and laws of the land was ever bound, or had a right to do, how far would this go toward supplying the wants of the country in that respect? Is it not quite certain, on looking into the law on the subject of the relations, rights, and duties of the Federal Government to the tract of country in question, or any other tract embraced within the State, that with the Federal Government in full function and all its duties fully performed, a very small portion of the governmental necessities of the country would be supplied?

It is a fact familiar to us all, that under our system of government almost all the governmental aid needed by our people is due to them from the local depositories of power, the State governments—for most purposes within their own territory, sovereign.

These governments, under our system, are the repositories of nearly all of the powers of government in ordinary times in familiar use among us, and whether they be applied by the State itself, by its own officers directly, or be allotted out in parcels to smaller governmental districts, such as counties or parishes, cities, towns, or villages, to be applied by the officers of those localities respectively, still the State and not the Federal Government is the reservoir from which they are drawn, whether it be for distribution or exercise; and the State, and not the Federal power and officers, administer and execute them.

From which Government comes the system of police by which order in society is maintained from one end of the land to the other? From which the judicial power—the one in question *here and now*—by which, in ordinary cases, crime is punished and repressed, controversies decided, and the rights of persons and property established and maintained? and what is certainly quite in point, from *which source* comes the power by which these very unfortunate criminals now before me would ordinarily on a basis of peace be tried, and justice be meted out to them?

It is quite certain that the Government of the United States, remitted to its ordinary constitutional functions within one of the States as in times of peace, could not supply a government at all adequate to the necessities of society, and especially could not have taken cognizance of, or punished at all, either of the offences in question by any tribunal it ever had, or had the right to establish.

The necessity for a provisional government here for nearly all the purposes for which a government is necessary, and especially of a provisional tribunal for dispensing justice generally, and in cases like these now under consideration, was the same as, and none other than it would have been if this tract of country in question had been a part of the domain of a government wholly foreign to that of the United States, and over the territory of which it had no other rights than those growing out of war and conquest. Indeed, it may well be doubted whether, in reference to governmental rights and duties in matters of this kind, there is any difference between the citizens of the several States and those of foreign territory. Certain it is, from what has been said, that this territory is not, by the nature of our system of government, under the dominion of the Federal Government as to most matters of local administration, but is exclusively under the State and local government, and the Federal Government was never bound and never assumed or pretended to furnish government to any section of the States as to their internal or local matters generally, and has not, and never had the duty, right, or power to do so.

But this district of territory had been in insurrection against the Government of the United States, had openly withdrawn from all connection with that Government under the forms of law and civil legislation, had allied itself with others hostile and at war with it, and had, by force of arms, for a considerable time maintained this attitude external and hostile, resisting successfully the efforts of the Government to subject it to law and duty. However the act of secession was ineffectual in law, this district had in fact and practically withdrawn from all relations with the Government of the United States, and had arrayed itself in armed hostility to it. Its duties remained unchanged, no doubt, but its rights to the filial relation—its rights to receive from the Federal Government the consideration and care of a parent rather than the imperious commands of a military master, may have been much changed by the events which had transpired, and I think that they had been. Having taken for itself the attitude of a foreign State, and that, too, of one hostile and at war with the United States, and formed and adapted all its civil institutions, and in every respect bent itself to that condition, and claimed and asserted it, and prac-

tically maintained it by force of arms for a time, and having been at this time overcome and subjected to the arms of the Government of the United States, it may very well be that while it has acquired no new rights by virtue of its pretensions, it has resigned and forfeited old ones, and is no longer entitled to demand the benefits of a relation it has renounced and repudiated, however it may have failed in establishing at that time its freedom from the duties attendant upon it.

The counsel for the prisoners Reiter and Louis, however, take different grounds on this motion. The former insists that the whole structure of the Court in its origin was without warrant in law.

While the learned counsel for the accused insist that these powers have ceased, by reason, as I understand the argument, of the organization of a civil government here which supersedes the military, I pass to consider the question presented by this argument.

If a conqueror in a conquered country have a right to set up a government in it, when does that right cease? Or, rather, if he have such a right, and exercise it, when does the power of the government so set up cease?

I answer, *first*, it will terminate necessarily whenever the power which formed it shall terminate, or become unable to support it. And *secondly*, whenever that power shall for any cause voluntarily bring it to an end.

That the power of the Federal Government here has not been terminated, I need no argument to prove. But on this point, as well as the one to which I have cited the cases above referred to, some of those cases speak as authorities. In two of those cases, at least, in which the power of the provisional government and the provisional courts was sustained by the Supreme Court of the United States, it was so upheld in territory belonging, aside from military occupation and of right, to the domain of the United States, and over which that Government had powers of government full and complete, for all purposes, as any sovereign or State has ordinarily within its own territory; rights not limited to its external matters alone, or chiefly, as are those of the United States, in territory lying within one of the States, but embracing powers for all the details of local administration, legislative, executive, and judicial.

And even there, where the United States had, by the Constitution, powers of government ample for all purposes, the power to continue in force a provisional government long after military occupation had ceased, and when the rights of the United States there depended not at all on military power, or belligerency, but wholly on compact between the former sovereign and itself—even there, in territory confessedly belonging to the United States, and in time of peace, and in the absence of military power or military necessity, the provisional government and the provisional courts were upheld to the fullest extent, and were adjudged to continue legally and practically in force as instruments of the Federal Government until it should, by its constitutional action, through its legislature, otherwise provide.

In the earlier of those cases, *Cross vs. Harrison*, 16 Howard's Reports, 164, the Court says: "Our conclusion from what has been said is, that the civil government of California, organized as it was, from a right of conquest, did not cease or become defunct in consequence of the signature of the treaty or from its ratification.

"We think it was continued over a ceded conquest, without any violation of the Constitution or laws of the United States, and that until Congress legislated for it, the duties upon foreign goods, &c., were legally demanded and lawfully received by Mr. Harrison, the collector of the port, who received his appointment, &c., &c., from Governor Mason."

These cases, in deciding that a provisional government may be maintained by the military power of the

United States in territory belonging to it, not held in military occupation, or *jure belli*, go far to prove that the fact that this country belonged for some purposes to the United States, aside from the coming from conquest and military occupation did not take it from the application of the general principle that the conqueror, in conquered territory, has the right to govern it and to establish government as he may deem expedient; but that such territory, on the contrary, is on the same footing in that respect as territory strictly and for all purposes foreign.

There is no pretence that the Federal Government has in any manner directly brought, or sought to bring, the labors of this Court to a close. Having established it, and bade it proceed in the performance of its mission, it will continue (the power which established it continuing) until that power shall revoke its commission, or otherwise decree its discontinuance. But it is said that a civil government has been established here, and that therefore the proper functions of the provisional one, and among others the functions of the provisional court, have ceased.

It is quite true that some measures apparently tending to the establishment of a civil government have been taken. Members of Congress were elected in 1862, and were admitted to seats in the national Legislature. Several other officers—a Governor, Attorney-General, and others—have also been elected more recently under the direction of the military authorities. A convention for the revision of the Constitution of the State has been elected and convened. These things look like measures for the organization of a State government, and measures of this kind pursued may in course of time lead to such a consummation, at the pleasure of the Federal Government. That all these things have been done under and by virtue of the fostering care of the Federal Government, as exercised by the military arm of it, no one at all acquainted with the facts will doubt.

Waiving, for the present, however, as unnecessary to be considered here, the question whether these movements have their foundation in and derive their vital principle from the State or from Federal sources—and whether in use, as some of them are, they are in fact instruments in the hands of the defunct State, or of the living Federal power, it is quite certain and sufficient for present purposes that the Federal Government has not voluntarily abdicated and resigned to them all, or generally the functions of government, certainly not those of the provisional court.

Such a general surrender alone could have divested the power of this Court, for there is no pretence that the Federal Government has singled out certain powers, and among them the powers heretofore exercised by this Court, and so parted with them as to be unable to recall or exercise them. The whole argument, on the contrary, proceeds on the idea that civil government, as a whole, has been established here, and all the power to exercise it resigned into the hands of State authorities.

In short, that the State is again in possession of all the governmental powers which of right, under our system, belong to the State, in contradistinction to the Federal Government, and that the United States retain only what are designed, under our system of government, ordinarily to be exercised by the Federal Government in all the States in times of peace, and that both parties are, in fact, remitted to their own positions in the constitutional government formerly occupied by them, and the same as are now occupied by the loyal States.

At the time this motion was made (and every thing must relate to that time) there was not a court in the part of Louisiana within the Federal lines having any reasonable pretence of authority from any other source than the Federal Government.

The United States District and Circuit Courts then

in operation here, were and are the constitutional courts of that government. All else were creations of the military power of the Federal Government.

All the governmental functions in exercise here at that time, not only courts of justice but all others, and all the judges, officers, and instruments by which they were performed and operated, were those of the Federal Government, and were appointed, commissioned, animated, sustained, and moved by that power alone.

The Provisional Court for the State of Louisiana—the Court of the Federal Government—retains all the powers it ever had, and will continue to exercise rightfully a jurisdiction commensurate with its charter, so long as the President, or the Government he represents, shall will it, and shall uphold it for that purpose; and whatever other institutions may have been brought, or allowed to come into existence in the mean time, this Court will not cease, or go out of existence, or be shorn of any of its powers or proportions by reason of the fact that some modicum of them, or of other powers of civil government, have been allotted by the common parent—the Federal Government—to other institutions or instrumentalities.

Something was said on the argument about the laws which these courts should administer. The laws of the conquered country, like every thing else connected with its government, are entirely under the control and subject to the will of the conqueror. He makes and adopts them in use at his pleasure. Those found in use at the time of the conquest may be continued in use by him or laid aside at his pleasure. If continued in use, however, they become his, and derive their force and efficacy from him and his adoption of them. In the cases cited above, a new code was made and introduced by Gen. Kearny, representing the government of the conqueror, called the Kearny Code.

In the absence of any provision on the subject, in such a case courts of justice are not bound to adhere to any particular system. This Court is commissioned to administer justice, and no code of laws is prescribed for it. It may adopt such rules as may seem wise and expedient, whether corresponding to the system in use here at the time of the conquest, or differing from it. It has always administered justice according to the Code of Louisiana, and so have all other courts here, not because it was *bound* by that code, as law of the State, but because it seemed expedient and wise to continue along under the system found in use here, rather than introduce a new one.

In the cases cited above from California, *Cross vs. Harrison*, 16 Howard R., 164; *Leitensdorfer vs. Webb*, 20 Howard, 176, and *Jecker vs. Montgomery*, 14 Howard, 498, the previously existing systems of law were ignored and a new and original system introduced, which course received the sanction of the Supreme Court of the United States in those cases; and in the case cited from Maine, the *United States vs. Rice*, 4 Wheaton, 254, the British Government made a new and different law and administered it while the territory was held by it, and that course received the sanction of the same court of highest authority, in the case referred to.

I have not cited authority for every thing I have said in this opinion—perhaps not for every doctrine I have declared. I have, however, referred to the court of highest authority in such cases of any tribunal known among men, and to the decisions of that court, quite in point, for every principle and doctrine claimed in this opinion, which is not so plain and evident as to make reference to cases for authority unnecessary and inexpedient, and, for the omission to cite them to such points, I have the very high authority of the Supreme Court of the United States, in the case of the *United States vs. Rice*, 4 Wheaton, 254, above referred to, that in cases like that “too clear to require aid from authority,” it is not well to encumber an opinion with them.

In addition to the cases already commented on, I will refer to several more having important bearing on this question, not as establishing any new principle or sustaining any old one not better sustained by more modern and unquestionable authority already referred to, though equally conclusive of the principle with them; but as furnishing, perchance, to some mind some new view, reason, or illustration of a principle better established on authority by cases already introduced.

Grotius De J. B., ac. P. l. 2, c. —, s. 5 *et seq.*; *Ib.*, l. 3, c. 6, s. 4; *Ib.*, l. 3, c. 9, s. 14; Puffendorf, by Barbeyrac, l. 7, c. 7, s. 5; *Ib.*, l. 8, c. 11, s. 8; Bynkershoek Q. J., Pub., l. 1, c. 6, 16; Duponceau's transl., 46, 124; Voet ad Pandect, l. 39, tit. 4, no. 7, De Vectigalibus; *Ib.*, l. 19 tit. 2, no. 28; *Ib.*, l. 49, tit. 15, no. 1; *United States vs. Hayward*, 2 Gallis, 501; *The Fama*, Rob., 106; *The Foltina*, Dodson, 450; 30 hogsheads sugar, Bentzen, claimant, 9 Cranch., 191; Reeve's Law. of Ship., 98 *et seq.*; *United States vs. Vowell*, 5 Cranch., 368; *United States vs. Arnold*, 1 Gallis, 348, S. C., 9 Cranch., 106; *Empson vs. Bathurst*, Winch. Rep., 20, 50, Winch. Entries, 334, cited Poph. 176, S. C. Hutton, 52, Com. Dig. Officer, H.

My conclusions, therefore, are: That at the time of the establishment of the Provisional Court for Louisiana, a considerable part of the territory of that State was held by the forces of the United States, in armed belligerent occupation.

That in a country so held, the authority of the occupying force is paramount, and necessarily operates the exclusions of all other independent authority in it.

That government from some source is a necessity, and while the power to give and administer government is exclusively with a party occupying a country, there can be no doubt that the right and the duty are his to furnish a government and supply that want.

That the actual military occupation of that territory by the United States has continued from that time to the present, and still continues, and the right and duty of government, therefore, continue with the United States.

That the establishment of the Provisional Court for Louisiana, by the President, as Commander-in-Chief of the forces of the United States, while they held the territory in which it was to exercise its functions, was an act warranted by the law of nations.

That so long as the authority of the United States shall continue, the right and the duty of it as the party dominant there to afford to the country a government will continue.

That said Court has, from the time of its foundation to the present time, rightfully exercised its functions in territory in which the Government of the United States has been by force of its arms sovereign, and will continue rightfully to exercise them there, so long as its commission shall remain unrevoked and the power of the United States shall continue to support it in the exercise of them.

LOVEJOY, OWEN, born in Albion, Kennebec County, Maine, January 6th, 1811, died in Brooklyn, N. Y., March 25th, 1864. His father was a clergyman and farmer, and he worked upon the farm until he was eighteen years of age, when he fitted for college at a neighboring academy, and entered Bowdoin College. He graduated in 1835, and emigrated to Alton, Illinois, where he engaged in theological studies, his brother Rev. Elijah P. Lovejoy being at the time the editor of a paper there which advocated anti-slavery views. In 1837, the pro-slavery citizens of Alton and the neighboring counties in Missouri, taking offence at the de-

nunciations of slavery contained in Rev. Mr. Lovejoy's paper, a mob, mostly composed of Missourians, crossed the river to Alton, and, after destroying his press, murdered him. Owen Lovejoy was present, and his life was sought by the mob, but notwithstanding his utter fearlessness of danger, he escaped death at their hands, and from that day he devoted himself not to revenging his brother's death, but to seek the overthrow of slavery as having been the cause of it. At that time the laws of Illinois forbade the holding of anti-slavery meetings, and visited those who participated in them with fines. Mr. Lovejoy, who entered the ministry (of the Congregational Church) soon after his brother's death, and was pastor of a church in Princeton, Bureau County, Illinois, was in the habit of holding anti-slavery meetings at different points throughout the State, and when arrested, as he often was, and convicted and fined, he invariably announced at the close of the court at what time and place the next anti-slavery meeting would be held. He was often threatened with violence at these meetings, but the lion-like spirit of the man was only evoked the more strongly by such demonstrations, and the bursts of his eloquence, as he defended his position, thrilled his audience and won for him many warm supporters.

The authorities soon found that it was useless to punish a man of such a spirit for advocating views which he conscientiously held, and for which he was willing, if need be, to lay down his life, and after a time these odious laws fell into desuetude and eventually they were repealed. In 1854, Mr. Lovejoy was elected to the State Legislature, and in 1856 his district sent him to Congress, where he continued by successive reelections till his death. In Congress he was always an active working member, and an influential, eloquent speaker. His death was the result of Bright's Disease of the Kidneys, and though he had suffered from it for some time, his last sickness was brief.

On the 22d of February, 1864, only a month before his death, he wrote to his friend William Lloyd Garrison, giving his views with reference to Mr. Lincoln's reelection. The following were the sentiments he then expressed:

"I write you, although ill-health compels me to do it by the hand of another, to express to you my gratification at the position you have taken in reference to Mr. Lincoln. I am satisfied, as the old theologians used to say in regard to the world, that if he is not the best conceivable President he is the best possible. I have known something of the facts inside during his Administration, and I know that he has been just as radical as any of his cabinet. And although he does not do every thing that you or I would like, the question recurs, whether it is likely we can elect a man who would. It is evident that the great mass of Unionists prefer him for reelection; and it seems to me certain that the Providence of God, during another term, will grind slavery to powder. I believe

now that the President is up with the average of the House."

LOWELL, CHARLES RUSSELL, an American soldier, born in Boston, in 1835; died near Cedar Creek, Va., October 20th, 1864. He was educated at the Public Latin School of Boston, and in 1854, when scarcely nineteen years of age, graduated at Harvard College with the first honors. After several years of travel in Europe he entered into commercial pursuits, and at the outbreak of the present rebellion was superintendent of some iron-works in Maryland. He immediately sought service in the army, and was commissioned a captain in the Sixth regiment of regular cavalry. During the next two years he saw much service as a cavalry officer and as a member of Gen. McClellan's staff, and after participating in the Peninsular campaign and in the military operations in Virginia and Maryland of the succeeding autumn, was appointed early in 1863 to command the Second Massachusetts cavalry, then organizing in the neighborhood of Boston. In this capacity he on one occasion, by his coolness and personal courage, repressed a dangerous mutiny among a portion of his command. The regiment, upon being recruited to its full number, was sent to Washington, where for more than a year Col. Lowell held command of all the cavalry about the city, a post requiring no little vigilance and activity, in view of the daring depredations by Mosby's guerrillas, whom his troopers frequently encountered and dispersed. Becoming weary of this guard duty, and longing for the opportunity to serve in a regular campaign, he gladly transferred his command to Sheridan's army in the valley of the Shenandoah, and in every subsequent engagement and reconnoissance showed such ability and courage, that a brigadier-general's commission would undoubtedly have been soon conferred upon him, had he lived. He was mortally wounded at the battle of Cedar Creek, Oct. 19th, and died on the succeeding day. He had hitherto seemed to bear a charmed life, having had twelve horses killed under him within three years, and escaped without a wound. In social position, in culture, and in intellectual gifts, Col. Lowell was one of the most promising young men that New England has sent to the war. Almost every great quality belonging to the soldier seemed to be his, and his whole soul was absorbed in the cause for which he fought and died.

LOWENTHAL, Rev. ISIDOR, a philologist and missionary of the American Presbyterian Board of Missions, born in Posen, Prussian Poland, 1827, killed in Peshawur, Northern India, April 27, 1864. His parents were Jews, his mother being a strict adherent to the Rabbinical traditions or oral law. He was instructed carefully in the tenets of the Jewish faith, and in his early childhood attended a Jewish school, where he became familiar with the Hebrew and the rudiments of science, and exhibited that intense thirst for knowledge which

ever afterward characterized him. As soon as he had attained the requisite age he was admitted to the Gymnasium, where he acquired with extraordinary rapidity the higher studies of a liberal education, including most of the languages of modern Europe, and at the age of seventeen had completed the course of study. He then entered a mercantile house in Posen as clerk, but books were much more to his taste than merchandising, and every leisure moment was devoted to literary pursuits. In consequence of his association with a club of young men of liberal tendencies, and his contribution of a poem to one of the public journals, he found himself involved in difficulties, and to avoid arrest was compelled to escape from the country. Reaching Hamburg he embarked for New York, where he arrived in the autumn of 1846. Here for some time he sought employment in New York and Philadelphia without success. At length, with a few shillings he procured a few articles and went about with them in a basket as a peddler. In this capacity he visited Wilmington, Delaware, and his intellectual face and thin clothing excited the interest and compassion of Rev. S. M. Gayley of that city, who offered him a shelter for the night from the severe cold storm then raging. Entering into conversation with him Mr. Gayley found him possessed of talents of a high order, and attainments remarkable for his age, and on the morrow he invited him to remain at his house while he made efforts to secure him a situation as a teacher. He did so, and obtained for him the position of teacher of French and German in Lafayette College, Easton, Pennsylvania. In an almost incredibly short period he obtained so thorough a mastery of English as both to write and speak it with classic purity. He entered Lafayette College in advance in 1847, and graduated in 1848. During the summer of 1847 he became a convert to Christianity, led, as he himself said, by the Christian example and devotion of his friend, Rev. Mr. Gayley. In 1848 he took the position of teacher of languages in the Mount Holly Collegiate School, N. J., and turned his attention to philological studies, in which he made rapid progress, and collected a large library of very rare and valuable books bearing upon philology. Through the kindness of Rev. Dr. Phillips, of New York, he was tendered a scholarship in the Princeton Theological Seminary, which he accepted, and in the fall of 1852 was matriculated as a student in that institution. Here he took a high position as a student, prosecuting his philological studies in connection with theology, and contributing articles of great ability to the Biblical Repository. For about a year after graduating at the Theological Seminary he was tutor in the College of New Jersey, but having decided to devote himself to the work of missions in India, he offered his services to the Board of Missions of the Presbyterian Church. He was accepted and appointed to the new mission to the Aff-

ghans. In August, 1856, he sailed for India, and arrived late in the autumn, and going immediately to Peshawur, his station, entered at once with ardor upon his work. He acquired with great readiness the difficult language of the Affghans (the Pushtoo), and soon after the Persian, Cashmiri, Hindustani, and Arabic, and as soon as he was able to speak intelligibly in these languages he commenced preaching. In the seven years of his missionary life, besides preaching with great frequency in all these languages, he had translated and published the New Testament in Pushtoo, and had nearly completed a dictionary of that language, had formed a more thorough acquaintance with Asiatic literature, manners, and customs, and Oriental politics, than any other foreigner in India; had so completely mastered the religious systems, both Pagan and Mohammedan of the country, that he was greatly feared by the ablest muftis and priests as a disputant; had secured the friendship of the present and late Governor-General of India, to whom he rendered great services; had accumulated a very large and valuable library, said to be the richest private collection of manuscripts and rare books on Oriental topics in India, and was a frequent contributor to British and American reviews, besides conducting a very large correspondence. He was a most indefatigable student, devoting but four hours to sleep. He came to his death by this intense devotion to study, his *chowkedar*, or watchman, seeing him in his garden (where he was walking in the night to cool his heated brain), mistaking him for a robber, fired at him, and the ball striking his forehead, he fell senseless and soon expired.

LUTHERAN CHURCH. The condition of the Lutheran Church in 1864, and its progress since the previous year, is given as follows:

SYNODS.	Churches.	Communicants.
1. New York Ministerium.....	58	12,600
2. Hartwick Synod.....	33	4,400
3. Franckean Synod (New York).....	31	3,100
4. Synod of New Jersey.....	14	1,395
5. Synod of Pennsylvania.....	288	48,322
6. Synod of East Pennsylvania.....	114	12,599
7. Synod of West Pennsylvania.....	97	10,895
8. Synod of Central Pennsylvania.....	95	7,869
9. Alleghany Synod.....	110	6,686
10. Pittsburg Synod.....	120	8,900
11. Synod of Maryland.....	41	7,000
12. Melancthon Synod (Maryland).....	36	4,300
13. *Synod of Virginia.....	61	3,200
14. *Synod of Western Virginia.....	37	2,039
15. *Synod of North Carolina.....	38	4,200
16. *Synod of South Carolina.....	54	9,859
17. *Synod of Texas.....	23	2,800
18. Synod of Kentucky.....	19	822
19. English Synod of Ohio.....	30	2,480
20. East Ohio Synod.....	79	3,989
21. Wittenberg Synod.....	45	2,669
22. Miami Synod of Ohio.....	51	4,027
23. Synod of Northern Indiana.....	83	2,524
24. Olive Branch Synod (Indiana).....	23	968
25. Synod of Illinois.....	43	3,700
26. Synod of Northern Illinois.....	120	8,900
27. Synod of Southern Illinois.....	25	1,200
28. Synod of Iowa.....	45	1,400
29. Synod of Minnesota.....	12	1,500
Total.....	1,825	184,723

* Not represented at the last Convention of the General Synod.

Synods not Connected with the General Synod.

SYNODS.	Churches.	Communi- cants.
30. Joint Synod of Ohio.....	266	34,500
31. Joint Synod of Missouri.....	230	30,000
32. Tennessee Synod.....	85	5,800
33. Holston Synod of Tennessee.....	18	1,200
34. Synod of Indiana.....	15	2,000
35. Synod of Wisconsin.....	90	10,000
36. German Synod of Iowa.....	62	6,000
37. Buffalo Synod.....	40	5,000
38. Michigan Synod.....	25	2,000
39. Mississippi Synod.....	11	2,000
40. Scandinavian Augustana Synod....	68	8,000
41. Synod of Canada.....	30	1,500
Total.....	940	108,000

Grand Total: 1,543 Ministers; 2,765 Congregations; 292,723 Communicants.

The following statistics of Lutheran ministers in the several States of the Union will give a view of the strength of the denomination in each State:

Pennsylvania, 348; Ohio, 232; Illinois, 139; New York, 133; Indiana, 116; Wisconsin, 96; Iowa, 62; Virginia, 51; Michigan, 49; Maryland, 49; Missouri, 41; South Carolina, 35; North Carolina, 33; Minnesota, 30; Texas, 23; Tennessee, 17; Georgia, 9; Mississippi, 6; District of Columbia, 6; Nebraska, 5; Louisiana, 4; Kansas, 8; Kentucky, 2; Massachusetts, 3; Delaware, 1; California, 1; Alabama, 1; Florida, 1. Total, 1,485.

The General Synod of the Lutheran Church of the United States met on the 6th of May, 1864, at York, Pennsylvania, and organized by electing Dr. Sprecher, president of Wittenberg College, president. This body meets every second or third year, and was, in 1864, composed of 27 particular synods. Three of these, however—those of Virginia, North Carolina, and South Carolina—have formally seceded from the general synod, and formed a "General Synod of the Lutheran church of the Confederate States." Besides these, the synods of Texas and West Virginia were not represented at either the general synod of 1862 or that of 1864. At the latter, two of the independent synods applied for admission: that of Minnesota and the Franckean synod. The request of the former was unanimously granted, but the admission of the Franckean synod called forth an animated discussion, because this synod had hitherto not formally acknowledged the Augsburg confession. Those delegates who favor the strictest possible adherence to the letter of the Augsburg confession, opposed the admission of the Franckean synod, but the majority decided (by 93 against 39 votes) in favor of admission after the delegates of the Franckean synod had declared that the latter would adopt, at its next meeting, the constitution of the general synod, which implies a recognition of the Augsburg confession. A portion of the minority entered a protest against the act, and the entire delegation of the Pennsylvania synod even withdrew from the General Synod. With regard to the composition of the General Synod it was decided to propose to the district synods

to amend the article in the constitution so that every synod having eight ministers should be entitled to one clerical and one lay delegate—sixteen to two; twenty-four to three; thirty-two to four; forty to five; fifty-five to six; seventy to seven; eighty-five to eight; one hundred to nine clerical and nine lay delegates, which shall be the highest number of delegates from any one synod. Strong resolutions, even more decided in their anti-slavery character than those of the last general synod, were offered by Rev. W. A. Passavant, and passed.

The most important event in the history of the Lutheran churches of Europe was the convocation of the first General Synod of the German and Slavic Provinces of Austria. It met at Vienna simultaneously with the first General Synod of the Reformed churches of the same provinces, on May 22d, 1864, and both bodies resolved to discuss such topics as were not of a strictly denominational character in joint session. The meeting of this synod completed the reorganization of the Lutheran church of Austria. An imperial letter of April 8th, 1861, and a church constitution of April 9th, 1861, proclaimed by the Government, provisionally regulated the affairs of the church. The Lutheran churches of Hungary were to have a constitution of their own, which they, however, refused to accept, claiming the right to retain their former church constitution intact. The Lutheran and the Reformed churches of the combined German and Slavic crownlands were to have each a general synod which was to revise the draft of a church constitution prepared by the Government, and take hereafter the chief control of the ecclesiastical affairs of the two churches.

The convocation of the first General Synod, was delayed by the Austrian Government no less than three years, and did not take place until May 22, 1864. The provisional draft of a church constitution, as prepared by the Austrian Government, was adopted in all its essential points by both synods. Their proceedings were very harmonious. An organic union between the Lutheran and Reformed churches, as it has been consummated in several German countries, was not resolved upon, but both synods will continue to meet simultaneously and at the same place, and to deliberate on all subjects not strictly denominational in joint session. The nationality question, which produces so much trouble in the political life of Austria, led, on some questions, to a disagreement between the German majority of the synods and the Slavic minority, as the former did not think it possible to concede all the demands made by the latter. The synods also resolved to present, conjointly to the emperor, a memorial containing the following demands of the Protestants of the Empire: "The General Synod protests: 1. Against the denomination of *non-catholic*, which is the term used in the decrees and ordinances of the political authorities to designate the adherents of the

two Protestant confessions—the Augsburg and the Helvetian; 2. The synod demands that those obstacles which, in some parts of the monarchy, are still presented to the establishment of Protestant congregations, shall be removed; 3. That booksellers shall be allowed to deal in Protestant books; 4. A community of cemeteries; 5. The admission of Protestant pastors, as of priests, into houses of retirement and charitable institutions, to exercise their functions in them; 6. The establishment of the equality of the Protestant and the Catholic festivals, in order that the authorities may be bound to protect the festivals of the Protestants in the localities in which they are the most numerous; 7. The synod protests against all interference by the subordinate political authorities in the affairs of the schools of the Protestant congregations; 8. It protests against the ordinance which prohibits the children of Jews

from frequenting Protestant, if there are Catholic schools in existence in the same locality; as it also protests against the ordinance which forbids Catholic parents placing their children with Protestant foster-parents; 9. The General Synod advances claims on the funds of the normal schools in favor of the Protestant schools; 10. It demands the admission of Protestant teachers in the medial Catholic schools; 11. The institution of Protestant catechists in the schools; 12. The incorporation of the Protestant Theological Faculty into the University of Vienna; 13. The representation of the Evangelical Church in the Diet and in the municipal council.”

The deputation which presented this memorial to the Emperor of Austria, received from the latter the promise that the Government would take the demands of the Protestants into its serious consideration, and fulfil all their just expectations.

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MAGNETO-ELECTRICITY. Its application to lighthouse purposes has become a subject of interest. Some facts as to the manner of its use were lately stated by Mr. F. H. Holmes, in a paper read before the British Society of Arts.

Formerly lighthouses were few, and were very nearly all coal fires on high cliffs or towers, and most of them were the property of private individuals; but, as shipping increased, so the lighthouse system became more and more developed, both in the number of lighthouses and in the improvement of those already existing. The coal fire gradually gave way to the oil lamp and candles; next was the introduction of spherical mirrors or reflectors, and these, again, were superseded by parabolic reflectors, sometimes to the number of more than thirty in one lantern. After this came the introduction of the “Fresnel Lens,” which took the place of the reflectors and their lamps, however numerous they might be, and required instead one central lamp.

This “Fresnel Lens” has again grown larger and larger, as the want of a more powerful light was felt, till it has now a diameter of six feet and a height of ten, for to increase the quantity of light the size of the lamp must be increased, and the lens in proportion, or it would have been so far out of focus that the intention of the lens would have been frustrated.

To make these progressive improvements in lighthouses vast sums of money had to be expended to improve the light itself. This is done by the substitution of a lamp of four concentric wicks, the largest nearly four inches in diameter, for the coal fire. If the improvement had stopped at that it would have been small indeed, but this lamp is more under com-

mand than the coal fire. The value of the introduction of oil is not so much, then, on account of its greater power as for its aptitude for the employment of economizing apparatus, whether this consists of reflectors or lenses. All incandescent bodies give out rays as it were from the centre to the circumference of a sphere; of such rays only those which fall on the sea would be useful to the mariner, but by means of reflectors those rays which would pass inland, or upwards, or downwards, are reflected toward any required point, and by a proper arrangement of a series of reflectors, the whole or nearly the whole of the rays directed where required. The Fresnel lens consists of a middle refracting belt, and a double series of reflecting prisms, or zones, as they are generally termed, and, when properly constructed, it has the property of collecting all the rays into one horizontal beam, so that all the light from the lamp is utilized.

Whether a large or a small lamp be employed it will make no difference in misty weather, so long as the thickness of the flame is the same, for a large lamp may be equal to ten or twelve smaller ones, and, if replaced by these ten smaller, it will be evident that when one of these is obscured by mist the whole of them will be obscured. Quantity of light, then, will not add to its power of penetrating mist. By making the large lamp with four concentric wicks, the intensity of the light is a little increased, and such a lamp will penetrate further through mist in a slight degree. But it is in misty and hazy weather that the light is most required; hence the only thing wanting to make the whole system perfect is a light capable of penetrating mist; and as this power depends on the intensity of the light, and as electricity is capable of producing the most

intense light known, it was naturally looked to as the possible means of perfecting the whole system. But the light produced by electricity to be applicable for lighthouses must be certain and constant, not liable to extinctions or any great variations, as the first would tend to endanger vessels seeking and not finding the light; and if a fixed light had much variation, it might be mistaken for a revolving light.

Frictional electricity will give a succession of flashes intensely vivid, and might be used for the purpose, but for the fact that the slightest moisture is sufficient to convey the whole charge to the earth. The various forms of galvanic battery are all capable of producing a steady and intense light, but still (besides the great expense) they are not applicable, because of the necessarily varying current, which becomes weaker and weaker as the solution becomes saturated. The magneto-electric machine is then the source from which one would naturally expect a light which should be invariable in its nature and capable of being continuous for any given time, as the current produced by this machine is constant as long as the helices revolve with the same speed, and the speed can be easily regulated to any required velocity.

The electricity derived from a magneto-machine is induced in coils of wire, by the changing of the magnetic polarity of pieces of soft iron inclosed within the coils or helices; and the quantity or intensity of the induced current depends, first, on the amount of magnetism induced in the soft iron; secondly, on the facility with which the poles of the magnetized soft iron can be reversed; thirdly, on the velocity with which the change of polarity takes place; fourthly, on the length and diameter of the wire forming the helices.

The amount of magnetism induced in the soft iron depends on the size and force of the steel magnets employed, and on the weight and softness of the iron in the helices; but the weight in practice of the soft iron is limited by the weight of the steel magnets, for, if too heavy the steel magnets will be slowly deprived of their magnetism. To facilitate the change of the poles the soft iron cores of the helices are not solid pieces of iron, but are tubes, single, double, or treble, as it is found by experiment that the same weight of iron, when divided in this manner, loses or takes magnetism in much less time than when in a solid form.

There is a limit to the velocity to be employed when the maximum of electricity is required, for this reason: It has been already remarked that the amount of electricity depends on the amount of magnetism taken up, and that the soft iron takes time to become saturated, as it may be termed, with magnetism; hence, if the velocity be too great with which the cores move from one pole of a magnet to another, there will not be sufficient time for the cores to become saturated. But as again the quantity of electricity increases as the velocity increases, it is necessary to ascer-

tain this maximum point exactly, which is easily done, either by experiment or calculation, based on certain data. The length and diameter of the wire require to be different, according to the current required; for a short thick wire forming the helices represents a galvanic battery composed of a dozen, say, of very large pairs of plates, whilst a long thin wire would represent a battery composed of thousands of small plates. In other words, supposing the size of the helices to remain the same, if they are composed of thick short wires, quantity is obtained; but if composed of long thin wires, intensity will be the result.

From all this it results that there are certain laws known and established, by which a magneto-electric machine can be made to give a current of any given amount of electricity, with any given ratio between its quantity and intensity.

Having seen on what the production of the current depends, the next point to observe is, the peculiar nature of this induced current. It differs essentially from a galvanic current in this, that while the helices are revolving, the direction of the current is reversed, as the core of soft iron passes each consecutive pole of the steel magnets.

It now remains to explain how the current generated in the wires of the helices is to be withdrawn from the machine. In the first place all the helices are connected in two, or four, or more series, and in doing this great care must be observed that the direction of the coil of every alternate helix is in an opposite direction; that is, if one is wound as a right-hand screw, or, what amounts to the same thing, supposing all wound in the same direction, then the two inner ends of the wires must be joined of, say, numbers one and two, and the two outer ends of the wires of numbers two and three, and so on through the series; and lastly, the terminals of the series might be soldered into two insulated disks, and then led from the machine by two pieces of metal kept in contact with the outer surfaces of these disks by a slight spring; such an arrangement allows the alternating current to pass from the machine, and such a current will produce a light, but this light has certain disadvantages. It is never white, but always more or less blue or brownish; in fact it is like the electric light obscured by placing it behind a flame from spirits of wine. It is also extremely injurious to the eyes, both from its color and from its tremulousness. Mr. Holmes therefore does not use this current, but in its stead converts this constantly inverting current into two that flow from the machine in one direction only. This is accomplished thus: One-half of the helices are arranged so as to arrive on the poles of the magnet at the instant that the other half are exactly midway between the poles. Thus there are two distinct currents; and what may be called the dead point, that is the point when the current inverts in one series, occurs exact-

ly at the time when the other current is at its maximum, so that if now the inverted currents can be again inverted in both of these distinct currents, and that the two now flowing in one direction can be united as one compound current, it is evident that the result will be a current nearly as uniform as that from a galvanic battery, with the advantage of equable continuity. This is done by the two commutators, which consist each of two insulated rings of metal, of such a form at the periphery that two rollers or rubbers change sides from one disk to the other at the same instant that the current is reversed. Then, by combining the two commutators, a compound current is obtained that will produce a constant white light or perform any of the other functions of the galvanic current, and in a more perfect manner, as it is more uniform in its action.

A steady and constant current thus obtained from the magneto-electric machine is only one part of the problem of producing a constant and steady light, and, although the most important part, still it would be perfectly useless without an efficient lamp or regulator. In order to understand this it is necessary to explain that the carbon points used for producing the light or for converting a portion of the electric current into light, are consumed, and that the rate of consumption is irregular, owing to the irregularities in the structure of the substance used, which is the kind of graphite deposited in the gas retorts sawed up into pencils about a quarter of an inch square; but, as the consumption is irregular, no clock-work with continuous motion could be employed for the purpose of causing the carbons to approach as consumed, for it must be understood that the steadiness of the light as well as its brilliancy depend on the two carbon points being maintained constantly at a certain distance corresponding to the strength of the electric current.

Many pieces of apparatus more or less complicated have been invented from time to time for the purpose of regulating the movements of the carbon electrodes, but none of them, as formerly constructed, could be used in a lighthouse, because they were more or less uncertain in their action, and because the clockwork was too delicate and liable to accident in other hands than those of an electrician. The question, what constitutes a good regulator, must be answered by stating what it must accomplish; and moreover it must perform its several functions in the most simple manner. It must in the first place maintain the carbons at a given distance, whatever be the variation in the state of consumption, and must also be capable of being adjusted to any strength of current; secondly, if by any accident the current should be interrupted, and the light thereby extinguished, the regulator should be capable of re-lighting at once with full brilliancy, that is, not only must it allow the carbon points to touch to reestablish the current, but must separate them again instantly, or there

would be no light. Such a regulator we have here, for its construction is simple, and it performs its different functions in a most perfect manner. Its construction is this: The upper carbon is attached by a kind of small vice to a bracket, standing out from a tube, which slides freely in a column. The lower carbon is fixed in the end of another tube, exactly under the other carbon. Both of these tubes are put in motion thus: Two cords, passing over pulleys, properly arranged, are wound on one spindle, but in opposite directions. On turning a stud fixed on the end of the spindle the regulator is wound up; that is, the top bracket is raised and the lower tube depressed. On removing the hand from the stud, the upper tube would descend, and, being loaded, would cause the lower tube to rise; but to prevent this, while the regulator is out of use a bolt is pushed in, which prevents any movement in the regulator till it is again withdrawn. The regulator being wound up, the carbons are firmly fixed in their places by tightening the holders, and are then adjusted so as to bring the points of the focal plane by turning a spindle to which the fixed end of the cord belonging to the lower carbon is attached. So far the regulator is only a means by which the carbons can mutually approach each other with a certain relative speed, depending on the different diameters of the two parts of the spindle around which the cords are wound. But if the carbon points remain in contact, there will be no light. Some contrivance, then, was necessary to separate the points to the distance which, by experience, is found to give most light, and to maintain that distance between the points constantly till the whole of the pair of carbons is consumed. These two operations are accomplished thus: The fixed end of the cord which works the upper carbon is attached to one end of a lever; the other end of the lever has a piece of soft iron attached to it, over an electric magnet, so that when the bolt is withdrawn, and the carbons run together until they touch (thus allowing the current to pass), this electro-magnet instantly, by the action of the same current, lifts the cord and with it the upper carbon, to the required distance. But this is not all, for the carbons would again run together were there not some contrivance to prevent them. To accomplish this, advantage is taken of these two facts: first, that the quantity of electricity is proportional inversely to the distance between the carbon points; secondly, that the strength of an electro-magnet is proportional to the quantity of electricity passing through the wire that surrounds it. Bearing these two facts in mind, it will be easy to understand the use of the second electro-magnet. Over this electro-magnet, at a small distance above it, is placed a lever, one end of which is drawn down by a spring, the strength of which can be regulated by a thumb-screw. The fulcrum is between this end and the centre. The other end of the lever is furnished with a catch, and im-

mediately over the electro-magnet a piece of soft iron is fixed in the lever. On the carbons being allowed to touch as before, not only are they separated by the means described, but this second lever, acted on by its electro-magnet at the same instant, is drawn down toward it, and thus brings the catch between the teeth of a wheel placed under it for the purpose, and effectually locks the regulator. The strength of the spring is now adjusted till its tendency to lift the catch out exactly balances the current which draws it down. Should the distance now increase but the $\frac{1}{250}$ of an inch, the spring will be stronger than the current, will lift the catch, and the carbons will approach; by doing so, more current passes, the electro-magnet is strengthened, and is again enabled to overcome the spring and draw down the catch, and thus by their mutual action the distance between the carbon points is all but invariable.

When these regulators are employed in a lighthouse there are a pair for each lens and two small lenses, so that although it may take ten minutes to replace the consumed carbons, still the light is never extinguished; for, suppose the carbons consumed in the lens No. 1, the regulator is ready in lens No. 2; and all the light-keeper has to do is to bolt the No. 1 regulator and draw the bolt of the regulator in No. 2 lens; the current is thus diverted, No. 2 is instantly lighted, and the lighting of this extinguishes No. 1.

Thus, then, we have a most intense light, which may be maintained for any length of time, which does not require to be trimmed or extinguished for a second, and which has all the steadiness and uniformity required for lighthouse purposes. Its advantages over the oil lamp are:—first, its power can be increased *ad libitum* without increasing the size of the lens, for, if required, a machine may be made to give light enough to read by say at 10 or 20 miles; in fact the light is in direct proportion to the power of the machine that produces it; secondly, its great intensity gives it a power of penetrating haze only equalled by the sun; thirdly, its whiteness distinguishes it most perfectly from all other lights on shore, which is one of its most important properties, for many a vessel has been lost for want of this property in lighthouses lighted with oil; fourthly, where colored lights are required for the purpose of distinguishing one lighthouse from another, this light gives all the colors in a perfect manner, while the oil lamp always gives its own tinge to the color employed; fifthly, from the facility with which this light can be extinguished in an instant, and as instantly lighted to its full power, it offers other means of distinguishing lighthouse from lighthouse which cannot be obtained with any other light.

An objection has been made to this light, that, being so small, it would be altogether invisible at a considerable distance; and when it is merely considered that the apparent size of

distant objects depends on the visual angle, there seems to be some ground for the objection, but the law of visual angles does not apply in the case of self-luminous bodies; a piece of fine wire, almost invisible even with a strong light thrown on it, if by passing a current of electricity through it it is made self-luminous, it appears gradually to increase in diameter as it becomes brighter; and as a curious fact, illustrating the difference between the theorist in his study and the practical observer, a sailor who had seen the magneto-light from a great distance supposed it must be at least ten feet in diameter. Another objection to the light is, that it is too bright; this may be an inconvenience in clear weather, but a light to be useful when most needed must be inconveniently bright in clear weather.

A point to be considered is the cost of the magneto-electric light as compared with oil. The French director-general of lighthouses has made a report to his Government, both as to first cost and as to cost of maintenance; both are greatly in favor of the magneto-electric light; of course in making their calculations of cost, they take the cost of an equal quantity of light in each case, that is by oil and electricity.

At Dungeness, where the light had been in constant use since the 6th of June, 1862, there were in the lantern two small lenses, fixed one over the other, and two regulators to each. Only one light was shown at a time; but there were two regulators for each lens, so that an instantaneous change from one to the other could be made without extinguishing the light when fresh carbons were required. In the machine-room there were two magneto-machines, each capable of giving a powerful light, though both were in constant use. There was a distinct direct-acting steam engine attached to each machine, and there were two Cornish boilers, each capable of generating steam enough for the two engines. The material consumed at Dungeness was about 30 to 35 lbs. of coke per hour, and $5\frac{1}{2}$ inches of graphite in the regulator per hour, the price of this last being under three farthings per inch.

MAINE. The Legislature of Maine convened at Augusta on Jan. 6th, 1864, and was organized by the choice of George B. Barrows as President of the Senate, and of N. Dingley, Jr., as Speaker of the House of Representatives, both being members of the Republican party, which had a large majority. On the succeeding day Samuel Cony was inaugurated Governor of the State, and delivered the annual message to the Legislature. Among the measures recommended by him were an increased State tax; an effectual militia law; the appointment of a commissioner to classify public lands; a law making it imperative upon the Executive to issue death warrants upon the expiration of the year of grace allowed prisoners sentenced to be hung; the extension of the right of suffrage to soldiers in the field; a railroad to the northeastern frontier, as a means of de-

fence; and further legislation relative to the Reciprocity Treaty with the British Provinces, the benefits of which, he contended, were wholly on the side of the provincials. The Legislature adjourned on March 25th, after a session of seventy-nine days. The amount of appropriations made for the fiscal year ending January 1st, 1864, was \$4,707,911.55.

The expenditures of the State for 1864 were,

For all ordinary civil purposes, including payment of public debt and interest thereon....	\$515,010 46
For refunding cities and towns money advanced in 1863 for relief of soldiers' families.....	532,108 14
For bounties.....	2,988,183 78
For other war purposes.....	73,179 63
	<hr/>
	\$4,108,482 01

The receipts in the same period were:

From State taxes assessed prior to 1864....	\$545,197 59
State tax of 1864.....	384,221 15
From loans permanent and temporary.....	2,965,000 00
From all other sources.....	309,513 48
	<hr/>
	\$4,203,932 22

Balance in the treasury, December 31st, 1864, \$95,450.21. By a resolve approved March 19th, 1864, the Treasurer of the State was authorized to borrow \$3,000,000 by the issue of six per cent. bonds payable in twenty-five years. He disposed of bonds to the amount of \$2,765,000, which increased the funded debt of the State to \$5,137,000 on January 1st, 1865. At the same date the total ascertained funded and floating debt amounted to \$5,714,625.31. Owing to the surrender of their charters by many of the State banks, in order to recommence business as National banks, a considerable reduction was experienced in the receipts on account of the bank tax, which is by law granted as a permanent fund for common schools. During 1862 the sum of \$79,455 was received from this source, and in 1864 only \$34,432.78, with the prospect of still further reduction in 1865.

During 1864 the State contributed to the military and naval service of the country an aggregate of 18,904 men, of whom 3,380 were enlisted under the call of October, 1863, and 3,525 were veteran soldiers belonging to organizations formed at the beginning of the war, who reënlisted. The enlistments for the navy numbered 1,846. Allowances of credits for naval enlistments anterior to 1864 were made to the number of 3,675. During the year the 3d, 4th, 5th, 6th, 7th, 12th, 13th, and 14th regiments were mustered out of the service, by reason of the expiration of the term of their original enlistment. About 2,000 men were thus lost to the army. The residue of these organizations who had reënlisted, or whose original terms of enlistment had not expired, were transferred to other regiments. In view of the practice which had grown up since the commencement of the war, of large cities and towns, in their anxiety to avoid the draft, outbidding each other in the amount of bounties, thus depriving the poorer towns of the ability to fill their quotas, the legislature of 1864 enacted a law for the payment by the

State of a uniform bounty of \$300 to any person enlisting under any calls except those made prior to February 1st, 1864. Until the call of July 18th for 500,000 men, under which recruits were taken for one year, the law operated as was intended. But as the bounty of \$100 paid by the State for this class of recruits was found to be insufficient, the old mode of paying bounties by cities, towns, or associations was again resorted to. Authentic returns establish the fact that at the close of 1864 the State had sent more than 61,000 men into the military and naval service, a number nearly equal to one-tenth of her whole population. During the year claims to the amount of \$553,790.81 were presented to the State Treasurer by a number of towns, under the law reimbursing them for aid afforded to families of soldiers. Of this sum \$523,899.58 was allowed.

During the legislative session of 1864 an act was passed authorizing Maine soldiers in the field to vote for electors of President and Vice-President; also a resolve by a two-thirds vote providing for an amendment to the constitution of the State, so as to allow soldiers absent from the State, except those in the regular army of the United States, to vote for Governor and other State and county officers. The latter, in accordance with the constitutional provision, was submitted to the people for ratification, with the following result:

For the amendment.....	64,430
Against the amendment.....	19,127
	<hr/>
Majority for amendment.....	45,303

The whole number of votes cast by soldiers was reported to be 4,915.

The number of beneficiaries supported by the State during the year at the Institute for the Blind was seven, and at the Asylum for the Deaf and Dumb, thirty-three. The Asylum for the Insane was filled to its utmost capacity, and unable to receive all the applicants for admission. The whole number of patients at the beginning of the year, ending April 1st, was 231; the number of admissions 143; and of discharges the same, leaving 231 under treatment, and making the whole number of patients during the year 374. Of the latter, 172 were males and 202 females. The expenses were \$51,096.02, and the receipts \$48,690.89. Since the opening of the institution, in 1824, 4,223 patients have been admitted, and 3,992 discharged. Of the latter, 2,003, or over fifty per cent., have recovered. The Reform School was reported in a flourishing condition, and in 1864, for the first time in the annals of the State, the wardens and inspectors of the State Prison were enabled to report that institution a self-sustaining one. During the year the State Normal School commenced operations at Farmington with every prospect of beneficial results.

The annual report of the Land Agent presents an encouraging view of the settlements on the public lands of the State, and of the

condition of the settlers. The latter, as a general rule, were prompt in performing the obligations imposed upon them, to open roads and make other improvements in payment for their lands, and there was an increased demand for settling lots in Aroostook. This result was attributable to a better knowledge of the richness of the soil and the healthfulness of the climate, and also to the anticipation that the projected European and North American railroad would soon be commenced through the region. This enterprise, however, depending for its immediate success upon the connection it might make with lines of railway in New Brunswick and Nova Scotia, made little progress during the year. The crops during the year were good; that of hay being unusually large, and the State was well supplied with live stock of all descriptions. The high prices realized for every species of farm products rendered the agricultural interests of the State prosperous beyond precedent.

The political canvass commenced early in the summer, and was conducted with unusual earnestness until the presidential election in November. The Republican State Convention assembled at Portland on June 29th, and re-nominated Samuel Cony for Governor by acclamation. John B. Brown and Abner Stetson were at the same time nominated for presidential electors at large. The following resolutions were adopted:

Resolved, That the Convention representing the Union men of Maine emphatically indorse the avowed policy and determination of the national Government to make no compromise with traitors in arms, but to prosecute the war until full submission is yielded to the Constitution and the legal authorities of the nation.

Resolved, That Abraham Lincoln and Andrew Johnson, as patriots and statesmen, tested in years of greatest public peril, deserve the entire confidence of the Union men of the country, and should be enthusiastically supported at the polls for the offices to which they were nominated by the Union National Convention at Baltimore.

Resolved, That the Union men of this State cordially approve the principles enunciated in the resolutions of the recent National Convention, which placed in nomination Abraham Lincoln and Andrew Johnson for President and Vice-President of the United States.

Resolved, That no country ever had a more heroic body of soldiers and sailors to defend its integrity than ours, that are deserving the gratitude and care of all true friends of liberty and the Union.

Resolved, That this Convention heartily sympathizes with the friends of the wounded and deceased soldiers, and pledges itself to the support of the bereaved and needy.

Resolved, That Hon. Samuel Cony, for the eminent ability and fidelity with which he has performed his official duties of Governor of the State, has the confidence and approbation of the Union citizens of Maine, and that we hereby pledge ourselves to give him a triumphant election in September.

The Democrats met at Bangor on August 16th, and unanimously nominated for Governor Joseph Howard, of Portland. Their candidates for electors at large were W. P. Haines and Adams Treat. The following resolutions were adopted:

Resolved, That the Democratic party is and ever has been the true Union party of the country. Under its conservative principles and enlightened policy the United States have hitherto been preserved in concord and in strength, our territory has been extended, our resources developed, our wealth increased, the rights of the United States and people maintained, public peace and domestic tranquillity secured, and the respect of the world for our free Government established, and God helping us, this Union we will maintain intact and hand it down as a priceless heritage to our posterity.

Resolved, That the existing fratricidal and calamitous war is the result of the political ascendancy in power of fanatical and factious extremists; that the deliberate invasion by the National Administration of the rights of the States, the freedom of the press and the personal security of the citizens, and its avowed purpose to prosecute this war for the abolition of slavery, or until that institution shall be abandoned, exhibits a policy at once unconstitutional and revolutionary and in direct violation of the most solemn pledges of the President when he entered on the duties of his office, and of the unanimous voice of Congress when it resolved that this war was not waged in any spirit of oppression, or for the purpose of conquest or subjugation, or for overthrowing or interfering with the rights and established institutions of the States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired, and when these objects are attained the war ought to cease.

Resolved, That the only ground of hope for the preservation of the Union under the Constitution, and of maintaining the rights of the people and of the States, and of securing an honorable peace, is by expelling from power the present corrupt, imbecile, and revolutionary administration, and substituting in its place an administration which will conduct the Government according to the requirements of the Constitution, and protect all parties in the full enjoyment of their constitutional rights, privileges, and immunities.

Resolved, That the administration, by its corruption and imbecility, has shown itself incapable of a successful prosecution of the war, and from its levity, tergiversations, and its bad faith, is manifestly incapable of negotiating an honorable peace.

Resolved, That we stand where the Democracy always have stood, in favor of the Constitution and of the rights of the States and the people, and of the entire Union in all its integrity, and of an honorable peace at the earliest possible moment.

The State election took place on September 12th, with the following result:

Governor.	No. of Votes.
Cony, Republican.....	62,389
Howard, Democrat.....	46,476

Majority for Cony..... 15,913

The Legislature chosen at this election stood:

	Republicans.	Democrats.	Rep. Maj.
Senate	28	3	25
House of Representatives..	122	29	93

Giving a Republican majority of 118 on joint ballot.

The vote for presidential electors in November was:

Republican.....	61,803
Democratic	44,211

Republican majority..... 17,592

The electors chosen cast the vote of the State for Abraham Lincoln, President, and Andrew Johnson, Vice-President. William P. Fessenden, one of the Senators from Maine, having

resigned his seat to accept the office of Secretary of the Treasury, Governor Cony appointed Nathan A. Farwell in his place.

As one of the northern border States of the Union, Maine was exposed during the year to petty depredations by rebel refugees from the adjoining British provinces. At mid-day, on July 18th, a bold attempt was made to rob the Calais Bank, in that town, by a small party of rebel raiders from St. John, N. B., led by one Collins, a captain in a Mississippi regiment. But the town authorities having been previously put upon their guard by the American consul at St. John, three of the party were arrested and committed, and the remainder prudently kept out of the way. This attempt, though frustrated, caused an uneasy feeling along the eastern frontier, and in Eastport, Calais, Belfast, and other border towns, volunteer organizations were formed for the purpose of patrolling the streets at night, and the ordinary police force was increased and armed. The Governor, in view of the possibility of future attacks of this nature, ordered the several companies of State guards to be in readiness to move to any part of the State at a moment's warning.

An important change was made by the Legislature of 1864, in the rules regulating criminal proceedings, by the passage of an act providing that in the trial of all indictments, complaints, and other proceedings against persons charged with the commission of crimes or offences, the person so charged may, at his own request, but not otherwise, be deemed a competent witness; the credit to be given to his testimony to be left wholly to the jury, under the instructions of the court. An act was also passed incorporating the "Foreign Emigrant Association of Maine," to which the State agreed to give \$25 for every able bodied foreign emigrant from the north of Europe, between the ages of fifteen and fifty, whom the association might, within the next five years, introduce into Maine, and cause to remain one year.

MALAN, (Rev.) ABRAHAM HENRI CESAR, D. D., a Swiss Protestant clergyman and author, born in Geneva, Switzerland, July 7, 1787, died in the same city May 8th, 1864. From infancy young Malan exhibited extraordinary abilities; at three years of age he received at the commencement of the Geneva Academy a prize medal for reading, being borne in his nurse's arms to the old cathedral where the prizes were delivered, to receive it. His studies were continued at the Academy till his eighteenth year, when, from a desire to aid his parents, he went to Marseilles, and entered a mercantile house, but soon returned and prepared for the ministry at the Faculty of Theology, and at the age of twenty-three was ordained by the "*Vénérable Compagnie*" or Presbytery of Geneva. His extraordinary eloquence as a preacher and writer attracted attention at once, and ere long he was appointed preacher at the cathedral, where he occupied the pulpit of Calvin and

drew crowds to listen to his brilliant oratory. He was also appointed Regent at the Academy, and published for the benefit of his pupils a carefully annotated edition of "*Les Fables de Phèdre*," and a selection of Latin poems of his own composition, remarkable alike for the exquisiteness of their Latin versification and their high moral tone. The title of this collection was "*Carmen Ettricum de precipuis bonæ vitæ officiis*." When Cesar Malan entered upon his ministry in the Genevan cathedral, the forms of the church founded by Calvin remained, but the spiritual life had departed. The young preacher endeavored to infuse the vitality of his own fervid spirit into the lifeless forms, and the latitudinarian creed of the "*Vénérable Compagnie*," but in vain. At this time there came to Geneva four men whose influence on his character was deep and abiding. These were the late Dr. John M. Mason and Matthias Bruen, of New York, and the brothers Haldane, of Edinburgh. By their instruction and conversation Mr. Malan was converted from Rationalism to a pure and active Christianity, and preaching the doctrines which he had so heartily imbibed, he soon produced a commotion in the city of Calvin. The "*Vénérable Compagnie*" had issued for circulation among the masses an edition of the New Testament, in which all passages bearing the Divinity of Christ were so altered as to favor the Socinian belief; this translation young Malan denounced with the most vehement eloquence, explaining at the same time to the assembled multitude what were the real declarations of the New Testament. The theological faculty ordered him to desist from such preaching, but in vain; they threatened him with the loss of position, and present and prospective honors; his reply was "God and Truth will remain."

In 1818 the rupture between him and the *Vénérable Compagnie* had become too public to admit of any hope of reconciliation, and he was dismissed from the Established Church, and the post of "regent" filled by another. For two years subsequently he preached in his own house, where some of the most eminent people of Geneva attended his service constantly. In 1820 he erected upon his own ground a church, which he named "the Chapel of the Testimony." (*La Chapelle du Témoignage*.) But his active spirit was not content with preaching the truth, or engaging in pastoral labors; his pen was also busy, now on polemical works, in defence of the Divinity of Christ; or the Sovereignty of Divine Grace, or exhibiting errors of the Romish Church, and anon in the preparation of religious tracts, clear, simple, and practical, and which exerted a powerful influence over the masses. He established the first Sabbath-school in Switzerland; founded a Magdalen Asylum, or "Penitentiary," as it is called on the Continent; organized a Tract Society for Switzerland, and taught a school of theology, in which several excellent pastors and some missionaries were educated; and amid all his toil

and cares found time to indulge his extraordinary powers as a musical composer and poet in the composition of both the music and words of a collection of *Chants de Sion*, many of the tunes in which are now adopted in the religious worship of nearly every Protestant denomination and people in Christendom, and some of his anthems have even been introduced in the Catholic service. Dr. Malan was a painter of great skill, both in oils and water colors, producing many gems in miniature during his hours of relaxation, for the gratification of his friends, a skilful lithographer and printer, and as a sculptor he possessed the ability to have attained a very high rank. Thorwaldsen was his intimate friend, and more than once intrusted him with the completion of some of his choicest groups, of which the lion executed for the city of Lucerne is an example, the fore-foot having been cut by Dr. Malan. These artistic pursuits constituted his usual amusement and relaxation from severe studies. He was an accomplished linguist, and with one of his sons, now a clergyman of the Church of England, and said to be equal to Mezzofanti in the extent of his linguistic acquirements, he made it a rule only to converse in Latin. Dr. Malan repeatedly visited England, where he attracted great attention by his eloquence, and where he had many warm friends. Many of his tracts, and several of his larger works, have been translated into English, and published in England and the United States. Among the Italian are "the Church of Rome," N. Y., 1844. "Stories for Children," 1852. "Pictures from Switzerland," 1854.

He was able to preach in his own church until the 10th of November, 1863, when he was prostrated by the disease which eventually proved fatal, but lingered almost six months, maintaining, amid severe and constant suffering, that serenity and patience which had been conspicuous in his entire life.

MARYLAND. At the commencement of 1864 all parties in this State were looking forward to the session of the Legislature which was to inaugurate measures for emancipation. The question of a State Convention to alter the organic law of the State, so that emancipation could be effected, had been decided at the election in November, by the choice of members to the Legislature in favor of such change. This body assembled at Annapolis on January 6th. The Senate was organized by the election of John S. Sellman as President, and the House of Delegates by the election of Thomas H. Kemp as Speaker. The vote was for Kemp 54, for John S. Dent 16, and one blank. On the 10th the following joint resolution was passed in the Senate and sent to the House, where on the next day it failed to pass—ayes, 26; noes, 27.

Whereas, The Senate of Maryland has this day received information from a "member of the House of Delegates" and from other reliable sources, that Gen Birney, who is in command of the "negro encampment at Benedict," has sent out about one hundred and fifty negro soldiers into the counties of Charles

and St. Mary's, with orders to seize upon and carry into the encampment at Benedict all negro men found upon plantations and otherwise, for the purpose of forcing into the military service of the United States all such as are capable of bearing arms, and of setting at liberty all who are not fit for such service;

And whereas, In the opinion of the Senate, this outrage upon the rights, property, and security of her citizens has been perpetrated by said Birney without the authority, knowledge, consent, or approval of the President; therefore,

Resolved, That a joint committee of not less than three on the part of the Senate, and not more than five of the House of Delegates, be and hereby are appointed to repair to Washington to confer with the President, and ask such redress and protection for her citizens as the necessities of their condition claim, and demand protection at the hands of the Government, and at their earliest possible convenience report to their respective bodies.

On January 13th the position of the members of the House on the question of emancipation was brought to a test. A preamble and resolutions were introduced, declaring that the "true interests of Maryland demand that the policy of emancipation should immediately be inaugurated within her borders;" that the Legislature "declares its intention to submit to the people at as early a day as practicable a call for a Constitutional Convention, so as to give them an opportunity to carry such policy into effect;" and requesting the Senators and Representatives in Congress "to use all honorable efforts to secure the passage of a law by Congress whereby all *loyal owners* may be compensated for the loss of their slaves." By a vote of 48 to 22, the rules were suspended, and the resolutions passed to a second reading. A proposition to amend the last resolution by striking out the words "loyal owners," and inserting "all who own slaves, and have not engaged in actual hostilities against the Government of the United States, or given aid or comfort to those engaged in hostilities against said Government," was rejected by a vote of yeas 19, nays 51. The preamble and resolutions were finally adopted by a vote of 51 to 15, seven members being absent or not voting.

On January 15th the Committee to whom was referred that portion of the Governor's Message relating to a State Constitutional Convention, submitted a majority and minority report. The majority report was signed by all the committee except one. It proposed a bill directing an election to take place on the 6th day of April ensuing, at which ballots should be cast "for a Convention or against a Convention." At the same election should be chosen delegates to a State Convention, on the same basis of representation as was established in the election of members of the State Legislature. If the majority of votes were cast in favor of a Convention the Governor was then to issue a proclamation, declaring that fact, and the delegates elected should meet in Convention at Annapolis on the 27th day of April. The Constitution adopted by the Convention was to be submitted to the voters of the State for confirmation or rejection at such time as the Con-

vention might prescribe. At the time of voting on the Convention question and for the election of delegates thereto, it was made the duty of the judges of election to challenge a voter on the ground of not being a citizen of the State, that he had expatriated himself, or did not admit his allegiance to the United States. To voters thus challenged an oath of allegiance was to be administered as a test of citizenship. The vote of those refusing the oath was to be rejected. The oath prescribed required the challenged voter to swear that he had not borne arms against the United States, or encouraged persons in armed hostility thereto; that he had not yielded voluntary support to any Government within the United States and hostile thereto, or held office under any such pretended authority, and furthermore that he would support the Constitution and Government against all enemies, foreign or domestic, and bear true allegiance thereto. The members of the Convention on assembling were required to take the same oath.

The bill reported by the minority submitted the question of Convention or no Convention to the voters at an election to be held on the 6th day of April, but did not provide for the election of delegates at that time. The result was to be certified to the Governor, who was to announce it in a proclamation. The Governor was also to communicate the vote to the Legislature, if he should call an extra session, or if he should not convene one, then at the next regular session of the Legislature. The effect of the bill would then be, that unless the Governor chose to convene an extra session of the Legislature, provision for the election of Delegates could not be made sooner than two years. The bill provided no test oath for voters or for members of the Convention.

On the 18th the Committee in the Senate on the same subject reported a bill similar to the majority bill of the House without conferring the right to require an oath of allegiance of voters as a test of citizenship.

On the 20th a motion made in the House to amend the majority bill so as to postpone the election of delegates to November, 1865, was lost—ayes 15; noes 51. On the 21st a motion to substitute the minority bill was lost—ayes 20; noes 51. In the Senate a motion to postpone the election of delegates to November, 1865, was lost—ayes 6; noes 15. These votes were watched with intense interest by the friends of immediate emancipation, who regarded them as test votes.

On the 22d a motion was made in the House to strike out of the bill the test oath. On the next day it was carried—ayes 33; noes 28.

On the 27th the Senate adopted an amendment providing that in all cases where voters were challenged as to their right of citizenship, on the score of having taken up arms against the Government, or having given aid, counsel, and encouragement to those in rebellion, it should be the duty of the Judges of Election to

put the party so challenged on his oath, and to examine him as to the truth or falsity of the charge. The vote was—ayes 14; noes 3.

On the 28th the Senate passed the bill before it—ayes 13; noes 2. The House on the same day passed its bill—ayes 45; noes 17. On February 3d the House passed the Senate bill with some amendments—ayes 43; noes 16. The most important amendment was the striking out from the first section all provisions relating to military interference with the election, and providing that the Clerks of the Circuit Courts of the State, the Clerks of all the Courts of Baltimore City, and the Registers of Wills, should not be eligible as members of the Convention.

The Senate, on the 5th, refused to agree to these amendments. The House declined to recede, and appointed a Committee of Conference. In conference it was agreed that the House recede from its amendment striking out that portion of the first section relating to military interference at the election, and that the section continue in the bill as it originally passed the Senate.

An amendment making members of the Legislature of Maryland eligible to seats in the Convention as delegates, but disqualifying the Senators and Representatives in the Congress of the United States, Judges of the Circuit Court of Baltimore and all the counties, the Judges of the Superior Court, Court of Common Pleas, and the Criminal Court of Baltimore City, the Clerks of all the said Courts, the Registers of Wills, and Sheriffs of all the counties and the city of Baltimore, was adopted.

An amendment was also agreed to requiring that sixty-five members of the whole number of delegates to the Convention—ninety-six—should be elected under the provisions of the bill before the Convention should organize; and after such organization, fifty members—the number constituting a quorum of both Houses of the Legislature—at least to constitute a quorum for the transaction of any business.

The bill was passed with amendments of the Conference Committee, in the Senate—ayes 14; noes 2. House—ayes 43; noes 15.

The provision in the bill relating to military interference with the election, was as follows:

And in case any organized military or armed force of the United States shall appear at the places where the polls shall be held, and shall interfere with said election, unless such military or armed force shall be called out by the judges of election, or other civil authority charged with the preservation of the peace, the said judges of election shall, under oath, certify to the Governor such unwarranted military interference with said election, in such election district or precinct, and the Governor shall, immediately thereupon, order a new election for delegates to said Convention, after ten days' notice, to be given by the Sheriffs as aforesaid, in such election district or precinct, and such new election shall be held and conducted in the manner and form hereinbefore provided; and the Governor shall order a new election for delegates from time to time as often as such illegal military or armed interference with the election shall be certified to him as aforesaid; but such

order or orders for such new election or elections shall not interfere with, hinder, or delay the assembling of said Convention as herein provided, if it shall appear from the count that a majority of all the votes cast in the election districts and precincts where no such illegal military or armed interference shall be certified to have taken place, are in favor of the call of such Convention.

The day fixed in the bill for the election was April 6th, and the day for the assembling of the Convention, if the election was successful, was April 27th.

Previous to the election a correspondence took place between Maj.-Gen. Wallace, commanding the military department, and Gov. Bradford, relative to the persons who should be allowed to become delegates to the Convention, or who should be allowed to vote for delegates, as follows:

HEADQUARTERS, MIDDLE DEPARTMENT, }
EIGHTH ARMY CORPS, }
BALTIMORE, Md., March 30, 1864. }

His Excellency, Gov. A. W. Bradford:

DEAR SIR: Herewith please find official copies of papers, a glance at which will doubtless satisfy you that persons disloyal to the Government of the United States are candidates for the Constitutional Convention, the election for which takes place on the 6th of April next. It is hardly necessary for me to say that I am deeply interested in the prevention of the scheme disclosed; and as my offer of coöperation in all matters calculated to promote the welfare of the people of Maryland was very kindly received by you, I am encouraged to ask a question touching a subject about which your Excellency's official opinion is entitled to the most distinguished consideration.

As the oath which the law providing for a Convention requires you to administer to delegates elect, before taking their seats, was evidently intended to exclude disloyal persons from participation in the deliberations of that body, I have thought it possible that it was also the legislative intention to provide a method for the rejection, at the polls, of the votes of disloyal men, and that the power, amounting to judicial authority (according to my interpretation of the act), with which the Judges of election are clothed, was really the mode adopted by the law-makers for the accomplishment of that purpose.

Your Excellency would oblige me very much, therefore, by giving me your views as to the extent of authority possessed by the Judges of Election, and especially as to whether they have power to reject a vote on account of the disloyalty of the person offering it?

I will avail myself of the first opportunity to disclose to your Excellency the circumstances which, in my judgment, make it my duty to advise with you touching the subject.

Meantime I have the honor to remain, most respectfully, your friend and very obedient servant,

(Signed) LEW. WALLACE,
Maj. Gen. Com'dg Middle Department.

Reply of Gov. Bradford.

STATE OF MARYLAND EXECUTIVE DEPT., }
ANNAPOLIS, March 31, 1864. }

Maj.-Gen. Lew. Wallace, Commanding Middle Dept.:

DEAR SIR: I received your letter of 30th inst., in which, premising that persons disloyal to the Government of the United States are candidates for the Constitutional Convention, the election for which takes place in this State on the 6th of April next, and referring to the oath which by the law providing for that Convention its members are required to take before they are entitled to seats therein. You suggest that it was probably also the legislative intention to provide for the rejection of the votes of disloyal per-

sons at that election, and that the Judges of Election are vested with an authority to that effect. You, therefore, request me to give you my views as to the extent of the authority possessed by the Judges on that subject.

It gives me pleasure to comply with this request, and to state as explicitly and as briefly as I can my views of the power possessed by our Judges of Election in the premises.

By a clause in our election laws as it has existed for many years, it is provided that "the Judges of Election may administer an oath in any inquiry they may deem necessary to be made touching the right of any person to vote; and if any person shall swear falsely in relation thereto, he shall, upon conviction thereof, suffer the pains and penalties of perjury." The effect of this provision was to authorize the administration of an oath by the judges in any inquiry touching the right of a person offering to vote; but whilst the oath was thereby legalized, and a party swearing falsely was subjected to the penalties of perjury, there was nothing in the law which required the judge to administer such oath. This omission, so far at least as the election of the 6th of April next is concerned, has been supplied by the act of the General Assembly under which that election is to be held.

By the terms of that act it is no longer a discretionary authority with the Judge to administer an oath or not, but it is made his duty to do so, and especially in the language of that act, "to every person offering to vote whose vote shall be challenged on the ground that such person has served in the rebel army, or has either directly or indirectly given aid, comfort, or encouragement to those in armed rebellion against the Government of the United States."

The fact to be ascertained is, whether the voter has served in the rebel armies, or directly or indirectly aided, comforted, or encouraged those engaged in the present rebellion; and whilst the Judge is required, wherever a voter is challenged on such ground, to administer an oath to him, he should not content himself with the mere denial, in general terms, by the one so challenged, that he has ever aided, comforted, or encouraged the rebels, but would be authorized, and I think required, to test the recollection of the party swearing by propounding to him particular interrogations, suggestive of different modes by which this aid, comfort, or encouragement may have been given—precisely as when a voter is challenged on the ground of a want of residence, the mere general affirmation upon oath of the party challenged would not be considered sufficient proof of his residence, but he would be required to state time, place, and circumstance, upon which a proper judgment as to the question of residence might be formed.

Neither is the Judge, in case of a challenge, on any account concluded by the answers of the party challenged, but he is fully authorized to administer an oath to any other who may be present and cognizant of facts having a relation to the question.

It will, of course, occur to you, from the acts which I have quoted, that the giving at any time since the commencement of the existing rebellion, either directly or indirectly, of aid, comfort, or encouragement thereto, is, so far as the coming election is concerned, the disqualification of a voter; for the General Assembly would not have imposed upon the Judge of Election the duty of inquiring into these facts, if, when their existence was established, the voter could still exercise the right of suffrage. I know that it may be said that the General Assembly possessed no power to prescribe the qualifications of a voter, and that these are established by the Constitution; but without entering into any discussion upon this point, or as to the extent of the Judges' power to inquire into and determine the question of citizenship—one of the constitutional qualifications to be possessed by the voter—it is sufficient to know that the General Assembly has declared that certain acts shall disqualify the voter at this election.

Such is the law of the State authorizing and regulating said election, and no one can lawfully question the constitutionality of that law until some court of competent authority has declared it unconstitutional. This is a prerogative belonging to our courts alone, and even as a judicial function is the exercise of a power of a grave and delicate character, and only warranted in a clear case.

I think, therefore, sir, that from this very hasty and imperfect review of our laws upon the subject, you will agree with me in believing that they are entirely sufficient, if faithfully executed, as I have every reason to hope they will be, to exclude disloyal voters from the polls.

The duty of our Judges of Election is, it seems to me, in this respect clearly defined and adequately enforced. By the 7th section of the Convention act, it is provided that any Judge of Election who shall refuse or neglect to perform any of the duties required of him by that act, "shall be liable to indictment for such offence, and upon conviction thereof shall be deemed guilty of a misdemeanor, and be sentenced to a fine of not less than \$500, and to imprisonment in the jail of the city or county where such offence may have been committed, for a term of not less than six months."

In conclusion, permit me to say I shall be at all times pleased to confer with you in all matters connected with your command touching the interests of the people of this State.

I have the honor to be, with great respect, your obedient servant,

A. W. BRADFORD.

Unusual care was taken to prevent unsuitable persons becoming members of the Convention. In Anne Arundel County, a Mr. E. G. Kilbourn was nominated as a delegate to the Convention. Gen. Wallace immediately ordered certain interrogations to be put to him, which, with his answers, were as follows:

First question asked: "Where were you born, and how long have you been a citizen of the State of Maryland?"

Answer: "I was born in Fitchburg, in the State of Massachusetts, and have been a citizen of Maryland since 1829 or 1830."

Second question asked: "Were you elected to and Speaker of the House of Delegates that met at Frederick, Maryland, April 26, 1861?"

Answer: "I was."

Third question asked: "At that session of the General Assembly of the State of Maryland were a series of resolutions offered and assented to explaining the relations of Maryland with the Federal Government, in which the following language may be found:

Whereas, The people of Maryland, while recognizing the obligations of their State, as a member of the Union, to submit in good faith to the exercise of all the legal and constitutional powers of the General Government, and to join as one man in fighting its authorized battles, do reverence, nevertheless, the great American principle of self-government, and sympathize deeply with their Southern brethren in their noble and manly determination to uphold and defend the same,

Now, therefore, it is hereby resolved by the General Assembly of Maryland, That the State of Maryland desires the peaceful and immediate recognition of the independence of the Confederate States, and hereby gives her cordial consent thereunto, as a member of the Union, entertaining the profound conviction that the willing return of the Southern people to their former Federal relations is a thing beyond hope, and that the attempt to coerce them will only add slaughter and hate to impossibility.

And also a resolution requesting the Representatives and Senators of the States of Maryland in the Congress of the United States to urge and vote for an immediate recognition of the independence of the Confederate States, in which may be found the following language:

Be it resolved, That the Representatives of the State of Maryland in the Senate of the United States, at the approaching extra session of that legislative body be, and they are hereby, earnestly desired and requested to urge and vote for an immediate recognition of the independence of the Government of the Confederate States of America.

Answer: "I am presented with a copy of the laws as contained in a volume, marked 'Laws of Maryland, 1861,' and without being able to state from my memory the fact, the resolutions as copied but in connection with others appear to have been offered and assented to."

Fourth question asked: "Did you vote for the series of resolutions to 'May 14,' 1861, heretofore cited, 'explaining the relations of Maryland with the Federal Government, and the resolutions requesting the Representatives and Senators of the State of Maryland in the Congress of the United States to urge and vote for an immediate recognition of the independence of the Confederate States?'"

Answer: By a journal of the proceedings of the House of Delegates I see my name recorded in favor of the series of resolutions assented to on the 14th day of June, and presume I voted as stated in the journal.

Fifth question asked: Did you vote for the series of resolutions assented to June 20th, in which may be found the following words:

Resolved, That prudence and policy demand that the war now waged shall cease; that if persisted in, it will result in the ruin and destruction of both sections, and a longer continuance of it will utterly annihilate the last hope of a reconstruction of this Union; therefore we want peace, and are in favor of a recognition of the Southern Confederacy and an acknowledgment of its Government.

Answer: I have no recollection of the words of the resolution, but presume I voted as stated in the journal of proceedings.

Sixth question asked: Are you aware that in the law providing for the Convention, for which you have presented yourself as a candidate, the Governor of the State is required to administer an oath to all its members to the following purport: They are required to swear that

They have never, either directly or indirectly, by word, act or deed, given any aid, comfort, or encouragement to those in rebellion against the Government of the United States?

Answer: I state positively that I have not attended any primary meeting or presented myself for election, and would not take the oath, if elected, as embodied in this interrogatory, and therefore would not serve. The reason why I could not take the oath is because of the possible misconstruction of my votes in the Legislature, all of which I gave in full conviction that they would promote the peace and happiness of the Union.

Seventh question: Should you be elected to the Constitutional Convention of this State, on the 6th of April next, would you take this oath before taking your seat in the Convention?

Answer: No.

E. G. KILBOURN.

Witness: MAX WOODHULL, Ass't Adj't Gen.

In consequence of this development Mr. Kilbourn's name was withdrawn from the ticket. The county judges also were extremely careful in conducting their investigations as to the proclivities of voters. In Cecil County they adopted the following particular interrogatories for their general guidance. These were recommended for adoption in all the counties:

QUESTIONS.

1. *Service in the Rebel Army.*

Have you ever served in the Rebel army?

2. *Aid to those in armed Rebellion.*

Have you ever given aid to the rebellion?

Have you never given money to those intending to join the rebellion?

Have you never given money to their agents?

Have you never given money, clothing, or provisions for the purpose of aiding the emigration of persons from this State to the South?

Have you never sent money, clothing, or provisions to persons in South since the rebellion?

8. *Comfort and Encouragement to the Rebellion.*

NOTE.—Comfort or encouragement means advocacy, advice in favor of. We aid the Rebellion by giving money, clothing, and provisions; we give it comfort or encouragement by our words. A man who has advocated the cause of the Rebellion, who talked in favor of Maryland going with the South, who rejoiced over the victories of the Rebel army, has given comfort and encouragement to the Rebellion.

Have you ever given comfort or encouragement to the rebellion?

Have you never, in conversation, attempted to justify the course of the States in rebellion?

Have you never expressed a wish for the success of the rebellion or its army?

Have you never in conversation discouraged the cause of the Federal Government?

Did you rejoice over the downfall of Fort Sumter?

4. *Disloyalty.*

NOTE.—If the Judges are satisfied that a man is disloyal to the United States, it is their duty to refuse his vote, for such person is not a "legal voter" of the State of Maryland.

Are you a loyal citizen of the United States?

Have you been loyal ever since the beginning of the rebellion?

Have you never rejoiced over the defeat of the Union army?

Have you never rejoiced over the success of the Rebel army?

When the Union army and the Rebel army meet in battle, which do you wish to gain the victory?

NOTE.—After interrogating the person offering to vote, the Judges may hear other evidence to prove or disprove his statements, and must be governed by the weight of testimony.

The result of the election was a majority of more than twelve thousand in favor of holding a convention. The number of delegates elected was ninety-six, of whom sixty-one were emancipationists and thirty-five opposed to emancipation. In the election there had also been involved the question of emancipation, with or without compensation. Of the emancipationists elected all, excepting three, were opposed to emancipation with compensation.

The Convention assembled at Annapolis on April 27th. Eighty members were present, and sixteen absent. Henry H. Goldsborough was elected President, having received fifty-eight votes. The following oath was administered to the members:

I do swear, or affirm, that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, discharge the duties of member of the Convention to frame a new Constitution and form of government; that I will support the Constitution of the United States, and will be faithful and bear true allegiance to the State of Maryland and the Government of the United States, any law or ordinance of any State to the contrary notwithstanding; and that I have never, either directly or indirectly, by word, act, or deed, given any aid, comfort, or encouragement to those in rebellion against the Government of the United States; and this I swear voluntarily, without any mental reservation or qualification whatever, so help me God.

On May 12th, the Committee on the Declaration of Rights presented a majority and minority report. The majority report consisted of forty-three articles, all of which corresponded

nearly with the then existing Constitution of Maryland, except the fourth and twenty-third articles, which were as follows:

Article 4. The Constitution of the United States and the laws made in pursuance thereof being the supreme law of the land, every citizen of this State owes paramount allegiance to the Constitution and Government of the United States, and is not bound by any law or ordinance of this State in contravention or subversion thereof.

Article 23. That hereafter, in this State, there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall have been duly convicted; and all persons held to service or labor as slaves are hereby declared free.

The minority report approved generally of all the articles contained in the majority report except the fourth and twenty-third, respecting which the minority say:

That, with regard to the proposed fourth article of the Declaration of Rights, as reported by the majority, they are of opinion that however true is the proposition that the Constitution of the United States and the laws made in pursuance thereof are the supreme law of the land, yet it has never been deemed necessary by the statesmen who framed that Constitution, or by those who framed the constitution of this State, or, in so far as the undersigned have learned, by the framers of any one of the numerous constitutions of the other States, to insert amongst the rights and prerogatives of their citizens any language enforcing the obligation of allegiance to the General Government of the United States.

Nor do the undersigned perceive the necessity for a departure from the universal practice that has obtained in all the States, and which practice has been adhered to even in those instances where constitutions have been framed in the midst of existing civil war; or for the voluntary offering of allegiance to the Government, on an assumed condition of hostility in the legislation of the State to the Government of the United States.

The undersigned also dissent from the adoption of the 23d Article as proposed in the majority report, believing it to contemplate a sudden, violent, and most mischievous destruction of the relation of master and slave, which, commencing with the earliest history of the colony, has been maintained during all the intervening period, with the regular and progressive advancements of the State in all that is useful and honorable, and with a conviction of its usefulness and propriety on the part of our citizens so deeply and universally felt, that they have carefully prohibited by their Constitution, as well that of 1776 as that of 1851, any interference with this relation, the rupture of which is now recommended by the majority of the committee, without the slightest preparation on the part of either master or slave for the extreme change of condition so instantaneously precipitated upon them, inflicting upon each very serious and unnecessary injury and suffering, and particularly upon the slaves, and in the absence of compensation, iniquitous and unjust in the extreme to the master.

The articles reported by the majority, except the 4th and 23d, were considered, and generally approved on the second reading. The latter were reserved for special consideration by the Convention. On June 1st they were taken up; when Mr. Clarke, of Prince George County, moved to strike out the 4th article, and insert the following:

The Constitution of the United States, and the laws made in pursuance thereof, being the supreme law of the land, every citizen of this State owes alle-

grance to the Constitution and Government of the United States, within the limits of the powers conferred by that Constitution, and is not bound by any law or ordinance of this State in contravention or subversion thereof; and the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, being reserved to the States respectively, or to the people, every citizen of this State owes allegiance to the State of Maryland, so far as the sovereignty of the State has not been affected by the Constitution of the United States and the laws made in pursuance thereof, and is not bound to yield obedience to laws made in direct violation of the Constitution of the United States, and in the exercise of usurped powers.

To this amendment, Mr. Sands, of Howard, offered the following amendment:

Provided, That nothing contained in this article shall be construed as giving to the State a right to secede from the Federal Union, or to form a Confederation with any other State or States of the Union, or to seize by force of arms or otherwise any property of the United States situate and being within the limits of this State, but that these acts are hereby expressly forbidden.

On the next day the amendment of Mr. Sands was adopted—yeas 45; nays, 30. The amended proposition was then rejected without a division, and the question recurred on the original article, when a motion was made to strike out the word “paramount,” and a general discussion ensued.

Mr. Cushing, of Baltimore City, in favor of the article without any change or amendment, took the floor:

He alluded to the protection that had been given the people of Maryland when the State had been invaded, and said the General Government had always exercised its paramount supremacy for the good of the people. There was no authority in Maryland to protect the people but that of the Government of the United States, and it was the least that the people could do to recognize the paramount allegiance they owed to that Government, and he would be happy to record his vote in favor of the article. He contrasted the spirit actuating the Government of the United States and the so-called “Confederate” Government, saying that the former savored of the mild, merciful, and paternal spirit of our Heavenly Father, and the other of the malignant spirit of the Father of Lies, and that the difference between the two was the same as that between Heaven and Hell.

On the next day, June 3d, Mr. Belt, of Prince George County, in opposition, contended:

That “allegiance” was due to the State and “obedience” to the General Government, and said he was opposed to the article because it tended to the adoption of the theory of the consolidation of Government, which he believed had been a curse to the country for the past three years.

The discussion was resumed on June 13th, when Mr. Miller, of Anne Arundel, in opposition said:

He would base his argument on three propositions, which he held to be true: First. That the Colonies, at the time of the accomplishment of the Revolution, were sovereign and Independent States. Second. The Constitution of the United States was adopted by the people as citizens of the distinct and independent States to which they belonged at the time of its adoption, and that each of them was then considered and recognized as a sovereign State. Third. That the Government of the United States thus created is of a limited character, confined to the exercise of

limited powers, and all such powers as are not granted to it or implied are necessarily held by the people.

Mr. Miller argued at length in support of his views, saying that he was opposed to the doctrine of Secession as a constitutional right, and that he also opposed the doctrine that we are a people living under a consolidated Government with unlimited powers. The States form distinct and independent portions of the Government, and in their sphere are no more subject to the control of the Government of the United States than the latter is to the control of the State. The laws of the United States are supreme as to all their constitutional objects, and the laws of the State are the same, and it is no more the duty of the citizen to sustain the laws of the Federal Government against the laws of the State, than it is his to sustain the laws of the State against those of the Federal Government. Each are supreme in their constitutional sphere. In case of a conflict where they come under judicial cognizance we have the Supreme Court of the United States to appeal to, and several times that body has declared laws of both the United States and of the States to be null and void. There may arise cases which cannot be brought before that tribunal. Who, then, is to be the arbiter? Mr. Miller read extracts from an address delivered by John Quincy Adams before the New York Historical Society in 1839, from Edward Everett's letter accepting the nomination for Vice-President in 1860, from Secretary Seward's letter of instructions to Minister Adams in 1861, and from Alexander Hamilton in the Federalist, declaring that in a case of that kind arising, it would be better for the States to separate than to attempt to live together by coercion, and that such a course would only end in ruin.

Mr. Miller also said, during the course of his remarks, that the Government of the United States had no right to build a fort, dockyard, arsenal, or any building, except by the consent and permission of the State wherein such building was to be located. The Naturalization laws of the United States do not require those intending to become citizens to swear allegiance to the Government of the United States, although they have been citizens of a foreign nationality and sworn allegiance thereto. The person becoming naturalized swears only to “support” the Constitution of the United States, and gives his “allegiance” to the State of which he may happen to become a citizen.

On the 15th, the subject was again under discussion, when Mr. Ridgely, of Baltimore County, said:

This question was as old, if not older, than the Constitution itself, and had been a bone of contention ever since the formation of the Government; it had divided the country into sectional parties in the first Congress which met under the Constitution, and during the two first Administrations of the Government had supplied the South with sectional capital in their opposition to Mr. Hamilton's bank project, also to his suggestion to assume the payment of State debts; to the excise laws and tonnage duties; and in Mr. Adams' Administration, to the alien and sedition laws.

During the two succeeding Administrations it had arrayed the North against the South, in its opposition to the Embargo; and the war of 1812 had led to the claim of State Rights by the North, and the right of secession, and the doctrines of the Hartford Convention. In reviewing the relative positions occupied by the North and the South in the early days of the Republic, he had reached the conclusion that this doctrine had its origin rather in the local interests of the party which had expressed it, than in any love for the Constitution, or desire to restrain its functions. The South was inflamed by the introduction of petitions from Pennsylvania, in the first Congress,

to abolish their peculiar institution, Slavery; and the North were in a corresponding degree imperilled by the serious injury done to their commerce by the Embargo and the Declaration of War; he had, therefore, notwithstanding his veneration for the great names of Madison and Jefferson, whose opinions had been mainly relied upon as contemporaneous with the formation of the Constitution as authority for the doctrine of State Sovereignty, to receive such authority with comparative qualifications and restraints—for the reason that these men were at last but men, and were influenced in a good degree by the circumstances of their surroundings, by the prejudices inseparable from their locality and connections, and the training and discipline of the school of politicians to which they belonged.

They had expressed opinions upon both sides of this question. Mr. Madison, as a member of the First Congress, had earnestly opposed Mr. Hamilton's project of a bank, upon the ground that there was no such power enumerated in the grant of powers in the Constitution; that Congress had no power to create a corporation—and mainly upon his influence the scheme was defeated. The same gentleman—Mr. Madison—had, during his Presidency, surrendered these constitutional scruples, and signed the bill to incorporate the Bank of the United States. Mr. Jefferson, who, notwithstanding his well-known State Rights doctrines, had, in his advocacy of the construction of the navy by the Government for the purpose of punishing the Barbary powers, maintained that such navy would be also an effectual means of enforcing the laws against delinquent States. Mr. Jefferson had also, in a letter to Mr. Monroe, expressed the opinion that a single frigate sent to a delinquent port which had refused or withheld payment of its taxes to the Government, would be the effectual means of coercing obedience to the laws.

He also repudiated the theory that the United States was the mere agent of the separate State Sovereignities, by referring to the absurd conclusion which such premises would involve, leading, as they did, to the inevitable result, that the principal, if the individual States were such, would in fact be subordinate to the agent, for, by the Constitution, every officer of a State Government was bound, under oath, to support the Constitution of the United States; hence the obligation would be from the principal to the agent, rather than from the agent to the principal.

He concluded his speech by an analysis of the proposed Article in the Bill of Rights under discussion, contending that it was literally a transcript of the existing Article in the Constitution of the United States, which declares that the Constitution, and the laws made in pursuance thereof, is the supreme law; and that the language of the Article reported by the Committee on the Bill of Rights did not vary the Article, but simply drew, as a conclusion from the words of the Constitution, that *paramount* allegiance was due to it, simply because the law being supreme, necessarily imposed, as inseparable from such supremacy, supreme allegiance to it; or, in other words, supreme *obedience* to it. He remarked also that he thought the objection was rather to the word *allegiance*, because in these times it had a peculiar significance, well understood, without special definition, rather than to the idea that supreme obedience was not due to the Constitution of the United States and the laws made in pursuance thereof.

The question was fully discussed, and on June 16th all amendments were rejected, and the original article adopted—yeas 57; nays 31.

The 23d article was next taken up for discussion, and its passage urged by Mr. Valliant of Talbot County, who thus presented the reasons for refusing compensation to owners:

This article fails to make any provision for the compensation of those who may happen to lose by the sudden emancipation of slavery, and fails to empower the Legislature to make any such provision, and very justly failed to do so. Mr. President, slavery has already been emancipated. I contend that there is not a single slave in the State. Let us see if I am correct in saying there is not a single slave in the State. If one of your servants saw fit to approach you to-morrow morning and say: "I want to leave your service forever, and that ere another day passes over my head, I shall be beyond the western hills, to take up my residence with a strange people," you would not think it worth your while to take any steps to prevent his absconding. Is he a slave who can approach his master and use such language as this with impunity? Certainly not. Then, sir, slavery is entirely destroyed in this State, and really it is not the institution of slavery which we propose to do away with, but the status of slavery. All we propose to do is to wipe off from our statute books all recognition of an institution which has already ceased to exist.

Mr. President, I submit to gentlemen thinking differently from myself if it is the fault of the State of Maryland that slavery has been abolished here, or in any of the States south of it? Did the honest workingmen of this State have any thing to do with it? Did the people of the State, or any party in it, bring about this radical change? Had the Governor of the State any hand in it? or had any of the State authorities any hand in it? Then, sir, I want to know, if neither the State nor any of the State authorities, nor the people, had any thing to do with the breaking up of the institution, upon what principle of justice can gentlemen claim a compensation at the hands of the State? Was it the fault, I again ask, of the honest, hard-fisted workingman of the State, the small farmers of the State, the merchants of Baltimore, or the people of any of the Western counties? If not, then why should they be compelled to pay for it? Had the sudden emancipation of slavery been under their control, you and I would still have been slaveholders; therefore I am honestly of the opinion that the State ought not to be taxed for this destruction of property, for which destruction it is not in the smallest degree to be held responsible.

Suppose, for the sake of argument, slavery does exist in Maryland; suppose, further, that good men hands are worth all the Government is offering to pay for them; even in that case I doubt the expediency of the State paying for them, and for this reason, that if we undertake to compensate loyal owners we will soon have to compensate the disloyal.

The leading objections to emancipation were presented in opposition by Mr. Peter, of Montgomery County.

He first contended that the ties which bind the affection and love of a people to their country was a safe, sure, and stable protection in their rights and privileges, among which is the right of property; that the right of property in slaves existed by Divine authority, and by the laws of the land as settled and fixed by the decisions of the Supreme Court of the United States. He secondly contended that nothing sooner disturbed the quiet and equanimity of a people than the infringement or destruction of this right. That the destruction of this right would be a flagrant act of injustice to the people of Maryland, and dangerous in the extreme. If they could be stripped of one species or kind of property in this summary manner, it might soon follow that they would be deprived of some other kind of property; that by the Constitution of the United States the people of this State cannot be thus divested of their property, under the plea of policy or necessity, without just compensation. That the Constitution of the

United States being the supreme law of the land, no State action can divest its citizens of rights secured by that instrument. That the excuses and grounds urged for the destruction of this right in Maryland were fallacious excuses for personal advancement and gain. That we have suffered already great wrongs and injuries at the hands of the Government of the United States, which was bound to protect us. And lastly, that we were now enveloped in a vale of fanaticism.

The article was further discussed until June 33, when it was adopted—yeas 53; nays 27. On July 6th the Declaration of Rights reported by the majority of the Committee passed the Convention—yeas 43; nays 14.

The Convention continued its sessions during eighty-nine days, until Sept. 6th, when the new Constitution for the State was reported by the Committee on Revision as ready to be submitted to the Convention. It was read and adopted: yeas 53; nays 25. Some of the members opposed to the Constitution, when called to vote briefly stated the grounds of their objections, thus:

Mr. Dent, of St. Mary's, explained his vote as follows:

I shall vote against this Constitution for the following reasons:

First. Because I believe that the election by which this Convention was called, and its members elected, was not free for the legal voters of the State, but was held and conducted in clear violation of the legal rights of voters, in consequence of which a majority of the legal voters of the State was excluded from the polls.

Second. Because by this Constitution the cardinal principles of the rights of the State have been repudiated, and a rapid stride is taken toward centralization of power in the Federal Government.

Third. Because by this Constitution citizens of the State have been unjustly deprived of millions of dollars' worth of property by the abolition of slavery, and no compensation to the owners has been provided; and not only so, but the Legislature is expressly prohibited from providing compensation hereafter.

My fourth objection is because the right of suffrage is so impaired, or attempted to be impaired, by the provisions for submitting this Constitution to the voters of the State, that there cannot be a free exercise of the invaluable right of suffrage on its adoption or rejection.

Besides these cardinal objections, I have many comparatively minor objections to this Constitution, and believe that, taken as a whole, it is an instrument of wrong and oppression, unparalleled in the history of American Constitutions, and ought not to be adopted.

Mr. Jones, of Somerset, said he considered it a violation of the rights of the citizens to prescribe an oath to qualify them to vote for the new Constitution, and therefore he should vote "no."

Mr. Mitchell, of Charles, said that the people of his county would be affected in a great degree by the abolition of slavery—hundreds would be ruined by it. A great portion of them would also be disfranchised, and he would therefore vote "no."

Mr. Pugh, of Cecil, remarked that he had tried hard to be elected a delegate to the Convention, and he was proud that he had succeeded. Never in his life had he had an opportunity for more rejoicing than in casting his vote in the affirmative on the adoption of the Constitution.

Mr. Chambers, of Kent, said the new Constitution proposed the most unjustifiable seizure of property, and the most wanton attack on the political rights of

those whose property, liberty, and every political right the Convention had assembled to protect. He would therefore vote "no."

A protest against the action of the Convention, signed by thirty-five of its members, was subsequently published.

The Convention provided for submitting the new Constitution to the people on Oct. 12th and 13th, under such restrictions as were required in the Constitution for the qualification of voters at State elections, which were as follows:

SEC. 4. No person who has at any time been in armed hostility to the United States, or the lawful authorities thereof, or who has been in any manner in the service of the so-called "Confederate States of America," and no person who has voluntarily left this State and gone within the military lines of the so-called "Confederate States of America or armies" with the purpose of adhering to said States or armies, and no person who has given any aid, comfort, countenance, or support to those engaged in armed hostility to the United States, or in any manner adhered to the enemies of the United States, either by contributing to the enemies of the United States, or unlawfully sending within the lines of such enemies money or goods, or letters or information, or who has disloyally held communication with the enemies of the United States, or who has advised any person to enter the service of the said enemies, or aided any person so to enter, or who has, by any open deed or word, declared his adhesion to the cause of the enemies of the United States, or his desire for the triumph of said enemies over the arms of the United States, shall ever be entitled to vote at any election to be held in this State, or to hold any office of honor, profit, or trust under the laws of this State, unless since such unlawful acts he shall have voluntarily entered into the military service of the United States, and been honorably discharged therefrom, or shall be on the day of election actually and voluntarily in such service, or unless he shall be restored to his full rights of citizenship by an act of the General Assembly passed by a vote of two-thirds of all the members elected to each House; and it shall be the duty of all officers of Registration and Judges of Election carefully to exclude from voting, or being registered, all persons so as above disqualified; and the Judges of Election, at the first election held under this Constitution, shall, and at any subsequent election may, administer to any person offering to vote the following oath or affirmation: "I do swear or affirm that I am a citizen of the United States; that I have never given any aid, countenance, or support to those in armed hostility to the United States; that I have never expressed a desire for the triumph of said enemies over the arms of the United States; and that I will bear true faith and allegiance to the United States, and support the Constitution and laws thereof as the supreme law of the land, any law or ordinance of any State to the contrary notwithstanding; that I will in all respects demean myself as a loyal citizen of the United States; and I make this oath or affirmation without any reservation or evasion, and believe it to be binding on me." And any person declining to take such oath shall not be allowed to vote; but the taking of such oath shall not be deemed conclusive evidence of the right of such person to vote; and any person swearing or affirming falsely shall be liable to penalties of perjury, and it shall be the duty of the proper officers of registration to allow no person to be registered until he shall have taken the oath or affirmation above set out; and it shall be the duty of the Judges of Election, in all their returns of the first election held under this Constitution, to state in their said returns that every person who has voted has taken such oath or affirmation.

Provision was also made for a vote of the soldiers on the new Constitution, and at the subsequent election for President and members of Congress in November. The new Constitution authorized a poll to be opened in each company of every Maryland regiment in the service, at the quarters of the commanding officer thereof; the commissioned officers of such company were authorized to act as Judges of Election, and any one of them was made competent to hold the election; if no officer was present, two of the voters could act as Judges of the Election; any voters of the State within ten miles of the poll were authorized to vote. The judges were required to take an oath, which each one could administer to the other, to perform the duties of judges according to law, prevent fraud, and observe and make proper returns.

When these sections were reported to the convention, some of the committee presented a minority report, of which the following extract contains their objections:

The undersigned dissent from the report submitted by the majority of the committee:

1st. Because they believe the authority given to soldiers in camp to vote at all elections will utterly fail to have the effect proposed by those who advocate the measure. On the contrary, as the undersigned believe, it will enable the officers who command the soldiers to control the votes of those who feel and know the power of their officers, to make them unfair in various ways, the penalty of disobedience to their wishes. To a soldier on duty, the first great lesson taught is, "obedience to his commanding officer," military necessity requiring a rigid exaction of this duty. It allows of no discussion or discretion. To fail in the smallest respect ensures harsh treatment, even in cases where martial law prescribes no specific penalty. It will not be doubted that the only safe approach to the favor of an officer is to gratify his wishes by voting his ticket.

2d. But whatever may be the propriety of taking the votes of soldiers or their officers, the undersigned cannot permit themselves to doubt of the concurrence of the Convention in their determined opposition to so much of the report of the majority as provides for the *immediate* operation of portions of the Constitution before its adoption by the people. Surely if any one proposition in regard to our proceedings was universally accepted, by all who voted, whether for or against a Convention, it was this, that its work was to be submitted to and accepted by the people of the State before it should have any effect. Yet the majority propose that now, at the very moment when the question of adoption is being taken, in the very act of taking that question, the people shall be bound and governed by it, so far as relates to some of its most important and vital changes of the existing system of Government. What a strange spectacle would be exhibited if the provisions now proposed should be enforced as part of the new Constitution, in direct opposition to the existing Constitution, and yet the result show that the people will not accept the new Constitution! The present Constitution exists until the new one is adopted. How, then, can the provisions of the present Constitution be violated, or interfered with, until the new one has an existence, by the adoption of the people? The great purpose of the majority seems to be to deprive those who form the constituency of this Convention of the privilege secured to them by the present Constitution, of passing upon the work of this body; and to this end, by newly-contrived oaths and by the aid of the military, to confirm their proceedings. For these, amongst other reasons, the undersigned

protest against the report in the particulars mentioned.

In addition to the provision above mentioned in the 4th and 23d sections of the Declaration of Rights, the new Constitution provided for a uniform system of public schools and an elective judiciary. The right of confiscation in case of treason was also secured.

Those who were opposed to the new Constitution objected particularly to the oath as in conflict with the then existing Constitution of the State. Their rights and privileges, they asserted, were held under a Constitution adopted in 1851, and the laws made in pursuance thereof; but the new Constitution which attempted to regulate them, had not been adopted; it was a mere proposition to be accepted or rejected; it was without vitality or energy. Under those views several applications were made to Governor Bradford to instruct the judges of election to disregard the requirement of an oath, and to disregard it himself by announcing that he would not count the votes of any county where such an oath was administered to the voters. In reply to these appeals the Governor declined to act, on the ground that the decision of the question of the constitutionality did not belong to him; it was purely a judicial question, properly belonging to the Judiciary Department.

An active canvass for votes ensued. Public meetings were held in various parts of the State by the friends of the new Constitution. At one of these meetings held at Baltimore in the evening of October 10th, the following letter from President Lincoln was read:

EXECUTIVE MANSION,
WASHINGTON, October 10, 1864. }

Hon. Henry W. Hoffman:

MY DEAR SIR: A Convention of Maryland has framed a new Constitution for the State; a public meeting is called for this evening at Baltimore to aid in securing its ratification by the people; and you ask a word from me for the occasion. I presume the only feature of the instrument about which there is serious controversy, is that which provides for the extinction of slavery. It needs not to be a secret, and I presume it is no secret, that I wish success to this provision. I desire it on every consideration. I wish all men to be free. I wish the material prosperity of the already free, which I feel sure the extinction of slavery would bring. I wish to see in process of disappearing that only thing which ever could bring this nation to civil war. I attempt no argument. Argument upon the question is already exhausted by the abler, better informed, and more immediately interested sons of Maryland herself. I only add that I shall be gratified exceedingly if the good people of the State shall, by their votes, ratify the new Constitution. Yours truly,

A. LINCOLN.

Of the entire vote cast on October 12th and 13th 30,174 were for the Constitution, and 29,799 against it—majority 375. There were also 94 ballots cast by persons who refused to take the oath which were therefore rejected.

The new Constitution required the Governor on its adoption to issue his proclamation stating the fact. The Governor, in a letter to the public, on October 28th, says:

A request was made of me recently by a committee

of gentlemen, representing, as I understood, those opposed to the adoption of the new Constitution, that before issuing any proclamation, as required by its terms, I would allow counsel to inspect the returns of the soldiers' vote provided for by that instrument, and submit to me such objections thereto as they thought could be made. Although the proposition was a novel one, and I believe no other instance exists in which election returns, filed as they are, annually or biennially in this department, have ever been subjected to a legal scrutiny as a preliminary to executive action, I did not feel at liberty to refuse the request, and at once agreed that counsel should have full access to these returns, stipulating only that, as according to the view I took of the case, there were no facts about which I could inquire except such as were suggested on the face of the returns, that all objections or discussion should be limited accordingly, and that the friends of the Constitution should be advised of the proceeding and allowed the opportunity of answering these objections, as well as making any other to the home vote that might occur to them.

The past two or three days have been devoted to this examination, and a great number of exceptions have been taken to these returns, and argued with the ability that distinguishes the learned counsel who conducted the examination. He had been already apprised that my previous examination of that subject had brought my mind to the conclusion, several times expressed, that so far as my action was concerned, I was bound by the provisions of the Constitution which the Convention had adopted; and whilst we differed widely as to its authority, he very courteously waived all discussion upon that subject, and confined his argument to exceptions taken to the sufficiency of correctness of the military returns, and those I now propose to consider.

He then proceeds to state the objections to the soldiers' vote, and to reply at much length, and concludes, that "the entire vote authorized by the Constitution having been thus accurately ascertained, it becomes my duty, in obedience to its mandate, to proclaim the result and its adoption."

A case was also brought before the Court of Appeals to obtain an exposition of the rule of law which ought to guide the discretion of the Governor in his ascertainment of the result of the election had for the adoption or rejection of the new Constitution. Justice Bowie announced the conclusions arrived at by the Court, as follows:

The relator's prayer substantially is, that the Governor of Maryland show cause "why a writ of mandamus ought not to be issued, commanding him, in ascertaining the number of votes cast at the said late election held as aforesaid," to count certain votes which were tendered and rejected, and to exclude certain votes which shall appear to have been cast at any other place than the election precinct at which the person voting was qualified to vote.

From this brief analysis it appears the proceeding is one of the most momentous consequence, and should be treated with the greatest deliberation. Our first duty is to inquire whether it is a proper subject for judicial interpretation and interposition.

By our organic law, the powers of government are distributed into legislative, executive, and judicial. We are admonished by the Declaration of Rights that these powers "ought to be forever separate and distinct from each other, and no person exercising the functions of one of said departments shall assume or discharge the duties of any other."

The second article of the Constitution is, "the executive power of the State shall be vested in a

Governor." "He shall take care that the laws be faithfully executed."

The sixth section of the Convention law required the Constitution and form of government adopted by the Convention to be submitted to the legal and qualified voters of the State for their adoption or rejection, at such time, in such manner, and subject to such rules and regulations as said Convention may prescribe; and the provisions therein before contained, for the qualification of voters and the holding of elections, provided in the previous sections of this act, were made applicable to the election to be held under that section.

The eighth section further enacts that when the Governor shall receive the returns of the number of ballots cast in this State for the adoption or rejection of the Constitution submitted by the Convention to the people, if, upon counting and casting up the returns as made to him, as hereinbefore prescribed, it shall appear that a majority of the legal votes cast at said election are in favor of the adoption of the said Constitution, he shall issue his proclamation to the people of the State, declaring the fact, and he shall take such steps as shall be required by the said Constitution to carry the same into full operation and to supersede the old Constitution of this State.

Is the power and authority conferred on the Governor by this act a political or judicial power?

A late eminent jurist, whose recent death has been lamented as a national calamity, in the case of *Luther vs. Borders, et al.* (7 Howard, 39), expressed himself thus strongly: "Certainly the question which the plaintiff proposed to raise by the testimony he offered has not heretofore been recognized as a judicial one in any of the State courts. In forming the constitutions of the different States, after the Declaration of Independence, and in the various changes and alterations which have since been made, the political department has always determined whether the proposed Constitution or amendment was ratified or not by the people of the State, and the judicial power has followed its decision."

Courts of law will not interfere with the exercise of high discretionary powers vested in the Chief Magistrate of the State, for obvious political reasons. Among others, "because, as Governor of the State, deriving his powers from the Constitution thereof, he has been made a coördinate, separate, distinct, and independent department of the Government."

In the case of *Low vs. Towns*, Governor of Georgia, the Supreme Court of that State said: "The ultimate effect of this remedy (mandamus), in case of refusal by the Governor to obey the laws of the land, would be to deprive the people of the State of the head of one of the departments of the Government." (8 Geo., 372.)

Chief Justice Marshall, in the case of *Marbury & Madison* (1 Cranch), says that "the President is invested with certain important political powers in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character, and to his own conscience."

The Chief Magistrate or Governor of the State bears the same relation to the State that the President does to the United States, and in the discharge of his political duties is entitled to the same immunities, privileges, and exemptions—*vide Hawkins vs. the Governor*, (1 Ark. Rep., 586.)

Independently of all political considerations, if the question was a purely judicial one, this Court could not, consistently with decisions in other States and in our own, grant the prayer of the relator.

The general principle laid down in all these, almost without exception, is, that where the act to be done requires the exercise of judgment and discretion in the officer against whom the mandamus is prayed, it will be refused. (*Vide cases collected 12 Md., Purnell vs. Green, 336; 17 Howard, 230.*) The result of these decisions is, that the duty and power to decide the questions which we are asked to determine are

devolved upon the officer, or Governor, without appeal, over whom, in that respect, the judiciary have no control or revisory power.

We have thus succinctly announced the general principles which lead us to the adoption of the conclusion that the order of the Superior Court in this case should be affirmed.

The Court has been invoked to enter into the constitutional powers of the Convention and express opinions upon the validity of their acts, even if they should hold that the right to issue a mandamus did not exist; and they have been referred to the eminent examples of the Supreme Court, through their Chief Justices, in some cases where they declared the law, although they could not enforce it. Without dwelling on the immense moral, political, and legal influence of that tribunal, to which we cannot pretend, we respectfully suggest there is no parallel between the cases. Those cases in which the Supreme Court adopted that course, with one notable exception, were not cases in which society was shaken to its foundations by civil discord and parties arrayed against each other with intense bitterness. If we cannot subdue the strife, we will not add fuel to the flame. All that we can do is to show such reverence for constitutional government, by confining ourselves to the strict limits of our authority, as may induce others, who love "liberty regulated by law," to cherish all its muniments and observe all their obligations.

Justice Bartol delivered the following separate opinion:

I assent to that part of the opinion of a majority of the Court which denies the mandamus asked for, on the ground that the duties devolved upon the Governor, by the act of 1864, chapter 5, in ascertaining and announcing the legal votes upon the adoption or rejection of the proposed new Constitution, are not purely ministerial in their character, but that they require the exercise of judgment and discretion on his part, necessarily devolving upon him the duty of passing upon and deciding the various questions argued before us, and upon which we have been called upon to pass. In such case the law is well established that a writ of mandamus will not be granted. *Green vs. Purnell*, 12th Maryland, 329, and the cases there referred to and many other cases might be cited. I do not agree, however, with my brothers in thinking the power devolved upon the Governor, now under consideration, is in any sense a political executive power belonging to him *virtute officii*, and not a proper subject for judicial investigation. That subject, however, having been submitted by law to the decision of the Governor, I forbear the expression of any opinion upon it.

GEORGE EARLE,
Clerk Court of Appeals of Maryland.

The vote of the State at the Presidential election was as follows: Lincoln, 40,153; McClellan, 32,739. Majority for Lincoln, 7,414.

At the same time, an election was held for State officers and members of the Legislature. The candidates for Governor were Thomas Swann, Republican, and ——— Chambers, Democrat. The majority by which Mr. Swann was elected, was about the same as that of President Lincoln. Of the five members of Congress elected, three were Republicans and two Democrats. The Legislature was divided as follows: Senate—Republicans, 11; Democrats, 13. House—Republicans, 52; Democrats, 28. Republicans majority on joint ballot, 22.

The receipts of the State Treasury during the fiscal year ending Sept. 30th, 1864, were from

the ordinary sources of revenue, including the direct tax, \$1,519,918. The disbursements on ordinary account were \$1,110,281, leaving a balance of \$406,636. The receipts of the Treasury on a bounty loan were \$721,384. The disbursements as bounties to volunteers were \$1,281,668. The bounties paid to volunteers were \$150 to each man, together with five monthly instalments of \$20 each. To slave recruits \$100 was paid, and to the owner, \$100.

The number of volunteers, white and free colored, during the year, was 5,890. Eight or nine regiments of slave blacks were recruited in the State. They comprised a large portion of the able-bodied slaves in the State.

The following order of Maj.-Gen. Wallace was designed to aid the slaves in securing the freedom to which they were entitled by the adoption of the new Constitution:

H'QRS MIDDLE DEPARTMENT, EIGHTH ARMY CORPS, }
BALTIMORE, MD., November 9, 1864. }
General Orders No. 112.

Official information having been furnished making it clear that evil-disposed persons in certain counties in the State of Maryland, within the limits of the Middle Department, intend obstructing the operation and nullifying, as far as they can, the emancipation provision of the New Constitution; and that for this purpose they are availing themselves of certain laws, portions of the ancient slave code of Maryland, as yet unrepealed, to initiate, as respects the persons heretofore slaves, a system of forced apprenticeship; for this and for other reasons, among them that if they have any legal rights under existing laws, the persons spoken of are in ignorance of them; that in certain counties the law officers are so unfriendly to the newly-made freedmen, and so hostile to the benignant measures that made them such, as to render appeals to the courts worse than folly, even if the victims had the money with which to hire lawyers; and that the necessities of the case make it essential, in order to carry out truly and effectively the grand purpose of the people of the State of Maryland—emancipation of every slave, man, woman, and child, within her limits, from and after the 1st day of November of this present year—that there should be remedies extraordinary for all their grievances—remedies instantaneous, without money or reward, and somebody to have care for them, to protect them, to show them the way to the freedom of which they have yet but vague and undefined ideas: It is therefore ordered:

1. That all persons within the limits of the Middle Department heretofore slaves, but now free, by operation of the New Constitution, shall be considered under special military protection, until the Legislature of Maryland may, by its enactments, make such military protection unnecessary.

2. A Freedman's Bureau for said department is hereby created, office in Baltimore, Major Wm. M. Este, A. D. C., in charge.

3. Major Este is intrusted with execution of this order, and to make it effective he is authorized to institute investigations, to send for persons and papers, and make necessary arrests.

4. Provost Marshals in their several districts, particularly those on the Eastern and Western Shores, are requested and directed to hear all complaints made to them by persons within the meaning of this order, to collect and forward information and proofs of wrongs done to such persons, and, generally, to render to Major Este such assistance as he may require in the performance of his duty.

5. As it will be impossible to carry out this order without having a place in which the sick, helpless, and needy can be temporarily rested and provided

for, Major Este is directed to take possession of the building known formerly as the Maryland Club House, but now named "Freedman's Rest," to select some excellent lady to take charge of the same as matron, and to suitably prepare and furnish as many rooms as may be required for the purpose proposed. And that this may be speedily accomplished, donations are respectfully solicited from all philanthropic and Christian persons, wherever resident. All fines hereafter assessed and collected by the Provost Marshal of the department will be appropriated to the support of the Freedman's Rest. To supply immediate wants, Major Este is directed to draw on Colonel Woolley.

6. Lest the moneys derived from donations and from fines collected should prove insufficient to support the institution in a manner corresponding to its importance, Major Este will proceed to make a list of all the avowed rebel sympathizers resident in the city of Baltimore, with a view to levying such contributions upon them in aid of the Freedman's Rest as may be from time to time required.

7. Major Este will enter upon the execution of this order without delay.

By command of Maj.-Gen. WALLACE.
OLIVER MATTHEWS, Assistant Adj't-Gen.

The following estimate of the amount in value of the destruction by the enemy on their invasion of Maryland in 1864, was carefully prepared upon information gathered from responsible persons:

Philadelphia, Wilmington and Baltimore Railroad.....	\$107,000
Northern Central Railroad.....	100,000
Baltimore and Ohio Railroad, this road being longest occupied, say.....	400,000
Telegraph lines.....	4,000
Chesapeake and Ohio Canal.....	150,000
Harford County.....	15,000
Baltimore County.....	42,000
Carroll County.....	10,000
Frederick County.....	372,000
Washington County.....	85,000
Estimated value of supplies consumed and wasted.....	100,000
Food for horses.....	25,000
Damage to fences and farms (small).....	250,000
Four thousand cattle, at \$30 each.....	120,000
Sheep and hogs.....	50,000
Miscellaneous plunder.....	200,000
Total.....	\$2,030,000

The new Constitution provides for the adoption of a uniform system of public schools, and the levying a tax of ten cents on the hundred dollars for their support, and five cents on the same amount to provide a permanent fund. The charitable institutions of the State were in a favorable condition.

MASSACHUSETTS. The Legislature of Massachusetts convened at Boston on January 6, 1864, and was organized by the Republican party, which had a large majority in each house. John A. Andrew was inaugurated Governor for the fourth time, and on the 8th delivered his annual address. Among other suggestions he recommended that the various acts providing for bounties, and also those in aid of the families of volunteers, be extended to meet the cases of persons enlisting as soldiers in the regular army, and credited to the Commonwealth, in the same manner as the State volunteers; also, a modification of the laws relating to the State relief to the families of soldiers, so as to include all such families irrespective of their residence, and to authorize relief to be

given retroactively when the situation of the family may require it. He urged the establishment of a military academy under the supervision of the Commonwealth, and argued at length in favor of recruiting the wasted regiments in the field from the population of the rebellious States. Previous to the adjournment of the Legislature in May, a series of resolutions on national affairs, reported by the Committee on Federal Relations, was adopted by a large vote. They favored the prosecution of the war and pledged the resources of the State in its support; recommended an amendment to the Constitution abolishing slavery, and declared that the President had discharged the duties of his office with fidelity, sagacity, and courage, and that his administration deserved the confidence of the people.

The receipts into the State treasury for the year ending January 1, 1864, were \$7,229,823, and the disbursements in the same period \$6,728,597, showing a surplus of \$501,226. The liabilities and resources of the Commonwealth, on January 1, 1865, were as follows:

Liabilities.

Scrip loaned railroad corporations.....	\$6,574,435 56
Scrip issued in '61, '62, '63, and '64, on account of war expenses.....	6,183,500 00
Scrip issued for all other purposes.....	1,610,000 00
Unfunded debt, including monthly pay due volunteers.....	8,521,037 00
	<u>\$22,898,972 56</u>

Resources.

Productive property, consisting of sinking funds, &c., (and exclusive of school and other trust funds, \$2,131,326).....	\$14,669,293 97
Unproductive property.....	3,187,917 33
	<u>\$17,857,211 30</u>

Excess of liabilities over resources, \$5,036,761.26. The ordinary revenue and ordinary disbursements during the year 1864, for other purposes than those provided for by loan, were:

Revenue.

From all sources, including the corporation tax not yet distributed, and exclusive of loans.....	\$5,840,317 61
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Disbursements.

For other purposes than those provided for by loans.....	5,102,257 95
Leaving cash on hand.....	<u>\$738,059 66</u>

The public debt on January 1, 1861, was \$8,103,039, and the increase during the four succeeding years, amounting to \$14,372,935, of which the greater part is held by citizens of the Commonwealth, was caused by expenses and obligations arising out of the war.

The Legislature of 1864 authorized the creation of a "Bounty Fund," by the issue of ten million dollars of scrip, at interest not exceeding five per cent. per annum payable in gold, "to be sold or disposed of at public auction, or in such other mode, and at such times, and in such pieces and amounts as the Governor and Council shall deem for the best interests of the Commonwealth." Owing to the violent fluctu-

ations of gold during the summer of 1864, and the high premiums which it commanded, the treasurer found it impossible to dispose of the scrip to advantage, and in accordance with an act passed in 1863, negotiated call loans to the amount immediately needed. The interest on these loans was by law limited to five per cent., but money being worth more, loans were advertised for at six per cent., in the expectation that the additional interest would be legalized by the Legislature of 1865. By the report of the paymasters appointed under an act of the Legislature of 1863, to disburse the state bounties to volunteers, it appears that up to November 30, 1864, the disbursements amounted to \$8,235,882.53, and were paid to 28,775 volunteers enlisted in the army, and to 745 enlisted in the navy. Bounties amounting to \$417,700 were also paid to 1,295 men recruited in the rebel States, and there was an unpaid balance, upon the rolls in the hands of the paymasters, of \$217,824.60. Besides the above there were 3,560 one year volunteers recruited in 1864, who elected to take \$20 per month additional pay in lieu of advance bounty, as provided by an act passed at a special session of the Legislature in 1863. The whole number of volunteers who received the monthly pay of \$20 was 13,043, and the sum disbursed to them amounted to \$996,360.03. At the close of 1864 there remained in the State treasury to the credit of Massachusetts soldiers, \$436,130.37.

The number of men which, according to the computation of the War Department, Massachusetts was called upon to furnish to the military service, from the commencement of the rebellion until the call of December 19, 1864, was 117,624. The number actually furnished by her up to December 22, 1864 (reckoning the nine months' men at one-fourth of their actual number, and reducing the number enlisted into the navy to the same term of three years), was 125,487, making a surplus over all calls, previous to the last, of 7,813 men. During 1864 the Commonwealth contributed to the army alone nine new regiments, one battalion, three batteries, and eight companies, amounting to 10,900 men, besides recruits, reenlisted men, veteran reserves, men enlisted in the regular army, conscripts and substitutes, amounting, according to the estimate of the State authorities, to 34,546 more, or 45,446 in all. In addition, she furnished in the course of the year 1,209 men for ninety days, and 5,461 for one hundred days' military service, who have not been credited to the quota of the State by the General Government. The number of men, reckoned as individuals, furnished by the Commonwealth for military or naval service, whether for terms of years, months, or days, amounted at the close of 1864 to 153,486. Up to December 22, 1864, the whole number of colored troops credited to Massachusetts was 4,731. Complaints having been made that the requisitions upon the people of the Commonwealth had been largely met by importing re-

cruits from abroad, it was shown that the whole number thus obtained was only 907, divided among four regiments. The proportional contribution of Massachusetts to the war is shown by a comparison of the number of men actually furnished by her, with the number enrolled in the militia of the State for the year 1864, which is as follows:

Number between ages of 18 and 45, enrolled by Assessors.....	151,929
Number between ages of 18 and 45, returned by Assessors as liable to duty.....	133,767
Number between ages of 18 and 24, returned by Assessors	23,873

From which it appears that, without allowing for the number of reenlistments, which it is impossible exactly to reckon, Massachusetts has sent more men into the service than are now to be found in the State between the ages of eighteen and forty-five, and 20,000 more than are now in the State liable to perform military duty. The absorption of men by the military and naval service has caused a very considerable increase in the number of women in the Commonwealth, who are now estimated to exceed the men by 100,000. Owing to the excess of enlistments over previous calls, the quota of the State under the call of December 19, 1864, was reduced to 805 men, who were directed to be raised in the eighth and ninth Congressional districts. In response to an application to the Secretary of War, United States general hospitals have been established at Worcester and Readville, with ample accommodations for sick and wounded soldiers.

In accordance with the Act of Congress of July, 1864, Gov. Andrew and Hon. John H. Clifford were appointed a commission to ascertain what credits the State and its several subdivisions were entitled to for recruits entering the naval service. In September they furnished a report, of which the following presents a tabular recapitulation:

NAVAL CREDITS—NUMBER OF MEN.	One year.	Two years.	Three years.	Reduced to three years.
Assigned to cities and towns	3,119	1,858	6,742	9,020½
To State at large.....	4,113	881	5,647	7,605½
Total.....	7,232	2,739	12,389	16,625½
Total number of men.....				22,160

A proposition to amend the Constitution so as to enable citizens of the State absent in the military service to vote, was adopted by the Legislature of 1864. If readopted by the Legislature of 1865, it goes to the people for ratification.

The returns from the various cities and towns, as compiled by the secretary of the Commonwealth, show a decrease of \$18,915,420 in the total amount of personal property as compared with the valuation of 1863. This is accounted for by the fact, that by an act of 1864 the assessors are required to return the value of all corporate stocks to the treasurer of the Commonwealth, and that these stocks

are exempted from municipal assessment. The total valuation of the Commonwealth was, nevertheless, larger by \$4,732,120 than in 1863. The rate of taxation varied during the year from 32 cents to \$3.45 per \$100 in different parts of the State. The following table exhibits the number of polls and valuation of real and personal property in the several counties:

COUNTIES.	Total number of Polls.	Total Value of Personal Estate.	Total Value of Real Estate.	Total Valuation, May 1st, 1864.
Barnstable ..	8,145	\$5,726,780	\$6,882,080	\$12,608,860
Berkshire...	14,509	8,371,788	17,743,595	26,115,383
Bristol	20,350	20,876,881	31,652,117	52,528,998
Dukes.....	1,097	767,554	1,394,064	2,161,618
Essex	36,496	27,405,127	53,159,876	80,565,003
Franklin.....	7,892	3,443,305	9,878,675	13,321,980
Hampden...	15,748	7,606,113	22,257,395	29,863,508
Hampshire...	9,002	6,366,943	12,693,093	19,060,036
Middlesex...	49,646	38,278,804	103,400,228	141,679,032
Nantucket ..	1,173	1,246,983	490,592	1,737,575
Norfolk.....	25,270	25,470,984	57,411,228	82,882,222
Plymouth...	16,024	5,777,521	18,819,604	24,597,125
Suffolk.....	36,211	151,490,332	189,854,538	341,344,870
Worcester...	39,657	21,755,722	51,660,871	73,416,593
Total....	251,220	\$324,584,847	\$577,298,256	\$901,883,103

The number of savings institutions in operation at the close of 1864, exclusive of two incorporated by the Legislature of that year, and not fully organized, was 98. From abstracts prepared by the officers of these institutions, their conditions were as follows:

The whole number of depositors in ninety-seven savings banks (the Mercantile Savings Institution, of Boston, not being included in the "Abstracts").....	\$291,616
The number of depositors in the year 1863 (ninety-five banks) was.....	272,219
Showing an increase in 1864 of.....	19,397
The amount of deposits (in ninety-seven savings banks).....	\$62,557,604 30
Against an amount in the year 1863 (in ninety-five banks) of.....	56,883,828 55
Exhibiting an increase in 1864 of.....	\$5,673,775 75

The increase of deposits during the four years ending June 1, 1864, was \$17,503,369.30. The number of banks of discount in Massachusetts, organized under its laws, was, on Jan. 1st, 1864, 181, having a capital of \$66,991,200. Of these, 52, with a capital of \$25,801,700, became national banking associations during the year, and 47 have signified their intention to become such, leaving 82, with an aggregate capital of \$26,274,500, which have taken no steps toward changing. The number of new national banks in the State was 25, with an aggregate capital of about \$4,000,000.

The amount raised by voluntary taxation for the support of the public schools (including only wages of teachers, fuel, etc.) for the school year 1863-'4 was \$1,536,314.31, being an increase over the previous year of \$102,299.11. The aggregate return of expenditures on public schools alone (exclusive of the cost of repairing and erecting school-houses, and of school-books) was \$1,679,700.24, being an increase of \$112,750.76 over the previous year, and being an average sum of \$6.95 cents for every person in the State between the ages of five and fifteen,

of whom the number was 241,683. All the towns raised the sum required by law as a condition of receiving a share of the income of the State School Fund (\$1.50 per child between the ages of five and fifteen), and more than 85 per cent. of them raised twice, or more than twice the amount. The total sum expended in the Commonwealth for popular education, exclusive of collegiate and professional schools, is estimated at more than three millions of dollars annually. More than one-fourth of the whole number of towns neglected to keep their schools open the full term required by the law. The four normal schools were reported in a flourishing condition and unusually full, notwithstanding a large proportion of the pupils of those at Bridgewater and Westfield have at various periods during the war enlisted as volunteers. The number of persons connected with the colleges of the Commonwealth, either as alumni or students, who have entered the military service since the commencement of the rebellion, is very considerable. Harvard University has sent upward of 500, nineteen per cent. of the whole number living; Amherst College 146; and Williams College not less than 200.

The statistics of the three State lunatic asylums for the year ending Sept. 30, are as follows:

	Worcester.	Northampton.	Taunton.
Patients admitted.....	226	93	203
Whole number treated....	625	476	605
Discharged recovered.....	130	48	...
" improved.....	102	38	...
" not improved.....	16	9	...
Died.....	33	47	39
Whole number discharged.	281	142	196*
Whole number remaining.	344	334	363

The State supports three almshouses, at Tewksbury, Monson, and Bridgewater.

During the year 1864 no new project was suggested or put into execution for adding to the coast defences of the Commonwealth; but the earthworks planned by the General Government to protect the harbors of Newburyport, Salem, Marblehead, Gloucester, Plymouth, and Provincetown, were completed, armed, and garrisoned; while steady progress was made on the permanent works at Boston and New Bedford. The Boston forts were supplied with some ordnance of very heavy calibre, adding greatly to the strength of the harbor defences. Of the million dollars appropriated by the Legislature of 1863 for coast defences, the sum of \$354,346.11 was expended in 1864, chiefly in the purchase of heavy ordnance at home and abroad. Seventy-three guns, besides a large supply of powder and projectiles, were procured, and plans for harbor obstructions, with calculations and specifications, were deposited in the State Ordnance Bureau.

In October, 1863, work was resumed, under the auspices of the Commonwealth, upon the railway tunnel through the Hoosac Mountain, and the expenditure up to Nov. 15th, 1864,

* Besides seven eloped.

amounted to \$486,943.26. The estimated payments for November and December, 1864, were \$50,000 per month, and for 1865 from \$25,000 to \$35,000 per month. The construction of the road lying east of the mountain, and of which the terminus is Greenfield, in Franklin County, has not yet been resumed.

In September the political canvass commenced with the meeting of the State Conventions of the Republicans and Democrats, and thenceforth was conducted with energy, and generally in a conciliatory spirit. The Republicans met at Worcester on the 16th, and unanimously nominated Gov. Andrew for re-election. Their resolutions declared the duty of maintaining the integrity of the Union; of exterminating slavery, and upholding the acts and proclamations of the Government in that behalf; of refusing to entertain any proposition of compromise with rebels in arms, or which should not be based on their unconditional surrender to the National Government; and of sustaining the Baltimore platform and the Baltimore nominations. The Democrats met in the same place on Sept. 21st, and nominated Henry W. Paine for Governor. Their resolutions indorsed the nomination of Gen. McClellan, and commended the action of the Chicago Convention. The following embody their main views:

Resolved, That the patriotic principles declared by the National Convention, as nobly and eloquently expressed by its candidate for the Presidency in his recent letter of acceptance, embody a line of public policy upon which alone the American people can restore the Union, reëstablish Constitutional Liberty, give security to Individual Rights, and secure the return of permanent and honorable peace.

Resolved, That the Democratic party of this State is, as it always has been, unalterably opposed to the rebellion, and that we recognize in the victories of the national army and navy, and in the manifest popular determination to change the present administration, and return to the policy to which the Executive, Congress, and the People were solemnly pledged in the Crittenden resolution, coöperative movements toward Peace and Union.

Resolved, That the present deplorable civil war is fatal to the Union and Constitution; and, therefore, it is the highest duty of the people to preserve their Government and maintain its integrity in the present contest, by all legal means in their power.

The State and Presidential elections took place on Nov. 1st, and resulted in favor of the Republicans. The following is the vote for Presidential electors: Republicans, 126,742; Democrats, 48,745. Republican majority, 77,997.

The electors cast the vote of the Commonwealth for Abraham Lincoln for President, and Andrew Johnson for Vice-President.

The gubernatorial vote was: John A. Andrew, Republican, 125,281; Henry W. Paine, Democrat, 49,190.—Majority for Andrew, 76,091.

The Legislature elected at the same time stood as follows:

	Senate.	House.	Joint Ballot.
Republicans	40	234	274
Democrats	0	6	6
Republican majority..	40	228	268

MCCULLOCH, JOHN RAMSAY, a British statistician and political economist, born at Whithorn, in Wigtonshire, March 1, 1789, died in London, Nov. 11, 1864. He was descended from a Scotch family of considerable note, and his grandfather had commanded a revenue cutter in the royal navy. His early education was acquired under the direction of some of his maternal relatives, and he subsequently attended the public classes of the University of Edinburgh for two years, but did not graduate nor study for any profession. After spending some time in the office of a writer to the "Signet," he entered upon his career as a journalist in 1817, being editor of the "Scotsman" for two years, and a contributor for a long period subsequently. In 1818 he recommenced a series of contributions to the Edinburgh "Review," by an article on Ricardo's "Principles of Political Economy," and soon after gave lectures on that subject. In 1828 he was appointed Professor of Political Economy in University College, London, and removed to that city; but the chair being unendowed, the number of students attending his lectures was insufficient for his remuneration, and he relinquished the professorship. In 1838, the Whig Government made him Comptroller of the London Stationery Office, and he continued the head of that department until his death. Soon after undertaking its administration he instituted reforms, which resulted in a very large annual saving in the department, which had been conducted previously with great wastefulness, and his economy caused this saving to exceed greatly the entire cost of management. As his duties did not require his entire time, and he was of the most industrious and methodical habits, he began very soon to avail himself of the results of his previous studies, in the preparation of works on Political Economy and cognate topics. In 1837, the first edition of his "Statistical Account of the British Empire" was published, in 2 vols., 8vo, and as numerous editions were called for it was materially enlarged and improved. In 1840 the first edition of his "Geographical Dictionary" appeared, and was soon afterward reprinted in this country, and translated in several European countries. This was followed by his "Dictionary of Commerce and Commercial Navigation," which was also reprinted and widely circulated abroad. He had also previously edited with copious notes and additional dissertations Smith's "Wealth of Nations," which reached a fifth edition in 1863. His other principal works were "Treatises and Essays on Political Economy," 1853; "Principles of Political Economy," 1853; "Principles and Practical Influence of Taxation and the Funding System," 1855; "Succession to Property Vacant by Death; including Inquiries into the Influence of Primogeniture, Entails, and Compulsory Partition, upon the Public Interests," 1858; "A Catalogue of Books, the property of a Political Economist, with Critical and Biographical Notices."

McPHERSON, JAMES BIRDSEYE, a major-general of United States volunteers, born in Sandusky County, Ohio, November 14th, 1828, killed near Atlanta, Ga., July 22d, 1864. He entered West Point from Ohio, in 1849, and at the end of that year ranked second in his class. The two years following he stood first, graduating at the head of his class June 30th, 1853, and was at once appointed brevet second lieutenant of engineers and assistant instructor of practical engineering at the Academy, a compliment never before awarded to so young an officer. He was next appointed assistant engineer on the defences of New York harbor, and on the improvement of the navigation of the Hudson River, having previously been made full second lieutenant of engineers. In January, 1857, he was placed in charge of the construction of Fort Delaware, and subsequently of the erection of fortifications on Alcatraz Island, San Francisco Bay, California, and was also connected with the survey of the Pacific coast. In December, 1858, he was promoted to first lieutenant, and in 1861 was ordered from the Pacific coast to take charge of the fortifications of Boston harbor. The same year he was made captain, and upon the appointment of Maj.-Gen. Halleck to the command of the Department of the West in November, he was chosen aide-de-camp to that general, and at the same time was promoted as lieutenant-colonel. In the expeditions against Forts Henry and Donelson he was chief engineer of the Army of the Tennessee, and subsequently was at Shiloh and as colonel on Gen. Halleck's staff held the chief engineering charge of the approaches to Corinth which ended in its evacuation. On the 15th of May, 1862, he was made brigadier-general of volunteers, and appointed general superintendent of military railroads in the district of West Tennessee the following June. In September, 1862, Gen. McPherson held a position on the staff of Gen. Grant; and for his gallantry at Corinth was promoted to be major-general, dating from October 8th, rising to that position in the short space of nine years, and by merit alone. From that time till the close of the siege of Vicksburg, during which he commanded the centre of our army, his career was one course of triumph. Gen. Grant wrote of him: "He is one of the ablest engineers and most skillful generals. I would respectfully, but urgently, recommend his promotion to the position of brigadier-general in the regular army."

Upon this recommendation Gen. McPherson was immediately confirmed a brigadier-general in the regular army, dating from August 1st, 1863, and soon after conducted a column into Mississippi and repulsed the enemy at Canton. Subsequently Gen. McPherson's department was extended so as to embrace all the region bordering the Mississippi River, from Helena, Arkansas, to the mouth of the Red River, with headquarters at Vicksburg. In the memorable expedition to Meridian he was second in command to Gen. Sherman, and during the first

Atlanta campaign his command was the Department of the Tennessee, including the entire 15th, 16th, and 17th corps. He distinguished himself at Resaca, Dallas, Allatoona, Kulp House, and Kenesaw. In the battles before Atlanta, Gen. McPherson's grand division held the left of the line. In superintending the advance of his skirmish line he had ridden from left to right, and was returning when he was suddenly confronted by a party of the enemy in ambush, and received a shot in the breast causing almost instant death. Gen. McPherson was a man of indefatigable energy, tireless industry, and a bravery which almost amounted to recklessness. He always reconnoitred in person.

MEREWETHER, REV. FRANCIS, an author and clergyman of the Church of England, born in England, in 1784, died at Cole Orton Rectory, July 21st, 1864. He studied at Eton, graduated at Christ Church College, Oxford, and took the degree of M. A. at St. John's College, Cambridge. In 1816 he was presented with the rectory of Cole Orton, and two years later was appointed by the Crown to the adjoining parish of Whitwick, which preferments he held for nearly fifty years. About the time of his entering upon these incumbencies the parish of Whitwick began to increase rapidly in population, owing to the discovery and working of coal mines; and having in other places interested himself in the establishment of schools, he at once entered vigorously upon similar works in his new field of labor. With the assistance and coöperation of his intimate friends Sir George and Lady Beaumont, he erected schools, churches, and parsonages in the neighboring districts, and established at Whitwick national and infant schools. In 1862 the church known as St. Andrews, Thringstone, was completed under his auspices, and remains as a fitting memorial of his incumbency. In his diocese and neighborhood his activity in all that concerned religion was conspicuous. The Leicester anniversary meeting of the Christian Knowledge and the Gospel Propagation Societies, was originated by him. He was warmly interested in every movement having for its object the welfare of his country, and was one of the founders of the first Leicestershire Agricultural Society, which was followed by similar institutions throughout the land. His labors were almost uninterrupted, and three days previous to his death he performed his ordinary Sabbath duties, closing without pain a life of constant usefulness and love to both church and country.

Mr. Merewether was the author of several sermons and letters, among which are: "A Defence of Moderation in Religious Doctrine, Practice, and Opinion, applied to the Present Times" (1812, 1813); "Coöperation in Promoting the Charitable Institutions of the Church of England" (London, 1822); "The Rational Creature, the Moral Instrument of his Creator" (London, 1824); "The Case between the Church and the Dissenters impartially and practically considered" (London, 1827). A letter to the Editor

of the "Quarterly Review" in furtherance of subjects of articles published therein. "On Agriculture and Rent;" "Substitution of Savings Banks for Poor Laws," and "On Planting Waste Lands" (1828); "An Appeal to the Nobility and Gentry of the County of Leicester in behalf of the Church of England" (1832); "The Ministerial Succession" (1838); besides other letters and pamphlets on church topics and controversial subjects.

MERIAM, EBEN. An American statistician and meteorologist, born in Concord, Mass, June 17, 1794; died at his residence in Brooklyn, L. I., March 19, 1864. In early manhood he removed to Kentucky, where for a number of years he was engaged in the manufacture and purification of saltpetre, as well as other mineral products of the Mammoth Cave in that State. He subsequently engaged extensively in the dry goods business in Zanesville, Ohio. Not far from 1838 he removed to New York City and entered quite largely into the manufacture of soap and candles, accumulating thereby a comfortable property. From his earliest childhood Mr. Meriam had evinced a taste for scientific pursuits, and devoted his attention more particularly to meteorological researches. He was the originator of the theory of cycles of atmospheric phenomena, upon which subject he published many interesting articles, which attracted the attention of scientific men abroad. In 1841 he commenced, at his own expense, the publication of the "Municipal Gazetteer," a work embracing every particular of his extended researches, and devoted to the interests of science. He was an industrious collector of facts and statistics, and his hourly records of the weather extend back to a period of nearly thirty years. He was a contributor to nearly all the journals in New York City upon scientific subjects, making the "Journal of Commerce" his special organ. In all his pursuits, his great end in view seemed to be the benefit of society, and never would he allow himself to take an adequate compensation for his mental labors. He had some eccentricities of habit, but his heart was ever warm in its sympathies, and his hand ready to relieve the wants of the poor and unfortunate, so that at his death it was found that he had made no provision for his family. His meteorological records were not collected for publication, but he contributed to a Statistical Almanac, published by Mason Brothers in 1858, some meteorological essays, and published also some pamphlets on this and other subjects.

METHODISTS. The Methodist Episcopal Church, which since the beginning of the present century has grown more rapidly than any other religious denomination of the country, has, since 1859, begun to decline in membership. In 1859 the number of members and probationers together amounted to 971,498, while, according to the Methodist "Almanac" for 1865, the Church had, in 1864, in fifty-seven Annual Conferences, the following membership:

CONFERENCES.	NUMBERS IN SOCIETY.		
	Members.	Probab.	Total.
Baltimore.....	18,889	2,382	21,271
Black River.....	20,014	2,496	22,510
California.....	8,912	538	4,450
Central German.....	7,977	983	8,860
Central Illinois.....	16,985	1,288	18,273
Central Ohio.....	14,726	1,327	16,053
Cincinnati.....	25,955	2,156	28,111
Colorado.....	225	32	287
Delaware.....	4,871	93	4,964
Des Moines.....	7,293	1,011	8,304
Detroit.....	14,518	1,245	15,763
East Baltimore.....	31,761	3,886	35,597
East Genesee.....	20,326	2,278	22,604
East Maine.....	9,040	1,939	10,979
Erie.....	25,893	2,376	28,269
Genesee.....	7,716	599	8,315
German Miss.....	2,852	1,280	4,132
Illinois.....	25,192	2,384	27,576
Indiana.....	21,909	1,987	23,896
Iowa.....	14,716	1,317	16,033
Kansas.....	4,766	1,218	5,984
Kentucky.....	2,484	193	2,677
Liberia Miss.....	1,350	102	1,452
Maine.....	10,426	1,573	11,999
Michigan.....	13,849	1,521	14,880
Minnesota.....	5,536	930	6,466
Missouri and Arkansas..	6,662	1,035	7,697
Nebraska.....	1,287	190	1,477
Newark.....	20,430	2,312	22,742
New England.....	17,585	1,727	19,312
New Hampshire.....	9,487	1,738	11,225
New Jersey.....	22,480	3,429	25,909
New York.....	33,539	4,043	37,582
New York East.....	27,343	2,977	30,325
North Indiana.....	20,834	4,827	25,611
North Ohio.....	13,669	813	14,482
Northwest German.....	4,403	1,691	5,494
Northwest Indiana.....	15,167	1,505	16,672
Northwest Wisconsin...	2,227	381	2,608
Ohio.....	27,330	2,242	29,572
Oneida.....	17,731	1,995	19,726
Oregon.....	2,449	458	2,907
Philadelphia.....	52,893	6,605	59,498
Pittsburg.....	36,207	4,584	40,791
Providence.....	14,117	1,699	15,816
Rock River.....	16,772	1,437	18,209
Southeast Indiana.....	15,733	973	16,706
Southern Illinois.....	16,600	2,811	19,411
Southwest German.....	5,308	776	6,084
Troy.....	23,039	2,564	25,903
Upper Iowa.....	11,053	1,362	12,415
Vermont.....	11,502	1,611	13,113
Washington.....	7,877	317	8,194
West Virginia.....	12,866	2,183	15,049
West Wisconsin.....	6,600	614	7,214
Wisconsin.....	9,547	1,244	10,791
Wyoming.....	14,016	2,014	16,030
Total.....	829,379	93,941	923,320
Last year.....	822,845	100,549	923,394
Increase.....	6,534	.....	4,926
Decrease.....	.....	1,608	.....

The increase, however, according to the church papers, is only apparent, as the two colored conferences, Delaware and Washington, which report 13,158 members, are mainly composed of societies embraced in the returns of the Baltimore, East Baltimore, and Philadelphia Conferences, which met before the organization of the colored conferences.

The fourteenth delegated General Conference of the Methodist Episcopal Church assembled in Philadelphia, May 2, 1864, all the Bishops of the Church being present. It was presided over by the senior Bishop, Morris. Delegates were present from the Wesleyan Conference of England, from the Irish Conference, from the Methodist Episcopal Church of Canada, and from the African Methodist Episcopal Church,

all of whom addressed the General Conference on the state of their several communions. An address from the Bishops, giving an account of the condition and prospects of the Church, and many suggestions for the General Conference, was read. With regard to one of the most important topics which was expected to occupy the attention of the General Conference, the Slavery question, the Bishops gave it as their "solemn judgment," that no members should be admitted to the fellowship of the Church who were slaveholders. The General Conference referred this subject to a committee consisting of one member from each Annual Conference. This committee proposed so to alter the rule of the Church, as to prohibit not only, as heretofore, "buying or selling slaves," but also slaveholding. The General Conference had an animated discussion on this subject, and finally adopted the report of the committee by a vote of 204 to 8, the minority consisting of the delegates from the Baltimore, West Virginia, and Kentucky Conferences, and one from the East Baltimore Conference. The majority of the delegates from the East Baltimore Conference, and the entire delegation from the Missouri and Arkansas Conference, voted with the majority. In consequence of this action of the General Conference the rule was sent down to the Annual Conference, three-fourths of all the members of which bodies must concur, to make the action of the General Conference the law of the Church.

Another important subject which was acted upon by the General Conference was lay delegation. In 1862 a vote of the entire Church had been taken on this subject, and the Bishops reported that this vote had resulted as follows: Of the ministers, 1,388 votes for, 3,069 against; of the male members, 28,884 for, 47,855 against; showing a majority against lay representation in the General Conference of 1,731 ministers, and of 18,971 male members. A "Laymen's Convention," numbering upwards of two hundred delegates from twenty-one different States of the Union, met simultaneously with the General Conference, and, after addresses from Ex-Governor Wright of Indiana, Senator Willey of West Virginia, and others, adopted an address to the General Conference. The officers of the Convention were introduced to the General Conference, and the address was read before that body by Dr. Strong. A debate on the subject ensued, which led to the adoption of the following resolutions:

1. *Resolved*, That while we reaffirm our approval of lay representation in the General Conference, whenever it shall be ascertained that the Church desires it, we see no such declaration of the popular will as to justify us in taking action in relation to it.

2. *Resolved*, That we are at all times ready to receive petitions and memorials from our people on this subject, and to consider them most respectfully.

The time of pastoral service was extended by the General Conference from two to three

years, without any alteration in the mode of appointing the preachers.

The entire section of the rule on "the rights and privileges of our colored members," which recognized "the usages of the country," and limited their privileges accordingly, was stricken out. Now there is no difference between white and colored members in law, no legal bar to the admission of colored preachers into the Annual Conferences. Mission Conferences are to be formed of colored travelling preachers under the same restrictions which apply to white missions; their members cannot vote on constitutional questions, nor send delegates to the General Conference, nor share in the dividends of the Book Concern or Charter Fund. Two Mission Conferences have already been added to the list of Annual Conferences, namely, the Washington Conference, embracing Western Maryland, the District of Columbia, Virginia, and the territory south; the Delaware Conference, embracing all the territory north and east of the Washington Conference.

The German members of the Church were organized into three separate German Conferences, called the Central German Conference, the Northwestern German Conference, and the Southwestern German Conference. Twenty-two German churches remained, however, for the present connected with the New York Conference.

The General Conference resolved that the centenary of American Methodism be celebrated by special religious services and thank offerings, beginning on the first Tuesday in October, 1866, and continuing throughout the month; that \$2,000,000 be raised for two departments of Christian enterprise, the one to be styled connectional, and the other local.

On the state of the country the following resolutions were adopted:

Resolved, That in this hour of the nation's trial we will remember the President of the United States, all other officers of the Government, and our army and navy, in never-ceasing prayer.

Resolved, That it is the duty of the Government to prosecute the war with all its resources of men and money till this wicked rebellion shall be subdued, the integrity of the nation shall be secured, and its legitimate authority shall be reestablished, and that we pledge our hearty support and coöperation to secure this result.

Resolved, That we regard our calamities as resulting from our forgetfulness of God, and from slavery, so long our nation's reproach, and that it becomes us to humble ourselves and forsake our sins as a people, and hereafter, in all our laws and acts, to honor God.

Resolved, That we will use our efforts to secure such a change in the Constitution of our country as shall recognize the being of God, our dependence on Him for prosperity, and also His word as the foundation of civil law.

Resolved, That we regard slavery as abhorrent to the principles of our holy religion, humanity, and civilization, and that we are decidedly in favor of such an amendment to the Constitution, and such legislation on the part of the States, as shall prohibit slavery or involuntary servitude, except for crime, throughout all the States and territories of the country.

Resolved, That while we deplore the evils of war that has filled our land with mourning, we rejoice in the sublime manifestations of benevolence it has developed, as seen in the Sanitary and Christian Commissions, and in the associations formed to aid the vast multitudes who have recently become free-men, and that we pledge to these institutions our hearty coöperation and support.

A committee, consisting of Bishop Ames, Dr. Cummings, Dr. G. Peck, Dr. Elliott, and Rev. G. Moody, was appointed to wait on the President, and convey to him the loyal sentiments of the Conference, and of the Church represented by it.

The delegates proceeded to Washington, and presented to President Lincoln the address, in which the Conference express to him the assurance of the loyalty of the Church, her earnest devotion to the interests of the country, and her sympathies with him in the great responsibilities of his high position in this trying hour. They honor him for his proclamations of liberty, and rejoice in all the acts of the Government designed to secure freedom to the enslaved. In conclusion they say: "Actuated by the sentiments of the loftiest and purest patriotism, our prayer shall be continually for the preservation of our country undivided, for the triumph of our cause, and for a permanent peace gained by the sacrifice of no moral principles, but founded on the word of God, and securing righteous liberty and equal rights to all." To this address the President replied as follows:

GENTLEMEN: In response to your address allow me to attest the accuracy of its historical statements, endorse the sentiments it expresses, and thank you, in the nation's name, for the sure promise it gives. Nobly sustained, as the Government has been, by all the churches, I would utter nothing which might in the least appear invidious against any. Yet, without this, it may fairly be said that the Methodist Episcopal Church, not less devoted than the best, is by its greatest numbers the most important of all. It is no fault in others that the Methodist Church sends more soldiers to the field, more nurses to the hospitals, and more prayers to heaven than any. God bless the Methodist Church. Bless all the churches, and blessed be God who, in this our great trial, giveth us the churches.

Subsequently Rev. Dr. Thornton, delegate from the English Conference to the Methodist General Conference, with Dr. Scott, from the Irish Conference, was presented to the President by the Hon. M. F. Odell. These delegates expressed to the President their earnest and hearty sympathy of the Methodist membership of England and Ireland in the present national struggle, and desire for our success.

Dr. Thornton stated in connection, that he had held no official intercourse with the Methodist Church South during the rebellion.

At the meeting of the General Missionary Committee, which took place in Nov. 1864, \$622,910 were appropriated for the support of the foreign and domestic missions during the coming year. The receipts of the Missionary Society, in 1863, were \$429,768, an increase of \$157,245 over 1862. The missions of the Church, in 1864, were as follows:

<i>Foreign Missions.</i>	Missionaries.	Members.
Liberia	15	1,476
South America.....	3	100
China	32	125
Germany	38	3,375
India	27	185
Bulgaria	3	.....
Scandinavia .....	....	911
Total in 1864.....	129	6,122
<i>Domestic Missions.</i>		
German	225	20,517
Indian	13	1,239
Scandinavian	32	2,112
French	1	53
Welsh	3	181
Total Domestic.....	304	24,052
Total Foreign.....	129	6,122
Grand total.....	433	30,174

The extension of the Methodist Episcopal Church in those seceded States which were recovered by the armies of the United States made considerable progress. The membership of the Missouri and Arkansas Conference increased from 4,387 in 1863, to 6,691 in 1864, mostly by accessions from the Methodist Episcopal Church South. Several Methodist churches were organized in Louisiana, especially in New Orleans, where there were, in July, 1864, as many as 500 scholars in the Methodist Sunday schools. Still more important were the movements in East Tennessee. At a convention of Union ministers and laymen of the Holston Annual Conference, held at Knoxville on the 17th of August, it was resolved, that the loyal members of the Conference have a just claim to all the church property; that they really constitute the Southern Methodist Church within the bounds of the Holston Conference; that they propose, at the earliest day practicable, to transfer the same to the Methodist Episcopal Church in the United States, and that the ministers be instructed to propose to their congregations to go *en masse* to the Methodist Episcopal Church in the United States.

On April 6th a convention of ministers of the Methodist Episcopal Church South, from States within the Federal lines, met at Louisville, Ky., for the purpose of adopting measures for the preservation of their church property. The St. Louis, Missouri, Memphis, Kentucky, Tennessee, Louisville, Western Virginia, and Kansas Mission Conferences, were represented by an average delegation of about two ministers from each, excepting the Louisville Conference, which had more. Rev. C. B. Parsons, D.D., was president; Rev. P. M. Pinckard, vice-president; and Rev. T. M. Finney, secretary; both of the latter from St. Louis. The Convention adopted the following preamble and resolutions with regard to the Book Concern of the Methodist Episcopal Church South at Nashville, Tenn.:

Whereas, An information has been filed in the United States Circuit Court for the Middle District of Tennessee for the confiscation of the Southern Methodist publishing house at Nashville, Tennessee, on sundry specifications unknown to us, but generally on the ground of disloyalty;

And whereas, Said publishing-house is the property of the Methodist Episcopal Church South—a legitimately organized ecclesiastical organization, and recognized as such by the laws and courts of the United States;

And whereas, It is the duty of said Church to respond to said information; and as the regular General Conference of said Church (owing to the existing agitations of the country) cannot be held according to the laws of the Church;

And whereas, We, delegates in convention assembled, and representing loyal members of several Annual Conferences of said Church, are, as such delegates, fully empowered (in view of the disability referred to), and do hereby, in the name of and for the loyal members of Annual Conferences of said Methodist Episcopal Church South, assert their right to, and claim the possession and administration of, said property for the purposes of the original foundation of said charity; therefore,

Resolved, That P. M. Pinckard, C. B. Parsons, and S. D. Baldwin be, and they are hereby, appointed a Board of Commissioners, with full power and authority to assert the rights of the Church in this behalf, and to do all things that may be necessary and proper to be done to effect the same, and to continue in the exercise of this power until a meeting of the General Conference may direct otherwise.

The Convention also adopted the following resolutions with regard to an order of the Secretary of War, authorizing the Methodist Episcopal Church to take possession of churches belonging to the Southern Church:

Whereas, Under an order issued by the Secretary of War, the authorities of another ecclesiastical body, distinct from, if not antagonistic to, the Methodist Episcopal Church South, have been empowered to take possession of the houses of worship belonging to said Church;

And whereas, We are informed and believe that said order does not meet the approval of the President of the United States; and further believing that, in the judgment and enlightened Christian feeling both of the officers of the army and many sober-minded Christians, the order is regarded as unjust, unnecessary, and subversive alike of good order and the rights of a numerous body of Christians; therefore,

Resolved, That we do most respectfully protest against the execution of said order, and request the President to restrain and prevent its enforcement.

Resolved, That the secretary be requested to transmit a copy of the foregoing to the President and Attorney-General.

Bishop Kavanagh, one of the Bishops of the Methodist Episcopal Church South, paid in June a visit to the Pacific Conference of the Church in California, and while in San Francisco was arrested on the charge of disloyalty. As the charge could not be proved, and as the Bishop declared his readiness to take the oath of allegiance, he was at once discharged. The Bishop informed General McDowell, the commanding general in California, that he, the Bishop, advised that the designation "South" in the official name of the Church be dropped. From Missouri, it was reported that the members of the Methodist Episcopal Church South, were in the habit of dropping the word "South" in their official designation. The Kentucky Conference of the Southern Methodist Church, which met at Maysville, Sept. 7, passed a report on the state of the Church, asserting its independence of the other Conferences of the Church

South, disavowing its complicity with the resolutions of other conferences or the rulings of the Bishops, and reasserting its loyalty to the Government of the United States. The Conference also took the necessary steps to organize itself as a corporate body, under the laws of the State of Kentucky. The Southern Methodist churches within the Federal lines had, at the close of 1864, not a single denominational organ; the *Sentinel*, a new paper which had been started in St. Louis, in the earlier part of the year 1864, being soon again discontinued.

There are in the free and border States of the Union two organizations of African Methodists, denominated the African Methodist Episcopal, and the African Methodist Episcopal Zion churches. The membership of the former was estimated, in 1860, at about 20,000; that of the second at about 6,000. The war greatly added to the membership of these two denominations, for a large number of former slaves, having become freemen, left the Southern Methodist Church, in order to join either the Methodist Episcopal Church, or one of the two African Methodist churches. In consequence of this, the African Methodist Episcopal Church, at its Quadrennial General Conference, held in Philadelphia, in May, 1864, was able to announce that its membership had increased from 20,000 to 50,000, and the Zion Church reported for North Carolina, alone, an increase of 2,000 members. The former reported the number attending its congregations as 300,000, and the number of children in its Sunday schools as 100,000. The two churches are annexing congregations in each of the recovered slave States, and Bishop Campbell, of the African Methodist Church, is about to make his residence in New Orleans. Both bodies, at their General Conferences, discussed the expediency of forming a fusion, and strongly declared themselves in favor of it. A joint convention of fifty delegates, of the two organizations (25 from each), which met at Philadelphia on the 14th of June to consider the terms upon which the two bodies could unite, had a pleasant and harmonious session, and adjourned on the 16th. The "Christian Recorder" says that they "ratified all their doings, and have arranged it so that union is certain. All appeared to be in the best of humor. The Bishops and superintendents spoke very satisfactorily before we closed, and all things went on wisely. We may consider ourselves one, in a manner. We have four years to mature the whole plan in, so that everybody will be satisfied."

The General Conference of the American Wesleyan Methodist Church met at Adrian, Mich., on June 1. The members of this Church showed themselves very favorable to a union of the different branches of Reformed Methodists. The Miami Conference appointed a committee to correspond with similar committees from other bodies, to agree upon a time for holding a convention for consultation.

The Western Virginia Conference of the

Methodist Protestant Church adopted a resolution expressing it as the sense of the Conference that "our interests as an Annual Conference will be best subserved by a union with the General Conference of the M. P. Church, embracing the northern, eastern, and western portions of the United States—all our sympathies and views being in harmony with the loyal people composing said General Conference." Provisions were made for taking a vote in all the stations and circuits upon the proposed union. It was also resolved to have no official connection with the Maryland Conference, as the latter body had refused to define its position with regard to the Government of the United States.

The twentieth session of the Western Primitive Methodist Annual Conference was held at Shullsburg, Wis., commencing May 19th. The statistics show an increase in the membership of between one hundred and two hundred. The appointment includes thirteen circuits and eleven missions, chiefly in Iowa and Wisconsin; though there are one or two appointments in New York and Pennsylvania. The Conference published two papers, one monthly magazine and a child's paper.

The Free Methodist Church now contains three Annual Conferences,—the Illinois, the Genesee, and the Susquehanna. The total of all the Conferences is thirty-three churches, sixty-six travelling preachers, and 3,555 members and probationers. The total value of the church property is \$64,653.

The Conference of Independent Methodist churches held their third annual session in New York City on Oct. 21. Ministers and delegates were present from New York, Williamsburgh, Brooklyn, Amsterdam, Rome (N. Y.), Hartford, Patterson (N. J.), Boston, and Cincinnati. Three additional churches were received into the connection. The Conference unanimously adopted the following resolutions, looking to a union of the various dissenting Methodist bodies:

Resolved, That we appoint a committee of three members of this body, to confer with similar committees from other Methodist bodies, with a view to the union of all the Methodist churches in this country who repudiate episcopacy, and recognize the rights of the laity, and that we respectfully invite churches and conferences who favor such a union to send delegates to such a convention, to be held (if generally concurred in) in the city of Syracuse, N. Y., on the second Wednesday in June, 1865. And we hereby invite all churches, conferences, and individuals favorable to such a convention, to communicate as soon as convenient with the chairman of this body for the time being, Rev. H. Mattison, No. 16 West Forty-first street, New York.

Resolved, 2d, That the Secretary of the Conference be instructed to furnish copies of these resolutions to all the papers of the different non-episcopal Methodist churches, with the request that they give them one or more conspicuous insertions; and that these resolutions, as thus furnished for publication, be signed officially by the president and secretary of the Conference.

The proposition was favorably received by the American Wesleyan Methodist, the Protes-

tant Methodist, and the Free Methodist churches, and a movement toward a union began in all these organizations.

The statistics of the British Wesleyan Conference, with its foreign and missionary dependencies, were, in 1864, as follows:

	Members.	Increase.	Decrease.
1. BRITISH CONFERENCE, VIZ.:			
Great Britain.....	329,668		36
Ireland and Irish Missions..	20,996		957
Foreign Missions, viz.:			
Europe.....	839	31	
Asia.....	2,280		385
South Africa.....	8,242	279	
West Africa.....	9,713	385	
West Indies.....	44,303		2,596
2. FRENCH CONFERENCE.....	1,606	84	
3. AUSTRALIAN CONFERENCE....	39,695	1,620	
4. CANADA CONFERENCE.....	52,689	156	
5. EASTERN BRITISH AMERICAN CONFERENCE.....	15,125	21	
	525,156	2,576	3,974
Last year.....	526,554		2,576
Net decrease.....	1,398		1,398

There are also 35,404 probationers, 1,951 ministers in full connection, and 541 on trial, with 287 supernumeraries. These figures when compared with the reports of the past years seem to indicate a progressive decline in numbers. Last year there was an increase of numbers in the whole connection of 6,585; there was an increase of 9,500 in 1861, of 17,500 in 1860, and of 15,700 in 1859.

The membership in the other Methodist denominations of England was, in 1864, as follows: The New Connection Methodists had 24,112 members in England; 733 members in Ireland, and 7,918 in Canada (a total increase of 51 members); the Bible Christians, 25,089 (a decrease of 287 members); the Primitive Methodist Connection, 148,690 members; the United Methodist churches, 64,331; the Wesleyan Reform Union, 10,139 members (increase 1,201).

On the subject of the union of "liberal" Methodist bodies, the New Connection Conference adopted the following resolution:

That this Conference has much satisfaction in learning that the expressions of Christian affection toward all evangelical denominations, and especially of our fraternal sympathy and relations with the several sections of the Methodist family, as embodied in the fourteenth resolution of our last Conference, have been cordially reciprocated by the Annual Assembly of the United Methodist Free Church; by the Conference of the Primitive Methodists; by the Primitive Wesleyan Methodists; by the Bible Christians, and the Methodist Reform Union; and this Conference indulges the hope that this interchange of friendly sympathy will be followed by more frequent intercourse, and also by mutual coöperation as far as this may be found practicable.

Outside of the United States and Great Britain the most important event in the history of Methodism during the past year is the organization of an Annual Conference in India. The General Conference of the Methodist Episcopal Church of the United States, at its session in Philadelphia, in May, 1864, organized the missions in the northwest provinces of India into

an Annual Conference. Bishop Thompson was sent out to preside at the first meeting of the Conference, which opened at Lucknow, Dec. 8, 1864. The statistics of the Conference were reported to be as follows: Church members, 117; Probationers, 92; Local preachers, 9; adults baptized, 62; children baptized, 53; churches, 9—value of church property, \$5,390; parsonages, 19; value, \$37,440; Sunday schools, 9; officers and teachers, 39; scholars, 397. Several natives were admitted into the Conference.

MEXICO. The close of 1863 found the French firmly established in the heart of Mexico, having possession of the chief towns in the most populous States, and preparing to extend their conquests to the north and west. They held the line between Vera Cruz and the capital, had pushed north as far as San Luis Potosi, occupying Queretaro, Guanajuato, Guadalajara, and other intervening cities, and had recently taken, after a hard contest, Morelia, the capital of Michoacan, directly west of the City of Mexico. The Juarists were still dominant in Southern Mexico and along the Pacific coast, though holding both by a somewhat uncertain tenure, and their seat of government varied with the movements of their main army in the North, which under Juarez, Doblado, and Negrete, was retiring before the invaders in the direction of Monterey, then occupied by a national force under Vidaurri. The northern States had never been entered by the expeditionary army; and so thinly were they populated, so great were the distances to be overcome, and so extensive the lines of communications to be maintained by an invading force, that the Mexicans believed here, at least, they could make a final and successful stand. It seems never to have occurred to them that the vast mineral wealth of these States, undeveloped though it was, might prove a strong incentive to their opponents, and that "intervention" was the thin disguise assumed by men who were coveting possession of the rich silver mines of Sonora and Sinaloa. The left wing of the Northern Mexican Army, under Doblado, was posted between the towns of Durango and Zacatecas, watching an opportunity to assail the advancing Franco-Mexican forces, commanded by Douai, Mejia, and Castagny, on the flank; while the main body moved on the road between San Luis Potosi and Monterey. Another Mexican force, known as the Army of the Centre, was distributed through the States of Jalisco and Michoacan, to the northwest and west of the capital. Uruga held the chief command, and under him were Ortega, Arteaga, and other generals. The Army of the South, under Porfirio Diaz, had its headquarters in the State of Oajaca, with outlying bodies in Chiapas and Tabasco; and in Guerrero old Juan Alvarez and his son Diego, with the hardy Pinto Indians under their command, stood firm for the republic. Though in the aggregate these forces com-

prised a considerable body of men, they lacked consistency, discipline, and morale, were largely made up of guerrillas and other irregular troops, and were inadequately supplied with material of war. Not above five or six thousand could be collected for any pressing emergency, and repeated defeats had rendered them very unstable when opposed to the well-trained and armed French battalions. Their efficiency lay rather in their ability, from a superior knowledge of the country and their mobility, to harass and disperse small expeditionary forces, to assail supply trains, or to cut off isolated garrisons. Organized operations may be said to have ceased after the fall of Puebla, and each general marched and fought at his discretion. No other course was possible. Brigandage prevailed to a frightful extent along the borders of the territory occupied by the French, and the guerrillas frequently showed a mingled ferocity and audacity scarcely calculated to reassure those who looked for the speedy pacification of the country. No convoy during the early part of 1864 dared pass between Vera Cruz and Mexico without a large armed escort. In January a travelling party, accompanied by a few soldiers, was attacked between Jalapa and Perote, and massacred, it was said, with the exception of one woman. Summary justice was dealt to the offenders, when caught, and French military law seemed to be the only code in force. Of the military events of the year it is almost impossible to give an accurate account, owing to the deliberate and systematic falsification practised by both parties. Victories for the Juarists which had little or no foundation in fact were frequently reported, and on the other hand the French accounts of their successes are exaggerated beyond the power of belief. That the national forces were gradually frittered away in frequent combats, and by desertion or submission, until organized resistance almost ceased, is the main fact in the military history of the year.

Early in January the French papers published a long list of towns, including San Luis Potosi and Guanajuato, which had given in their adhesion to the empire, and toward the close of the month the expeditionary army operating against Juarez marched north from San Luis Potosi. On February 7th Zacatecas was occupied by a column under Generals Douai and Castagny, Doblado having previously retired toward Saltillo. Almost immediately, however, the advance of the French was stopped from the necessity of watching the movements of Ortega and Uruga, who were reported between Zacatecas and Guadalajara, threatening the latter city, then recently captured by General Bazaine, who had returned to Mexico. On February 18th Ortega, according to the French accounts, was routed by Castagny at Colotlan, in the State of Jalisco, and obliged in his retreat to disband his troops; but this dissolution seems to have been only temporary, as a few weeks later he appeared

again in Durango to the northwest of Zacatecas. Uraga, after hovering for some time around Guadalajara, which he was at one time reported to have retaken, moved off to the south of that city, his departure being hastened by a movement of General Douai toward Aguas Calientes to intercept him. Various other reasons contributed to delay the French several months in Zacatecas or its neighborhood, of which the chief one was the difficulty of maintaining their long line of communications. Such a thing as cutting loose from their base seems never to have been attempted by any of their leaders.

In the last week of January, Juarez with Doblado and Negrete approached Monterey, first sending forward a notification to Vidaurri that he intended to fix his capital in that city. The position held by the latter general was a peculiar one. Though frequently reported to have deserted to the interventionists, he still held the office of governor of the States of New Leon and Coahuila, having at his disposal a considerable body of troops, and preserving at least the appearance of friendliness to the national cause. He did not, however, attempt to conceal a deep-rooted hostility toward Juarez, and was believed to be deterred only by the military force which the latter had at his disposal from declaring for the Empire. He had recently cultivated friendly relations with the rebel authorities in Texas, and encouraged trade between them and his people, from which he had personally reaped very considerable advantages. Juarez had condemned this proceeding as a violation of the treaty between the United States and Mexico; and as his presence in Monterey would very seriously disturb Vidaurri's commercial speculations, the latter had every inducement to keep him at a distance. Learning on February 9th, that some of his troops had joined Juarez, he repaired to his fort near Monterey and prepared for a fight. Interviews between Vidaurri and Generals Doblado and Negrete followed, and on the 11th Juarez with his cabinet, generals, and about 2,800 men, took possession of Monterey. But as Vidaurri still held his fort with an armed force in a sullen attitude of defiance, Juarez, rather than provoke an encounter at this crisis, left the city on the 14th. Three days later Vidaurri issued a proclamation in which he justified his course, and declared himself against Juarez, which meant, of course, in favor of the Empire. For a month this state of things remained without change, when Vidaurri, finding that New Leon and Coahuila had declared against him, threw off all disguise and fled with a small escort to the Rio Grande and crossed into Texas. On March 31st Juarez again entered Monterey, and established there the national capital.

The Franco-Mexican papers at this time proclaimed that the so-called government of Juarez found itself reduced to four or five States, which rendered him only a nominal obedience, and that his position was too hopeless to admit of

further resistance to what they termed the "march of events." Some of his most trusted followers even began to waver in their faith, and Doblado suggested that his withdrawal from the presidency would smooth the way for a peace. In reply, Juarez said that such a step would cover the liberals with ridicule, and himself with ignominy, for deserting in time of danger a post which the nation had solemnly confided to him. He denied that the French wished to treat with any Mexican leader who had not previously accepted intervention, and showed that it was the National Government, and not the power of certain individuals, which they sought to destroy. In conclusion he said:

It is true the state of affairs is not now very bright, and I do not try to deceive myself that circumstances may improve, but I am certain that our duty is to struggle for our country, and that between a struggle and treason there is no mean. I beg you, therefore, to go on making war on the enemy by all possible means, this being our only hope of salvation. Otherwise the enemy will not treat with us except on dishonorable terms, or we must treat with the established government, which is not the government of the nation.

In the latter part of February, ex-President Santa Anna arrived at Vera Cruz from St. Thomas, after nearly nine years' absence from his native country. On landing he was required, as a condition of remaining in the country, to sign a paper declaring his adhesion to the French intervention, recognizing as the only legitimate government the monarchy proclaimed by the assembly of notables, with the Archduke Maximilian as Emperor, and pledging himself to abstain from any political demonstration, either by speech or writing, and to conduct himself wholly as a private citizen. To a man, however, who had passed the better part of his life in fomenting revolutions and projecting "plans," the issuing of a manifesto upon such an occasion, was a temptation too great to be resisted; and, by what means has never been clearly ascertained, four days after his arrival an address from "Antonio Lopez de Santa Anna, well deserving of his country, and general of division of the national armies," appeared in a newspaper of Orizaba. With characteristic egotism he reviewed the services he had performed for Mexico; charged upon the liberals the series of wrongful acts, culminating in anarchy, which had forced French intervention upon the country; but counselled the people, nevertheless, to yield willing obedience to the Empire. With the exception of some indirect complaints at the spoliation of the church property, there seemed to be nothing in the manifesto calculated to create public disturbance, but it led to the following peremptory order from Gen. Bazaine:

MEXICO, March 7, 1864.

GENERAL: His Excellency, Gen. Almonte, has just sent me a supplement to No. 68 of the newspaper, *Indicator*, published in Orizaba, and in which there appears in full the proclamation that you have sent to Mexico, signed by you. You have failed in the engagement that you signed on board of the English steamer *Conway*; nor have you thought it worth

while to make application in this respect to the Commander-in-Chief of the Franco-Mexican army, who represents France in Mexico. You cannot remain any longer in Mexican territory, and I beg you to leave it without delay, as I would a son.

I have given on this point explicit orders to the head Commander of Vera Cruz, as well as to the Admiral commanding the French naval forces in the Gulf, that a vessel be put at your service. Receive, General, the assurance of my high esteem.

The Commander-in-Chief. General BAZAINE.

On March 12th the military commander of Vera Cruz informed Santa Anna of the order for his departure received from the capital, and on the same day he left for Havana. From the latter place he published a reply to General Bazaine, denying that he made any promise not to interfere in politics, and insinuating that the order for his departure from Mexico emanated from Gen. Bazaine alone, as on the same day he received a letter from Almonte congratulating him on his arrival. With regard to the paper signed by him before landing at Vera Cruz, in which he promised not to take any part in politics without the previous sanction of the Government, he stated that he did not know its purport, as it was written in the French language, with which he was unacquainted. He further declared that the manifesto was printed by his friends, who were naturally desirous to know his opinion of public affairs, and entirely at their own suggestion; and announced his intention to appeal to Napoleon III. against the "unjust and inhuman" order for his departure. Whether the appeal was ever really made or not, he did not return to Mexico, the Emperor probably agreeing with Gen. Bazaine that his presence in the country might be productive of mischief, and that the indiscreet manifesto formed a good pretext for getting rid of him.

During March the French fleet was active along the Gulf coast, and blockaded that portion extending from Vera Cruz as far southward as Lagana. Several vessels also appeared off the mouth of the Rio Grande and took soundings preparatory to an attack in force upon Matamoras. On the Pacific coast the port of Acapulco was blockaded. But in Southern Mexico the French met with no success, having even been compelled to evacuate Tabasco and Minatitlan after severe fighting, and being afraid to approach the latter place on account of its unhealthiness. In the beginning of April they had no foothold in the States of Tabasco or Chiapas.

In the early part of 1864 the deputation of Mexicans which had in the preceding year presented the imperial crown to Maximilian, returned to Europe on a similar errand. The scruples of the archduke had been by this time so far overcome, that he was willing to receive the dignity without a ratification by the popular vote, accepting the submission of the people to the French arms as equivalent to a vote in his favor. On April 10th he received the deputation at his palace of Miramar, and listened to a harangue from Gutierrez de Estrada, who on

this, as on the former occasion, officiated as spokesman, and expressed the joy felt by the deputation in finding themselves once more in the presence of his Highness. They had come, he said, in the name of the imperial regency to announce that the vote of the notables which had conferred the crown on him had been ratified by an immense majority of the country, and that the unanimous acclamation of the notables of Mexico, of the municipal authorities, and of the popular corporations, represented a truly national vote. Maximilian replied, in Spanish, to the deputation as follows:

Mature examination of the acts of adhesion you have come to lay before me affords me the assurance that the resolution of the Mexican notables which brought you the first time to Miramar is confirmed by the immense majority of your compatriots, and that I may with good right consider myself the legitimate elect of the Mexican people. The first condition expressed in my reply of October 3d is therefore fulfilled. The guarantees which the future empire requires to be able to consecrate itself in peace to the first of its passions—the establishment upon firm bases of the independence and welfare of the country—are now secured, thanks to the magnanimity of the Emperor of the French, who, throughout the progress of the negotiations, has shown himself constantly animated by a spirit of loyalty and good will, of which I shall ever preserve the remembrance. The august head of my family, upon his part, has given his consent to my taking possession of the throne offered to me. I am thus enabled to fulfil the eventual promise I gave you six months ago, and I now solemnly declare that, with the aid of the Almighty, I accept the crown at the hands of the Mexican nation which tenders it to me. Following the traditions of that new continent, so full of strength and future, Mexico has used her right of selecting a government in harmony with her wishes and her requirements. She has placed her confidence in a descendant of that House of Hapsburg which three centuries ago planted a Christian monarchy upon her soil. This confidence touches me, and I will not betray it. I accept the power of organization which the nation, of which you are the organs, confers upon me, and I shall in any case retain it only so long as may be necessary to introduce settled order into Mexico, and to establish wise and liberal institutions. As I stated to you, gentlemen, in my address of the 3d of October, I shall hasten to place the monarchy under the safeguard of constitutional laws as soon as the country shall be completely pacified. The strength of the executive power is, in my opinion, secured by the precision equally with the well-defined establishment of its limits; it is therefore my intention, in carrying on my government, to fix such boundaries as may guaranty its stability. I firmly hope we shall prove that well-regulated liberty is perfectly compatible with the reign of order. I shall know how to respect the one and cause respect to be shown to the other. I shall hold high the flag of independence, the symbol of future greatness, with the same vigor. I ask the assistance of all Mexicans who love their country to aid me in accomplishing my splendid but difficult task. Union will make us strong, will procure for us peace and prosperity. My government will never forget the gratitude it owes to the illustrious prince whose generous support has brought about the regeneration of our beautiful country. Upon the way to my new country it is my intention to visit Rome, to receive from the hands of the holy father those benedictions so precious to all sovereigns, and which are doubly important to me, as called upon to found a new empire.

At the conclusion of this address the new

sovereign was greeted by shouts of "God save the Emperor Maximilian I.," and salvos of artillery from the castle and the town of Trieste. Gutierrez de Estrada then addressed him in the following remarks :

Sire, this complete and absolute acceptance on the part of your Majesty is the prelude of our happiness; it is the consecration of the salvation of Mexico, of its approaching regeneration, of its future greatness. Every year, on this day, our children will offer up thanksgivings to Heaven in gratitude for our miraculous deliverance. As for us, sire, there remains a last duty to perform, and that is to lay at your feet our love, our gratitude, and the homage of our fidelity.

The deputation then knelt and kissed the hand of the Emperor, and immediately afterward a proces verbal of the acceptance of the crown of Mexico was signed by the parties to the interview.

On the same day a convention between France and Mexico was signed by their respective representatives in the following terms :

ARTICLE 1. The French troops at present in Mexico shall be reduced as soon as possible to a corps of 20,000 men, including the foreign legion. This corps, in order to safeguard the interests which led to the intervention, shall remain temporarily in Mexico, on the condition laid down in the following articles :

ART. 2. The French troops shall evacuate Mexico in proportion as the Emperor of Mexico shall be able to reorganize the troops necessary to replace them.

ART. 3. The foreign legion in the service of France, composed of eight thousand men, shall nevertheless remain in Mexico six years after all the other French troops shall have been recalled, in conformity with article 2. From that moment the said legion shall pass into the service and pay of the Mexican Government, which reserves to itself the right of abridging the duration of the employment of the foreign legion in Mexico.

ART. 4. The points of the territory to be occupied by the French troops, as well as the military expeditions of the said troops, if there be any, shall be determined in common accord, directly between the Emperor of Mexico and the Commandant-in-Chief of the French corps.

ART. 5. On all the points where the garrison shall not be exclusively composed of Mexican troops, the military command shall devolve on the French commander. In case of expeditions combined of French and Mexican troops, the superior directions of those troops shall also belong to the French commander.

ART. 6. The French commanders shall not interfere with any branch of the Mexican Administration.

ART. 7. So long as the requirements of the French *corps d'armee* shall necessitate a two-monthly service of transports between France and Vera Cruz, the expense of the said service, fixed at the sum of 400,000 francs per voyage (going and returning), shall be paid by Mexico.

ART. 8. The naval stations which France maintains in the West Indies and in the Pacific Ocean shall often send vessels to show the French flag in the ports of Mexico.

ART. 9. The expenses of the French expedition to Mexico, to be paid by the Mexican Government, are fixed at the sum of 270,000,000 francs for the whole duration of the expedition down to the first of July, 1864. That sum shall bear interest at the rate of 5 per cent. per annum. From the first of July all the expenses of the Mexican army shall be at the charge of Mexico.

ART. 10. The indemnity to be paid to France by

the Mexican Government for the pay and maintenance of the troops of the *corps d'armee* after the 1st of July, 1864, remains fixed at the sum of 1,000f. a year for each man.

ART. 11. The Mexican Government shall hand over to the French Government the sum of 66,000,000 in bonds of the loan at the rate of issue, viz. : 54,000,000 to be deducted from the debt mentioned in Art. 9, and 12,000,000 as an instalment of the indemnities due to Frenchmen in virtue of Art. 14 of the present Convention.

ART. 12. For the payment of the surplus of the war expenses, and for acquitting the charges in Arts. 7, 10 and 14, the Mexican Government engages to pay annually to France the sum of 25,000,000 in specie. That sum shall be imputed : 1. To the sums due in virtue of Arts. 7 and 10. 2. To the amount, interest and principal, of the sum fixed in Art. 9. 3. To the indemnities which shall remain to French subjects in virtue of Art. 14 and following.

ART. 13. The Mexican Government shall pay, on the last day of every month, into the hands of the Paymaster-General of the army, what shall be due for covering the expenses of the French troops remaining in Mexico, in conformity of Art. 10.

ART. 14. The Mexican Government engages to indemnify French subjects for the wrongs they have unduly suffered, and which were the original cause of the expedition.

ART. 15. A mixed commission, composed of three Frenchmen and three Mexicans, appointed by their respective Governments, shall meet at Mexico within three months, to examine and determine these claims.

ART. 16. A commission of revision, composed of two Frenchmen and two Mexicans, appointed in the same manner, sitting at Paris, shall proceed to the definite liquidation of the claims already admitted by the commission designated in the preceding article, and shall decide on those which have been reserved for its decision.

ART. 17. The French Government shall set at liberty all the Mexican prisoners of war as soon as the Emperor of Mexico shall have entered his States.

ART. 18. The present convention shall be ratified, and the ratifications exchanged as early as possible.

Done at the Castle of Miramar, this 10th day of April, 1864.

Soon after the interview at Miramar, Maximilian visited the Pope at Rome, and then, with his consort, the Empress Charlotte, embarked for Mexico; and after touching at Madeira and Martinique, at the latter of which places he liberated a number of Mexican prisoners, arrived on May 28th at Vera Cruz. On the succeeding day he landed, and passing hastily through the city, departed for Orizaba, where he arrived on the 30th. The inhabitants of Vera Cruz, with the exception of the French, exhibited a passive indifference to the imperial presence, and very few outward demonstrations of enthusiasm greeted the new sovereign upon entering his dominions. The brief stay in the city was attributed to the fear of the yellow fever and vomito entertained by the imperial couple. After a few days of rest from the fatigues of the sea-voyage at Orizaba, the emperor continued his journey to the capital, and on June 11th was met at Guadalupe, a few miles distant from Mexico, by the chief ecclesiastical, military, and civil dignitaries of the realm. Here, at the famous church of Our Lady of Guadalupe, high mass was celebrated by the

Archbishop of Mexico, assisted by other prelates, with imposing ceremonies, after which the emperor listened to an address from the political Prefect of Mexico, profuse in protestations of loyalty and delight at his arrival, to which he made the following reply:

Profoundly moved by the enthusiastic reception which I have received from all the towns and cities in my progress, my emotion and my gratitude acquire new intensity on finding myself at the gates of the capital, and seeing its principal authorities assembled to congratulate me in a place so respected and so dear to me and the Empress as it is to all Mexicans. I thank you for your felicitations, and salute you with the warmth of one who loves you, and who has identified his fate with yours.

The imperial entry into the capital took place on Sunday morning, June 12th, with a degree of pomp and circumstance never before witnessed in Mexico. The streets, lined with soldiers, were brilliantly decorated with flags and draperies, and at appropriate points spanned by triumphal arches festooned with flowers; and as the imperial cortège passed along, the roar of artillery and the clangor of church bells made a deafening welcome. The populace, who were gathered in dense crowds to witness the pageant, by their silence and lack of enthusiasm afforded a singular contrast to its scenic splendor. The French residents and the numerous government employés, it is true, gave vent to noisy demonstrations; but the native Mexicans looked on with comparative apathy, curiosity being apparently the only feeling which they cared to exhibit, and were sparing of their *vivas* or applause. Many of them took pains to impress upon strangers how different was the reception of Maximilian to that in former days bestowed upon some popular leader of the republic. After hearing a *Te Deum* at the cathedral the emperor held a levee at the palace, where he conferred the order of Guadalupe upon a number of persons, and the festivities of the day ended with an illumination of the city at nightfall. In the mottoes and inscriptions plentifully distributed over the city during the three days through which the celebration was protracted, the influence of the reactionist or church party was very apparent. Combined with the customary Mexican bombast, there was an ostentatious allusion to religious topics, which suggested political rather than religious motives, and showed how assiduous were the ecclesiastics to create a public opinion in their favor. Maximilian and his consort were apostrophized, not merely as the saviours of temporal Mexico, but as the defenders and bulwarks of the faith throughout the world, Mexico being, of course, the source whence their auspicious influences were to flow.

The excitement attending his arrival having subsided, the emperor set himself seriously to work to organize the government of his realm, and to ascertain in what manner the much demanded "regeneration" could be accomplished. Coming to power, according to his friends, with intelligence, capacity, and liberal views of gov-

ernment, he at once called upon the notables of the different provinces, and those persons supposed to represent the intelligence and strength of the country, for information upon the population and resources of their respective localities, and also for suggestions as to the best method of introducing order into the disorganized branches of the administration. He sought also, by private interviews with such persons, to get an insight into the national character and feelings; and as a pledge of his desire to establish a popular government, he organized them into committees to report upon financial, military, legal, or other reforms. Some of these committees were formed on the most liberal scale as regards numbers, that on finance alone consisting of sixty members, who represented every shade of opinion. The development of the resources of the country also occupied his attention, and projects were broached for building the much-mooted railroad across the isthmus of Tehuantepec, for forming new mining companies, railway and telegraph lines, and for organizing a national navy. As it was indispensable to unite the capital by a permanent line of communication with the Gulf of Mexico, the contract for continuing the railroad between Mexico and Vera Cruz, formerly granted by Juarez in perpetuity to M. Escandron, was given to an English company, who engaged to finish the road within four years.

The clemency which the emperor had shown to the Mexican prisoners at Martinique was subsequently imitated on a broader scale, in the hope that the people would thereby be induced to acquiesce in the new order of things; and shortly after his installation in the capital he conceded a general amnesty to all prisoners condemned for political offences, and also to those who, for mixed offences, had been sentenced to more than ten years' imprisonment or hard labor; although such persons were not, in consequence of this amnesty, released from private claims against them. Of more importance than these measures for pacification was an invitation which he sent immediately upon arriving in Mexico, to Juarez and the republican leaders, to attend a conference in the capital for the purpose of discussing a plan for the restoration of peace to the country and the firm establishment of the empire. This overture met with little favor from sincere liberals, who generally refused to hold any communication, except by arms, with the "agent of Napoleon," although to the wavering or despondent ones it afforded a welcome pretext to forsake the cause of the republic. Juarez replied in the following terms:

RESPECTED SIR: You have privately addressed me a letter, dated the 2d inst., on board the frigate *Novara*; and in my character of a polite and respectable person, the obligation is imposed on me of replying to it, although hastily, and without any thing like meditation, because you must already suppose that the delicate and important charge of President of the republic absorbs all my time without cessation; not even at night. French filibustering is seeking to en-

danger and overthrow our nationality, and I, who by my principles and my oaths am the one called to sustain the national integrity, its sovereignty, and its independence, have to labor actively, multiplying my efforts to respond to the sacred trusts which the nation, in the exercise of its sovereign faculties, has imposed upon me. Nevertheless, I propose, however briefly, to reply to the most important points contained in your letter.

You tell me that, "abandoning the succession of a throne in Europe, abandoning your family, your friends, your property, and the dearest thing to a man—your country—you and your wife, Donna Carlota, have come to distant and unknown lands only in obedience to the spontaneous call of a nation which fixes in you the happiness of its future." I certainly admire in one sense all your generosity; but, on the other, my surprise has been truly great in finding in your letter the phrase "spontaneous call;" for I had seen before that when the traitors of my country presented themselves, on their own authority, at Miramar, to offer you the crown of Mexico, with a few acts of nine or ten towns of the nation, you did not perceive in it any thing but a ridiculous farce, unworthy to be seriously considered by an honest and decent man. In reply to such an absurdity, you demanded a free expression of the national will, as the result of universal suffrage. This was to demand an impossibility; but it was the proper duty of an honorable man to do so. How great, then, must be my wonder to see you coming to the Mexican territory, without any of the conditions demanded having been fulfilled! How must I not wonder at seeing you now accepting the same farce of the traitors, adopting their language, decorating and taking into your service bandits like Marquez and Herran, and surrounding your person with this dangerous class of Mexican society! Frankly speaking, I have been greatly deceived; for I believed and hoped that you were one of those pure organizations which ambition could not succeed in corrupting.

You cordially invite me to go to Mexico, a city whither you yourself are about to proceed, to the end that we may there have a conference, in conjunction with other Mexican chiefs who are now in arms, promising us all the forces necessary for our escort in the transit, and pledging as security and guarantee your public faith, your word, and your honor. It is impossible for me, sir, to accede to this call; my official occupations will not admit of it. But if, in the exercise of my public functions, I could accept such an invitation, the public faith, the word and honor of an agent of Napoleon the perjured would not be sufficient; of a man whose safety reposes in the hands of Mexican traitors; and of the man who at this moment represents the cause of one of the parties who signed the treaty of Soledad. We know too well in America the worth of that public faith, that word and honor, just as the French people know how much the oaths and promises of a Napoleon are worth.

You say also that from the conference which we might have (in case of my acceptance) you do not doubt that peace will result, and with it the felicity of the Mexican nation, and that in the future the empire, placing me in a post of distinguished honor, would count upon my talents and the aid of my patriotism for the general good. It is certain, sir, that the history of our own times records the names of great traitors, who have betrayed their oaths, their word, and their promises; who have been false to their own party and principles, and even to their antecedents, and all that is most sacred to the man of honor; true, also, that in all these cases of treason, the traitor has been guided by the vile ambition of command and the miserable desire of satisfying his own passions, and even his own vices; but he who is at present charged with the trust of President of the republic, emerging as he has from the obscure masses of the people, will succumb, if in the wisdom of Providence he must

succumb, fulfilling his own to the last, corresponding to the hope of the nation over which he presides, and satisfying the inspirations of his own conscience.

The want of time compels me to conclude, and I will add but one observation. It is given to man sometimes to attack the rights of others, to seize their property, to threaten the lives of those who dare defend their nationality, to make the highest virtues appear like crimes, and their own vices to shine with the lustre of true virtue. But there is one thing that is beyond the reach of the false and perverse, and that is, the tremendous sentence of history. It will judge us.

I am &c., &c., BENITO JUAREZ.

In contrast with the dignified and comparatively temperate tone of this document, was the reply of Porfirio Diaz, commanding the national Army of the South in Oajaca, of which the following is an extract:

When the French Convention in 1793 condemned Louis the XVI. to be beheaded, they desired by such a measure to concentrate and unite their own forces and power, and to throw down a defiance of death to the cause of the past, and proving to Europe that they had full confidence in their means of defence. * * * * In the actual circumstances in which the Mexican republic is placed, measures of equal sternness and decision are imperiously necessary in the attitude which ought to be assumed by those who govern. And for these reasons, without any one pretending to see in them an act of barbarism or a cruel and inhuman deed, but simply a determination in consonance with the political exigencies of the moment, this general command disposes that —, an emissary of the pretended Emperor of the Mexicans, be put to death within the space of twenty-four hours.

Communicate this order for its prompt execution, &c. PORFIRIO DIAZ, General-in-Chief.
HEADQUARTERS, STATE OF OAJACA, June 27, 1864.

It is but proper to say that the sanguinary order was not carried into effect upon the emissary of the emperor, although he was subjected to a temporary imprisonment.

With the exception of a number of new diplomatic appointments, Maximilian availed himself at first of the services of those officials already in charge of administrative functions. No minister was appointed to the United States, and during the greater part of the year that government was represented at the Mexican capital by W. H. Corwin, Secretary of Legation and acting Chargé in the absence of Hon. Thomas Corwin, who returned home in the latter part of April. Owing to a want of accurate information on economical subjects, and also to an inability to deal with practical questions which seems inherent in the Mexican character, little progress was made by the committee on finances. Much time was expended on discussions extraneous to the subject under consideration; personal claims were introduced, and in the examination of general principles, to the exclusion of the immediate, vital questions before the committee, session after session was frittered away. The difficulty of instituting a sound system of finance, in a country where no regular system of taxation or revenue had been in existence for upward of ten years, and where all branches of agriculture, industry, and trade were nearly paralyzed, might, it is true, have

perplexed far more experienced financiers. But the men whom Maximilian had called around him, though possibly having the best intentions, were unfitted, from the almost perpetual contentions amidst which they had lived, as well as from the frequent vicissitudes of political fortune which they had experienced, to discharge the functions of legislators. This was sufficiently apparent from their method of conducting business, the idea uppermost in their minds seeming to be, that devotion to the empire would enable them to manage state affairs, and would make up for all deficiencies in knowledge or capacity. So marked was the inefficiency of the committee, that the opponents of the empire accused Maximilian of having selected it for no other purpose than to afford a pretext for assuming hereafter absolute rule, on the ground that popular bodies could not deal intelligently with great public questions. Hence it was predicted that unless the several commissions should speedily come to some practical conclusions, the emperor would shorten their sessions, and boldly assume the responsibility of deciding for them. After that, the constitutional monarchy which the conservatives professed to hail with so much pleasure would soon degenerate into a despotism of the Austrian type. These predictions have not yet, it is true, been wholly fulfilled, but those who uttered them profess to have full faith that popular government and the empire cannot exist together.

The military commission alone, at the head of which was Gen. Bazaine, proceeded, with some degree of expedition, to put into proper shape the matters committed to their charge. This was in a great measure owing to the experience and business habits of their president, who had much tact in all things connected with his profession. A plan was elaborated for the organization of a Mexican army of 100,000 men, to which are to be added an auxiliary force of 15,000 European soldiers, comprising French, Austrians, Belgians, Poles, and Germans, and known as the "Foreign Legion." As early as February, 1864, the first instalments of this body began to arrive in Vera Cruz, and by the close of the year nearly the whole complement had been received. They relieved a corresponding number of French troops who were sent home from time to time.

The progress of military events up to July, was on the whole favorable to the imperialists, although the relative positions of the contending parties cannot be said to have materially changed. Juarez still occupied Monterey; Uraga and Ortega held their forces in various parts of Durango, Jalisco, and Michoacan; and Diaz and Alvarez had considerable strength in Southern Mexico. On the Pacific coast, the French successively occupied during the year Acapulco, Manzanilla, and Mazatlan, and established a cordon of posts between Guadalajara and the seaport, Tepic, thus connecting the Pacific with the Gulf of Mexico. In April, Alvarez peremptorily declined to recognize the empire, but

as the French were not then prepared to push matters in the south, he and Diaz held the country for some time longer without opposition. A severe blow to the republican cause was the defection of Uraga in July, only a few weeks after he had announced his intention of holding out for the national party to the last. "To a soldier of the republic," he wrote on June 13th, "mutilated in the cause of liberty, bred from infancy in the doctrine of political independence, there can be no other device than this: War to the death with the French; war to the death with those who, betraying the sacred cause of their country, recognize or protect the foreign invader or the petty monarch whom he pretends to enthrone on our soil. This device I have adopted, and to this pledge my country and the world shall see me devoted." He made his escape to the capital, where he subsequently was rewarded with high office for his treachery, and the command of the army which he had deserted was assumed by Gen. Arteaga who issued a spirited address to reassure the troops. Though nothing perhaps approaching in magnitude to a pitched battle took place between March and July, lesser engagements were frequent, and generally resulted to the advantage of the imperialists. In the south, the guerrilla bands of Palacios, Rojas, and Romero, kept the latter constantly on the alert, and sometimes gained signal though temporary successes.

In August, the Franco-Mexican columns which had started from San Luis Potosi in the early part of the year, found themselves at last in a condition to move northward with vigor, and their approach was the signal for the republican forces to draw off to the northwest. The column under Douai and Castagny which had remained so long in Zacatecas, took the direct road for Monterey, and passing through Saltillo, reached the former place early in September. It had already been evacuated by Juarez, who, with the archives and the few remaining officials connected with the national government, passed over the desert of San Carlos to Chihuahua, where he was cordially received on October 12th. An imperial force also, after a sharp fight at Estanzuela, occupied the city of Durango, in the State of that name, during September. Another column under Gen. Mejia meanwhile marched from San Luis Potosi, northeast through the State of Tamaulipas to Matamoros, where, on September 26th, the republican Governor Cortinas capitulated with all his forces. Contemporary with this movement the French fleet reappeared off the Rio Grande, and occupied Bagdad near the mouth of the river, which they fortified and supplied with a garrison. It was while the latter was successfully resisting an attack from the troops of Cortinas that Mejia reached Matamoros, which fell without a shot.

The surrender of Cortinas and his army, and the fall of Matamoros, were the most severe reverses that Juarez had experienced in the

north during the year, and they practically ended the war in northeastern Mexico. Thenceforth the struggle for popular government was to be conducted by the President in the thinly-populated State of Chihuahua, under circumstances which would have disheartened or thoroughly prostrated most men in his position. But Juarez seemed to gather strength by reverses, and regarding himself as the representative of the republic and the repository of a sacred trust, he heroically kept the field with barely 2,000 men against formidable odds, not knowing what fortunate event might not happen to brighten his prospects. One by one his chief generals and advisers had been taken from him by death, by capture, or by submission to the imperial army, until scarcely a man of note, except Negrete, remained near him. In August one of the most trusted of the republican leaders, Doblado, left the country, whether from despair of the cause or on a public mission is not known; but, unlike Uruga and others, without suspicion of treachery. In the middle States matters looked no more favorably for the republicans, who saw their scattered forces frequently worsted in petty engagements. Arteaga, Ortega, and other leaders, maintained an unequal struggle with the imperialists, which could terminate in but one way. Only in the south did the republicans preserve any show of efficient organized opposition.

About the middle of August the emperor started on a tour of observation, intending to go as far as Zacatecas, about three hundred miles north of the capital. Previous to his departure, by the following decree, dated August 7th, he removed the censorship which had been imposed upon the press:

Until the committee charged with organizing the administration of justice shall have presented me with the result of their work, I have considered it convenient to amplify the action of the press. Consequently from the 8th day of this month, and until further orders, the previous censorship is suppressed. Every individual can freely utter his opinions of official acts, to point out their defects, without provoking to disobedience and with a due respect for authority. Offensive allusions, recriminations which tend to keep up discord and foment party spirit, will be repressed, conformably with the last regulations upon this matter, &c.

As a concession to the liberals this was a prudent measure, and it was followed by other acts of clemency during the imperial progress, which undoubtedly made converts to intervention. A more important result of his journey was the determination to treat as outlaws the armed adherents to the republican Government. This policy was first unfolded in the following letter to his Minister of State, Velasquez de Leon, dated a few days after his return to the capital:

MY DEAR MINISTER: Since my return from my arduous voyage to the departments of the interior, during which I have received in each city, town, and village, the most sincere proofs of sympathy and of the most cordial enthusiasm, I have been able to deduce two irrefutable truths: The first, that the

empire is an act firmly based upon the free will of the immense majority of the nation, and in it is embraced the form of a Government of true progress; and that it is the best to correspond to the needs of the people. The second is, that this immense majority is desirous of peace, of tranquillity and of justice—benefits which it expects and anxiously asks of my Government, and which I, having present my sacred duty before God, and the people which has elected me, am resolved to give it. Justice will find its base in institutions adequate to the times, and will be sustained with incessant zeal. For the establishment of peace and tranquillity in all this beautiful and extensive country, and for the prompt development of its prodigious wealth, my Government is determined to employ all its means and energy.

If up to the present time leniency has been shown to its political adversaries to give them time and opportunity to recognize the national will and conform themselves to it, in future it will be an imperative obligation to combat them, for their flag now carries no political creed but a mere pretext for robbery and murder. My duty as a sovereign obliges me to protect the people with an iron arm and to correspond to the wishes expressed on all sides. We declare, as chief of the nation, and with the full knowledge of our sacred mission and of the duty which we have imposed on ourself, that all the armed bands which are yet overrunning some parts of our beautiful country, pillaging it, alarming and menacing the industrious citizen in his labor and liberty, shall be considered as gangs of outlaws, and will fall in consequence under the inflexible and inexorable severity of the law. Therefore we commend all functionaries, magistrates, and military authorities of the nation to pursue and annihilate them by all means in their power. If our Government does respect all political opinions it cannot tolerate criminals, who destroy the first liberties it is called upon to guarantee, those of person and property.

Given at the Palace, Mexico, 3d of November, 1864. MAXIMILIAN.

About this time some changes were made in the ministry, which thereafter comprised the following persons: Minister of State, Don Jose Maria Lacunza; Minister of Foreign Affairs, Jose F. Ramirez; Minister of War, Juan de D. Peza; Minister of Public Works, Luis Robles; Minister of Justice, Pedro Escuden T. Echanove; Minister of Government, Jose Maria Cortes Z. Esparza; sub-Secretary of the Treasury, Martin de Castillo.

By a decree dated December 4th, a consulting body called the Council of State was created, to consist of the following persons: Don Jose Maria Lacunza, Minister of State, President; Don Hilario Elguero, Don Urbano Fonseca, Don Iedasio Lares, Don Jesus Lopez Postillo, Don Jose Lopez Uruga (the general who deserted the republican cause), Don Vincente Ortigosa, Sr. Obispo Francisco Ramirez, and Don Manuel Siliceo, Councillors. All of these, with the exception of Ramirez, it is said, were old liberals. The following extract from the decree creating the Council will show what duties they were required to perform:

ART. II.—The duties of the Council will be: 1. To draft projects for regulations, decrees, or laws, which we directly, or by some one of the ministers, would have to take charge of, and to present the several projects to us.

2. To form a Court of Appeals.

3. To form of itself a supreme court, to judge re-

sponsible cases of the highest functionaries, when by us it may be ordered, or any other case or business which we, specially for the public interest or convenience, in cases of urgency, may deem proper to consign to it for an express decree.

4. To give opinions on all questions that we, directly or through the ministries, may lay before it.

5. To perform any other duty that by law or by us may be given to it.

ART. III.—The Council will confine itself to giving opinions on all points on which it may be consulted, making on them the observations that it may deem proper.

ART. IV.—The President, Councillors, and Auditors will be at will appointed and removed by us.

ART. V.—The annual salaries will be as follows: President, \$6,000; Councillors, \$4,000; Auditors, \$1,500. No one will have a right to any other remuneration. In no case will he be allowed to draw emoluments from the Treasury, nor from those interested.

ART. VI.—The President, Councillors, and Auditors cannot exercise any functions in any branch of the administration; but we will confer upon them the functions that we believe of use to the public service.

In the formation of this body the opponents of the empire fancied they detected an aping of Napoleonic ideas, and an evidence of the Napoleonic influence. The latter suspicion seemed presently to be amply justified by a decree of the imperial government, forbidding the shipment of bullion from Mexico in any but French bottoms, and to any but French ports, which brought out a protest from leading English bankers to Earl Russell. The signers of this document characterized the decree as "unusual and arbitrary," and deprecated the idea of a hasty recognition of the new government by sending a minister to Mexico. Their action came too late, however, to prevent this, as steps had already been taken to recognize the empire. A similar course had been followed by the other great powers of the world, with the exception of the United States, and during the latter part of the year a considerable number of foreign ministers arrived at the capital.

According to the "Estafette," the official paper of the capital, the committee on finance reported in December that thirty millions of dollars would cover the expenses of the Government for the succeeding fiscal year. This journal, however, was of the opinion that forty millions would scarcely suffice for this purpose, reasoning in this way: For payment of the public debt and indemnities there would be required twelve or thirteen millions; for the French army remaining about five millions; and then, after paying all the costs of the civil administration, salaries of employés, clergy, and officials, the army of foreign and the army of Mexican troops, exclusive of the French, there would remain nothing for instruction and public works. The "Estafette" admitted that there was little money in the country, and that it would be hopeless to attempt at present to raise more by means of taxation, whence the conclusion became inevitable that retrenchment would have to be practised in the public administra-

tion or money raised by loan. So disheartened was Maximilian by the financial embarrassments by which he was surrounded, that he is stated to have written to the Emperor Napoleon asking the assistance of a practical business man to establish the credit of the new Government; and he subsequently sent Don Eustaquio Barron, a wealthy capitalist, to Europe to raise funds. Toward the close of the year a variety of new schemes for railroads and telegraph lines were brought forward; and with a view of opening new avenues of industry, the emperor addressed a note to the Minister of the Interior, directing him to inquire as to the best means of encouraging the cultivation of coffee, cotton, sugar, and other tropical products in Mexico.

In the preceding volume of this work the circumstances which, in the latter part of 1863, brought the regency into collision with the reactionary or Church party, were detailed at length. The ecclesiastics, incensed at the refusal of the new Government to annul the laws of confiscation passed under preceding liberal administrations, awoke to the bitter reflection that the European intervention, for which they had so unscrupulously and successfully labored, instead of inuring to their benefit, would probably prove an additional source of disappointment, and possibly of despoilment. In other words, their property was no safer under Maximilian than under Juarez. A lingering hope, however, seems to have prevailed that the new emperor, himself a member of a strong Catholic family, of absolutist tendencies, would refuse to ratify the action of Gen. Bazaine, and that the Church, reinstated in all her former wealth and privileges, would still be the controlling influence in Mexico. They therefore paid sedulous court to Maximilian on his arrival, but soon found that the "march of events" (as the French officials termed it) would not permit him, however willing he might be to do so, to annul the policy initiated under the regency. The confiscated estates could not be restored, the old privileges could not again be enjoyed, and to their horror the emperor showed a disposition to permit complete religious toleration in his dominions. The clergy found themselves at last, as the Archbishop of Mexico had somewhat prematurely asserted in his correspondence with the French journals, actually in a worse condition than under Juarez, and in consequence their influence was at once directed to pulling down the political structure they had been at such pains to erect. Miramon, their chief champion in the cabinet and the field, commenced to intrigue against the Government, and so far compromised himself that he was sent out of the country. This warned others that in the presence of the material power, swayed by Maximilian, any attempt to overthrow the empire would meet with a bloody repulse. But their efforts, it is said, were not less active, if compelled to be made in secret, and the army of Diaz in Oajaca, the last stronghold of the liberals, was, on good authority,

furnished with supplies and money through the instrumentality of those who, a few months previous, had been its bitterest enemies. The complications which had threatened to disturb the reign of the emperor many months before his arrival, actually became intensified after his assumption of the crown, and the close of 1864 found him, a professed liberal, hated by the liberals, and at the same time, if possible, more detested by the conservatives, who had called him to his throne.

The following letter from the Pope has an important bearing on the subject of the confiscated Church property, and curiously forestalls the sentiments expressed in his Encyclical letter:

SIRE: When in the month of April last, before assuming the reins of the new empire of Mexico, your Majesty arrived in this capital in order to worship at the tombs of the Holy Apostles and to receive our apostolic benediction, we informed you of the deep sorrow which filled our soul by reason of the lamentable state into which the social disorders during these last years have reduced all that concerns religion in the Mexican nation.

Before that time, and more than once, we had made known our complaints in public and solemn acts, protesting against the iniquitous law called the law of reform, which attacked the most inviolable rights of the Church and outraged the authority of its pastors; against the seizure of the ecclesiastical property and the dissipation of the sacred patrimony; against the unjust suppression of the religious orders; against the false maxims that attack the sanctity of the Catholic religion, and, in fine, against many other transgressions committed not only to the prejudice of sacred persons but also of the pastoral priesthood and discipline of the Church.

For those reasons your Majesty must have well understood how happy we were to see—thanks to the establishment of the new empire—the dawn of pacific and prosperous days for the Church of Mexico; a joy which was increased when we saw called to the throne a prince of a Catholic family, and who had given so many proofs of religious zeal and piety. Equally intense was the joy of the worthy Mexican bishops who, on leaving the capital of Christendom, where they had presented so many examples of their fidelity and self-denial toward our person, had the happiness of being the first to pay their sincere homage to the sovereign elect of their country, and of hearing from his own lips the most complete assurances of his firm resolution to redress the wrongs done to the Church and to reorganize the disturbed elements of civil and religious administration. The Mexican nation also learned with indescribable pleasure of your Majesty's accession to the throne—called to it by the unanimous desire of a people who, up to that time, had been constrained to groan beneath the yoke of an anarchical Government, and to lament over the ruins and disasters of the Catholic religion, their chief pride at all times and the foundation of their prosperity.

Under such happy auspices we have been waiting day by day the acts of the new empire, persuaded that the Church, outraged with so much impiety by the revolution, would receive prompt and just redress, whether by the revocation of the laws which had reduced it to such a state of oppression and servitude, or by the promulgation of others adapted to the suppression of the disastrous effects of an impious administration.

Thwarted hitherto in our hopes, by reason, perhaps, of the difficulties which attend the reorganization of a society long overturned, we cannot now refrain from addressing your Majesty and appealing to the uprightness of your intentions, the Catholic

spirit of which you have given so many striking proofs on former occasions, and the promises made to us by your Majesty of protecting the Church; and we confidently hope that this appeal, penetrating your noble heart, will produce the fruits we have a right to expect.

Your Majesty will undoubtedly perceive that if the Church continues to be controlled in the exercise of her sacred rights, if the laws which forbid her to acquire and possess property are not repealed, if churches and convents are still destroyed, if the price of the Church property is accepted at the hands of its unlawful purchasers, if the sacred buildings are appropriated to other uses, if the religious orders are not allowed to reassume their distinctive garments and to live in community, if the nuns are obliged to beg for their food, and forced to occupy miserable and insufficient edifices, if the newspapers are permitted to insult the pastors with impunity, and to assail the doctrines of the Catholic Church; if this state of things is to continue, then the same evils will certainly continue to follow, and perhaps the scandal to the faithful and the wrongs to religion will become greater than ever before.

Ah, sire, in the name of that faith and piety which are the ornaments of your august family; in the name of the Church, whose supreme chief and pastor God has constituted us in spite of our unworthiness; in the name of Almighty God, who has chosen you to rule over so Catholic a nation with the sole purpose of healing her ills and of restoring the honor of His holy religion, we earnestly conjure you to put your hands to the work, and laying aside every human consideration, and guided solely by an enlightened wisdom and your Christian feelings, dry up the tears of so interesting a portion of the Catholic family, and by such worthy conduct merit the blessings of Jesus Christ, the prince of pastors.

With this purpose, and in compliance with your own wishes, we send you our representative. He will inform you by word of mouth of the sorrow which has been caused to us by the sad news which thus far has reached us, and he will better acquaint you with our intentions and aims in accrediting him near your Majesty.

We have instructed him to ask at once from your Majesty, and in our name, the revocation of the unjust laws which for so long a time have oppressed the Church, and to prepare with the aid of the bishops, and, when it may be necessary, with the concurrence of our apostolic authority, the complete and definite reorganization of ecclesiastical affairs.

Your Majesty is well aware that, in order effectively to repair the evils occasioned by the revolution, and to bring back as soon as possible happy days for the Church, the Catholic religion must, above all things, continue to be the glory and the mainstay of the Mexican nation, to the exclusion of every other dissenting worship; that the bishops must be perfectly free in the exercise of their pastoral ministry; that the religious orders should be reestablished or reorganized, conformably with the instructions and the powers which we have given; that the patrimony of the Church and the rights which attach to it may be maintained and protected; that no person may obtain the faculty of teaching and publishing false and subversive tenets; that instruction, whether public or private, should be directed and watched over by the ecclesiastical authority; and that, in short, the chains may be broken which up to the present time have held the Church in a state of dependence and subject to the arbitrary rule of the civil government. If the religious edifice should be reestablished on such bases—and we will not doubt that such will be the case—your Majesty will satisfy one of the greatest requirements and one of the most lively aspirations of a people so religious as that of Mexico; your Majesty will calm our anxieties and those of the illustrious episcopacy of that country; you will open the way to the education of a learned and zealous clergy, as well as to the

moral reform of your subjects; and, besides, you will give a striking example to the other governments in the republics of America in which similar very lamentable vicissitudes have tried the Church; and, lastly, you will labor effectually to consolidate your own throne, to the glory and prosperity of your imperial family.

For those reasons we recommend to your Majesty the Apostolic Nuncio who will have the honor to present to you this, our confidential letter. May your Majesty be pleased to honor him with your confidence and good will, in order that he may more easily comply with the mission that has been confided to him. Your Majesty will also be pleased to grant the same confidence to the worthy prelates of Mexico, in order that, animated as they are by the Holy Spirit and desirous of the salvation of souls, they may be enabled to undertake with courage and joyfully the difficult work of restoration in all that they are concerned, and thus concur toward the reestablishment of social order.

Meanwhile we shall not cease daily to direct our humble prayers to the Father of light and the God of all consolation, to the end that all obstacles being overcome, the counsels of the enemies of religious and social order turned to nought, political passions calmed, her full liberty restored to the spouse of Jesus Christ, the Mexican nation may be enabled to hail in the person of your Majesty, its father, its regenerator, and its greatest and most imperishable glory.

Confidently hoping to see fully consummated these, the most ardent desires of our heart, we send to your Majesty and to your august spouse our apostolic benediction.

Given at Rome, in our Apostolic Palace of the Vatican, the 18th of October, 1864. PIUS IX.

Monsignor Meglia, the Nuncio referred to by the Pope, arrived in Mexico in December, too late to exercise the expected influence upon Maximilian, who had by this time perfected his policy respecting the nationalization of Church property and religious toleration. For form's sake, however, the latter proposed to open negotiations with the Nuncio, with reference to the adoption of a Concordat between the Holy See and the Mexican Empire, and was informed that the Nuncio had brought no instructions from Rome. The four propositions which Maximilian submitted to the Nuncio were as follows: 1. The ratification, in the name of the Pope, of the sale of all mortmain property. 2. The substitution of the civil contract of marriage, for that which had hitherto been sacramental. 3. Liberty of worship. 4. Endowment of the clergy by the State. The first three of these propositions had already been made law by Juarez in July, 1859; but the last one had been set aside by the republican liberals, on the ground that in a country where liberty of worship prevailed, it was not to the State, but to separate congregations, that the duty of providing for the ecclesiastical ministry belonged.

Immediately after his interview with the Nuncio, the Emperor addressed the following letter to his Minister of Justice, directing him, notwithstanding the advice and solicitations of the Pope, to proceed and frame the laws already decided upon:

MEXICO, Tuesday, Dec. 27, 1864.

MY DEAR MINISTER ESCUDERO:—In order to smooth the difficulties which have arisen on account of the reform law, we propose to adopt a means which,

while satisfying the just requirements of the country, should reestablish peace in the minds and tranquillity in the conscience of all the inhabitants of the empire. For this purpose, when we were at Rome, we opened negotiations with the Holy Father, as universal chief of the Catholic Church.

The Papal Nuncio is now in Mexico; but to our extreme surprise he has declared that he is without instructions, and has to await them from Rome.

The unnatural situation in which we have continued, with difficulty, during seven months, admits of no more delay. It demands an immediate solution. We consequently charge you at once to propose suitable measures in order that justice may be administered without consideration of personal station; that legitimate interests created by these laws may rest secure; correcting the excesses and injustices committed in their name; to provide for the maintenance of public worship and protection of other sacred matters placed under the safeguard of religion; and, finally, that the sacraments may be administered and other functions of the sacred ministry be exercised throughout the empire without cost or charge to the people.

To this end, you will, before any thing else, propose to us the revision of the operations of the mortmain and nationalization of ecclesiastical property, shaping it on the basis that legitimate transactions executed without fraud, and according to the laws which decreed such amortization, shall be ratified. Labor, in fine, according to the principle of free and ample toleration, keeping in view that the religion of the State is the Roman Catholic and Apostolic.

MAXIMILIAN.

Naturally enough this letter called forth a protest from the Archbishop of Mexico, and other prelates, similar in substance, but more temperate in style, than that which they had addressed a twelvemonth previous to Gen. Bazaine. It is scarcely necessary to add that it produced not the slightest effect upon the Emperor. A decree was soon after promulgated substantially ratifying the sales of Church property made in accordance with laws enacted under former republican administrations; and in the following decree religious toleration was declared throughout the empire:

MAXIMILIAN, Emperor of Mexico, having consulted our Council of Ministers, we have decreed and do decree the following:

Article 1. The empire protects the Catholic Apostolic and Roman religion as the religion of the State.

Art. 2. All forms of worship not contrary to morality, civilization, and good manners, shall have free and ample toleration in all the territory of the empire. No worship can be established without the previous consent of the Government.

Art. 3. As circumstances shall demand, the administration, by police regulations, will arrange all that may concern the exercise of worship.

Art. 4. Abuses which may be committed by the authorities against the exercise of worship, and against the liberty which the laws guarantee to their ministers, shall be laid before the Council of State.

This decree shall be placed in the archives of the empire and published in the official journal.

Done at the Palace, at Mexico, Feb. 26, 1865.

MAXIMILIAN.

By order of his Imperial Majesty,
PEDRO ESCUDERO Y ECHANOVE, Minister of Justice.

On April 4th a resolution passed the United States House of Representatives by a unanimous vote, declaring the opposition of that body to a recognition of the Mexican Empire.

It subsequently went in due course to the Senate, where it was referred to the Committee on Foreign Relations, with whom it has since remained, never having been reported for adoption. The French Government asked for an explanation of this vote, and its official organ, the "Moniteur," having announced that "satisfactory evidence of the sense and bearing of the resolution" had been received from the United States, President Lincoln was requested, by the House of Representatives, to communicate the correspondence on the subject which had taken place between the two Governments. The following letters were communicated:

Mr. Seward to Mr. Dayton.

[Extract.]

DEPARTMENT OF STATE, }
WASHINGTON, April 7, 1864. }

SIR: * * * I send you a copy of a resolution which passed the House of Representatives on the 4th inst., by a unanimous vote, and which declares the opposition of that body to recognition of a monarchy in Mexico. Mr. Geoffrey has lost no time in asking an explanation of this proceeding.

It is hardly necessary, after what I have heretofore written with perfect candor for the information of France, to say that this resolution truly interprets the unanimous sentiment of the people of the United States in regard to Mexico. It is, however, another and distinct question whether the United States would think it necessary or proper to express themselves in the form adopted by the House of Representatives at this time. This is a practical and purely executive question, and the decision of it constitutionally belongs not to the House of Representatives, nor even to Congress, but to the President of the United States. You will, of course, take notice that the declaration made by the House of Representatives is in the form of a joint resolution, which, before it can acquire the character of a legislative act, must receive, first, the concurrence of the Senate, and secondly, the approval of the President of the United States, or, in case of his dissent, the renewed assent of both houses of Congress, to be expressed by a majority of two-thirds of each body.

While the President receives the declaration of the House of Representatives with the profound respect to which it is entitled as an exposition of its views upon a grave and important subject, he directs that you inform the Government of France that he does not at present contemplate any departure from the policy which this Government has hitherto pursued in regard to the war which exists between France and Mexico. It is hardly necessary to say that the proceedings of the House of Representatives were adopted upon suggestions arising within itself, and not upon any communication of the executive department, and that the French Government would be seasonably apprised of any change of policy upon this subject which the President might at any future time think it proper to adopt.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Mr. Dayton to Mr. Seward.

No. 454.

[Extract.]

PARIS, April 22d, 1864.

SIR: I visited M. Drouyn de L'huys yesterday at the Department of Foreign Affairs. The first words he addressed to me on entering the room were, "Do you bring us peace or bring us war?" I asked him to what he referred, and he said he referred more immediately to those resolutions recently passed by Congress, in reference to the invasion of Mexico by the French, and the establishment of Maximilian upon the throne of that country. I said to him, in

reply, that I did not think France had a right to infer that we were about to make war against her on account of any thing contained in those resolutions; that they embodied nothing more than had been constantly held out to the French Government from the beginning. That I had always represented to the Government here that any action upon their part interfering with the form of government in Mexico would be looked upon with dissatisfaction in our country, and they could not expect us to be in haste to acknowledge a monarchical Government, built upon the foundation of a republic which was our next neighbor. That I had reason to believe you had held the same language to the French minister in the United States. This allegation he did not seem to deny, but obviously received the resolutions in question as a serious step upon our part; and I am told that the leading secessionists here build largely upon these resolutions, as a means of fomenting ill feeling between this country and some others and ourselves. Mr. Mason and his secretary have gone to Brussels to confer with Mr. Dudley Mann, who is their commissioner at that place. Mr. Slidell, it is said, was to have gone to Austria, although he has not yet got off.

* * * I am, sir, your obedient servant,
WILLIAM L. DAYTON.

Hon. WM. H. SEWARD, Secretary of State, &c.

Mr. Dayton to Mr. Seward.

No. 461.

[Extract.]

PARIS, May 2d, 1864.

SIR: Immediately upon the receipt of your despatch, No. 525, I applied to M. Drouyn de L'huys for a special interview, which was granted for Saturday last. I then said that I knew that the French Government had felt some anxiety in respect to the resolution which had recently passed the House of Representatives in reference to Mexico; and inasmuch as I had just received a copy of that resolution, together with the views of the President of the United States, I begged, if agreeable, to read to him your despatch in reference to the latter. To this he assented, and, as the shortest and most satisfactory mode, following out my instructions, I read to him that entire portion of your despatch which applies to this subject, stating, at the same time, that I thought it was a remarkable illustration of the frankness and straightforwardness of the President. When the reading was closed, M. Drouyn de L'huys expressed his gratification, and, after asking some questions in regard to the effect of laying a resolution upon the table in the Senate, the conversation terminated.

The extreme sensitiveness which was manifested by this Government when the resolution of the House of Representatives was first brought to its knowledge has, to a considerable extent at least, subsided.

* * * I am, sir, your obedient servant,
WILLIAM L. DAYTON.

Hon. WM. H. SEWARD, Secretary of State.

Toward the end of December a report was extensively circulated in the United States that the States of Sonora, Sinaloa, Chihuahua, Durango, and Lower California had been ceded to the Emperor Napoleon in payment of the French troops sent to subjugate the country, and that they were to be erected into a government under the viceroyship of William M. Gwin, formerly a United States Senator from California. The statement has not yet been officially confirmed, although, in the opinion of well-informed persons, it refers to some impending scheme of colonization to be superintended by Mr. Gwin.

To a superficial observer the year might seem to have closed upon the empire firmly established in Mexico. Everywhere the imperial arms had been triumphant, and forces were about to move into Oajaca, where, notwithstanding Diaz, aided by money obtained by despoiling churches, and by secret subsidies from the Church party itself, had collected a formidable force, and was bent upon a stout resistance, the result could hardly be considered doubtful. But, on the other hand, the country, though apparently subdued, was full of the elements of disturbance and impending trouble. Guerrilla bands infested every State where there was opportunity for plunder; cities which had received Maximilian during his imperial progress with acclamations, gave vent to unqualified expressions of hostility when he had taken his departure; the Mexican civil officers of Vera Cruz, Tampico, Puebla, and many other places, had rendered themselves so obnoxious that they had to be displaced; and the unnecessarily harsh means taken by the French authorities to repress disturbances which had no particular political significance, intensified the feelings of hatred with which the interventionists were regarded. Added to this was the total bankruptcy of the Government and the difficulty of raising funds to carry out its administrative projects; the prostration of commerce; and the growing affiliation of the liberals and conservatives, whose bond of union was hatred of a common enemy. As long as it might be upheld by foreign bayonets, the Empire seemed destined to have permanence and even strength; but in the event of the withdrawal of the French troops no one ventured to predict how long it would last. The military events happening within the United States at the close of the year, of course were too recent to have their proper effect upon the neighboring Empire; but that they would eventually have an important bearing upon the status of Mexico in the catalogue of nations, was not for a moment doubted. Under all these circumstances the first six months of Maximilian's reign could scarcely be considered auspicious of safety or strength in the future.

MEYERBEER, GIACOMO, a German composer, born in Berlin, September 5, 1791 (although 1794 is usually given as the year of his birth), died in Paris, May 2, 1864. He was the son of Jakob Beer, a wealthy Jewish banker, and was named by his parents Jakob Meyer Liebman Beer. In after life he dispensed with the Liebman, joined the Meyer and Beer together so as to make one name, and Italianized the Jakob, thus becoming Giacomo Meyerbeer. From infancy he evinced a remarkable fondness for music, and at seven years of age had already obtained a considerable mastery of the pianoforte. At twelve he was generally recognized as a musician of unusual promise, and in 1803 a Leipzig paper spoke of him as one of the first pianists of Berlin. Placed a few years later under the tuition of Bernhard Anselm Weber,

leader of the orchestra at the opera house of Berlin, he soon learned all in the theory of music and composition which that master could teach him, and in 1810 gladly availed himself of an opportunity to enter the school of the celebrated Abbé Vogler, at Darmstadt, where, in the companionship of Karl Maria von Weber and other young men afterward distinguished in the musical world, he commenced in earnest the study of harmony and counterpoint, and in the course of a few years composed much elaborate sacred music, marked by the severe, scholastic style of his master. The thorough schooling which he received in Darmstadt in the science of composition gave a tone to his subsequent productions, which no foreign influences or studies could ever wholly neutralize, and which at the close of his career reappeared with all its early force. At Darmstadt he composed an oratorio, *Gott und die Natur*, which excited the admiration of his master and procured him the appointment of composer to the Grand-ducal Court; and in 1812 he produced at Munich his opera "Jephthah," a work evincing an abundance of contrapuntal skill, but too deficient in melody to meet the popular taste. Captivated by the pianoforte playing of Hummel, he surrendered himself for six months to renewed practice upon that instrument, and in 1813 made a brilliant début at Vienna, as a pianist. He soon, however, wearied of the public plaudits, and at the invitation of the imperial court wrote another opera, *Die beiden Khalifen*, which had no better success than "Jephthah." Both works were written in the learned, but formal and frigid style acquired from Vogler, and to the Viennese, who had become enamored of the freshness and melodic richness of Rossini's music, they were thoroughly distasteful. Meyerbeer soon saw the disadvantage under which he labored, and yielding to the advice of his friend, Salieri, a composer of merit, repaired in 1815 to Italy to cultivate his taste for melody. In view of his previous musical training the effort seemed almost akin to that of a man, not having the spontaneous gift of poetry, deliberately educating himself to be a poet. But the energy and ambition of Meyerbeer, aided by a natural and deep-seated artistic feeling, which ever impelled him toward perfection, triumphed over all obstacles, and he actually succeeded in composing airs as delicate and graceful as those of the Italian composers, although lacking, perhaps, their ease and spontaneity. With him the impression of art and labor is never entirely forgotten in the unpremeditated flow of the melody.

For five years he studied and composed in Italy, bringing forth a series of operas, written in the Italian style to Italian librettos, which were tolerably successful, though now, for the most part, forgotten. Returning to Germany in 1820 he was received with coldness, as a deserter from the national school of music, and soon resumed his residence in Italy. In 1825 his *Crociato in Egitto* was produced in Venice.

At the close of the performance the composer was called before the curtain and crowned amid the plaudits of the audience. The opera was performed with great success in all parts of Europe, and is considered his masterpiece in the Italian style. It marked also a turning point in his career, whence his genius, invigorated and refined by ten years' study of foreign models, though still faithful to the early traditions on which it had been formed, marched forward to greater triumphs. The favorable reception of the *Crociato* in Paris, procured him an invitation to visit that city, where, in 1826, he wrote his *Robert le Diable*. Domestic afflictions prevented him from at once putting the finishing touches to this work, which for four years he kept in his portfolio, supplying occasionally such passages as a naturally fastidious taste dictated, or such, of grander and at times more melancholy tone, as were suggested by his private griefs. In 1830 *Robert* was sold to the director of the grand opera, and in the succeeding year, after many careful rehearsals, was produced with unsurpassed effect. It immediately became famous all over Europe, and to this day has lost none of its original popularity. Written for the most exacting musical audience of Europe, it was elaborated beyond any thing the author had hitherto produced, and proved a marvellously successful attempt to combine melodic beauties and broad harmonic effects with dramatic action. The varying phases of the pathetic, the supernatural, the romantic, or the tragic were expressed with exquisite skill, and in the individuality and character of his music, and especially in his concerted pieces, Meyerbeer was pronounced the first of living composers.

After another interval of five years Meyerbeer produced his next opera, the "Huguenots," a grand and impressive historical pageant, illustrated by music worthy of the theme. Nothing written for the stage had perhaps equalled the massive harmonies, the magnificently-wrought choruses and concerted passages, or the musical, intellectual, and scenic beauties with which this work was crowded. As a drama alone, it was remarkable. The composer seemed returning to the paths he had trod in early life, but with the added strength of a giant, and putting aside the influences of his later Italian training, fairly conquered his audience without the aid of melody. The latter quality was indeed not wanting; but it was subordinated to dramatic propriety. Hence the opera did not immediately create that enthusiasm with which *Robert* had been received. The critics, at first overpowered and astonished, finally acknowledged the merit of the work, which is now generally considered the composer's masterpiece. A long interval of silence was succeeded in 1849 by the production of the *Prophète*, an opera similar in character to the "Huguenots," and possibly written with more pains. The art which had elaborated the later work, however, became too conspicuous in this to afford equal pleasure. Melody occupied a still lower place, and it seemed but too

evident that Meyerbeer was passing into another stage of musical development, in which science and art were to take the place of inspiration. The *Prophète*, nevertheless, aided by the most elaborate scenic effects the stage had then witnessed, and by the interpretation of the first singers of the day, had a great success all over Europe, and is still frequently performed. Two other works succeeded, *L'Etoile du Nord*, produced in 1854, and "Dinorah" (*Le pardon de Ploermel*) in 1858. Both show a decline of power, though in many respects wrought out with consummate art and musical knowledge, and both have enjoyed less popularity than the works immediately preceding them. Among his minor works may be mentioned the "Camp of Silesia," an opera rendered famous by the performance of Jenny Lind, the musical drama, "Struensee," and a number of compositions for the church. For many years previous to his death he had in his possession the finished score of a new grand opera, *L'Africaine*, which with characteristic fastidiousness he altered in minute passages as the humor seized him. Scrupulously particular as to whom he selected for his leading parts, he was in quest of a soprano who should meet his requirements when death overtook him. The work has since been announced for representation at Paris, in April, 1865. With the exception of Rossini, he was by all odds the greatest of living composers, and his decease leaves a blank in the musical world which will not readily be filled.

MICHIGAN. The finances of the State of Michigan appear to be in quite a favorable condition. The debt of the State on November 30, 1864, was \$3,541,149, as follows:

State Debt (Interest-Bearing.)	
Canal bonds, 6 per cent., due January 1st, 1878	\$100,000 00
Renewal loan bonds, 6 per cent., due January 1st, 1878.....	216,000 00
Two million loan bonds, 7 per cent., due January 1st, 1868.....	250,000 00
Two million loan bonds, 6 per cent., due January 1st, 1873.....	500,000 00
Two million loan bonds, 6 per cent., due January 1st, 1878.....	500,000 00
Two million loan bonds, 6 per cent., due January 1st, 1883.....	750,000 00
War loan bonds, 7 per cent., due January 1st, 1886	1,122,000 00
	<hr/> \$3,438,000 00
Add non-interest bearing debt:	
Adjusted bonds.....	\$9,000 00
"\$5,000,000" loan bonds.....	12,000 00
War loan bonds called in.....	1,150 00
\$140,000 outstanding, <i>part paid</i> .	
"\$5,000,000" loan unrecognized,	
adjustable for.....	80,999 80
	<hr/> 103,149 80
Total State debt.....	<hr/> \$3,541,149 80

During the last fiscal year the sum of \$221,793 was added to the sinking fund of the State. The principle on which its financial affairs are conducted is, to raise by taxes from year to year the funds required to meet the ordinary and incidental expenses, leaving the sinking fund to clear off the State debt.

The receipts into the treasury during the last

fiscal year were \$2,444,242, and the expenditures \$2,004,194, leaving a balance of \$440,047.

The population of the State, by a census taken in 1864, was 803,745, being a gain of 54,632 since 1860. The exhaustion of the war is shown in the fact, that in 1860 the excess of males over females in the State was 50,275, but in 1864 this excess had declined to 21,132. The area of the State is more than 50,000 square miles, and 10,000 square miles greater than either New York or Pennsylvania, and more than 16,000 square miles larger than Ohio, and nearly as large as all New England. Surrounded on almost all sides by inland seas, her shores are washed by more than 1,400 miles of navigable waters.

The fisheries of the State, by the census of 1860, were returned at the value of \$250,467, which is exceeded only by Massachusetts, Connecticut, Maine, and Rhode Island. The returns of the census are probably too low; citizens estimate them for the present year at a million dollars.

The fish thus taken is known as white-fish. The white-fish, like the salmon and other fall spawning fishes, is short lived and a rapid grower. The spawn is laid in October and November; the hatching takes place in April, May, or June, according to the locality and to the warmth of water. During the first year the young ones attain to minnows of two or three ounces, so small that no net will stop them. Soon after hatching, or as soon as they have attained to the proper fish shape so as to navigate freely, they retire into deep, clear, cold water. This generally takes place from May to June. About this time, or a little later, the young fish of last year's hatching, some thirteen or fourteen months old, show themselves in vast numbers, gradually making their way from the deeper parts of the lake toward the grounds where they were hatched, for the purpose of depositing their spawn and producing their successors. During this period, between June and September, when they return to the place of nativity, they grow most rapidly, having grown from little ones of a few ounces to full sized fishes, of four, five, and in some localities in Lake Superior, to eight or nine pounds, in the space of less than three months. The very large fish known as the Mackinac or Lake Superior white-fish, is not so much larger than those of other localities, by reason of age, but from being of a different species, of a large breed, so to speak. They are no older than the others, and none are over sixteen or seventeen months old at maturity.]

It has been observed by all fishermen, that the white-fish in different localities differ from each other in many marked peculiarities, not only in size, but in shape and their general appearance, as much so as different breeds of hogs, cattle, sheep, or horses, in different parts of the country. But the families or tribes keep themselves distinct from each other, never mixing or "crossing the breed," and the same features

will be observed on the same grounds from year to year, all resembling each other, but differing from those of other places, being either larger or smaller, or having other peculiarities; and uniformly so; but all in the same locality are of remarkably uniform size, that is those of the same sex, the females in all cases being the larger. Hence, the large fish are found always in the same place in Lake Superior, and the smaller ones always in the same places in Lakes Michigan and Huron, and the still smaller ones in Detroit River and Lake Erie.

Experiments by marking young fishes prove that this class, the fall spawning, as the white-fish, salmon, etc., always return at maturity to their old spawning grounds, lay their spawn, and retire. And it is believed, and pretty well settled, that the white-fish only breeds once, that is in the fall of the second year; and that during the summer of the third year, just about the time the last year's brood are making their rapid growth to maturity, the old ones retire into deep water to die, never again making their appearance. All the practical experience of fishermen, and what scientific observations have been taken, show that the apprehensions of exhausting white-fish in these waters by any mode of fishing now in use, are groundless. All scientific men agree in the conclusions already stated as to the fact that the white-fish spawns in the fall, suddenly attains its largest size within about three months, and lives only into the third year. The unanimous testimony of the most experienced fishermen also proves that the main enemy of the white-fish is the sturgeon, who lies upon the spawning grounds and devours millions upon millions of spawn, and that fishing with pound nets invariably reduces the number of sturgeon, while the white-fish invariably increase in number on the same grounds, no matter how large the catch may be from year to year.

The copper mines of Michigan on Lake Superior are well known. The annual yield now exceeds 10,000 tons. The yield of iron ore in 1855 was 1,447 tons, but in 1864 it had reached 248,000 tons, besides 25,000 tons supplied to the furnaces in the iron region at Marquette.

Numerous springs of saline waters abound in the Saginaw Valley as well as in other sections of the State. The salt produced in that valley in 1864 was 488,189 barrels, valued at the shipping point at \$2.25 per barrel, or \$1,098,425.

There are extensive fields of coal in the State, much of which is of good quality, and all of it valuable for manufacturing and other purposes. Large quantities of lumber are also made in the State.

At Lakeport large investments have been made and explorations commenced for petroleum, with a favorable prospect of profitable results. The increase in the wheat crop of 1863 over that of 1859 was 1,374,442 bushels, while there was nearly as great a falling off in the corn crop. The clip of wool increased from

4,062,858 pounds in 1860, to 7,249,934 pounds in 1864.

The whole number of troops raised and organized in the State to the end of 1864 was a little in excess of 80,000 men. At that time the State had in the Federal service thirty regiments of infantry, eleven regiments of cavalry, one regiment of light artillery, one regiment of mechanics and engineers, also two independent batteries, and fifteen companies for various arms of service.

A correspondence took place relative to the quota of the State between its military officers and the Provost Marshal General, which is important as showing the principles upon which quotas were estimated:

MILITARY DEPARTMENT, MICHIGAN, ADJT.-GEN.'S }
OFFICE, DETROIT, Feb. 6, 1865.

Hon. E. M. Stanton, Secretary of War :

SIR: I am directed by His Excellency, the Governor of Michigan, to present to your consideration the following statement:

Under the call of the President of Dec. 19, 1864, 300,000 men are required to supply the deficiency under the call of July 18, 1864, and to provide for casualties.

The entire quota of Michigan, under the call of July 18, 1864, as originally assigned by the Provost Marshal General, was 18,282, which, after the enrolment had been amended, was reduced to 15,760.

Up to and including the 31st of December, 1864, there had been enlisted in this State, and credited by the Acting Assisting Provost Marshal General, since the call of July, the following number of men :

For one year	6,016
For two years.....	50
For three years.....	10,121

Making a total of men absolutely enlisted and credited of 16,187.

This statement shows that instead of there being a deficiency in this State under the call of July 18th, to be provided for under the additional call now pending, there was on the 31st December an actual surplus standing to the credit of the State of 427, counting each man, without regard to the term of his enlistment, as a unit.

In the calculations, based upon periods of service, made at the office of the Provost Marshal General, and which entirely accord with those made by the Acting Assistant Provost Marshal General of this State, the proportion of men enlisted for three years entitled the State to a surplus credit on the call of July of 20,719, one year men, to be credited to the present call.

On the 31st of December this department was officially notified that the quotas of the several Congressional Districts of Michigan, under the call of December 19th, 1864, after deducting credits, were as follows :

First District	449
Second District	1,404
Third District	1,794
Fourth District	459
Fifth District.....	None
Sixth District.....	1,716
Total.....	5,822

On the 4th of February, however, a further notification was received from the Acting Assistant Provost Marshal General of the State, which placed the entire quota of the State of Michigan, under the call of December, at 30,745 men, or 30,745 years of service, which, after deducting the credits to which they were entitled, placed the quota of the several Congressional Districts as follows:

First District.....	1,726
Second District.....	1,801
Third District	1,918
Fourth District.....	1,263
Fifth District.....	1,329
Sixth District.....	1,986

Total, after deducting credits..... 10,026

A quota for Michigan of over 30,000 on a total call of 300,000, being more than one-tenth of the whole, it is apparent at a glance involves an enormous error in calculation.

The unquestioned fact that there was a surplus in Michigan under the call of July, entirely excludes the State from any computations based upon deficiencies under that call, and limits its liability subject to the modifications produced by allowing the credits promised for long terms of service to the requirements of the demand for 300,000 men.

It is submitted that justice requires that a new and largely reduced quota shall be assigned to this State.

I have the honor to be, very respectfully,

Your obedient servant,

JOHN ROBERTSON,
Adjt.-Gen., Michigan.

The reply of the Provost Marshal was as follows :

WAR DEPARTMENT, PROV.-MAR.-GEN.'S BUREAU, }
WASHINGTON, D. C., Feb. 14, 1865.

Gen. John Robertson, Adjutant General State of Michigan, Detroit, Mich. :

GENERAL: I have the honor to acknowledge the receipt of your letter to the Honorable, the Secretary of War, dated the 6th inst., and in reply thereto, I beg leave to say: The quota of the State of Michigan is her equitable proportion of the 300,000 men called for by the President on the 19th day of December, taking into account her enrolment as it stood on the 31st day of December, the amount of men heretofore furnished and the periods of their enlistment.

A portion of the call of July 18th for 500,000 men was filled by credits allowed to the different States and districts, for men previously furnished, and not heretofore credited, and thus less than 500,000 were put in service under the July call, and hence it is that the December call is said to be a call to make up deficiencies. But as that call was filled, either by men or lawful credits, there is no actual deficiency in the accounts of any State or district, and the December call of 300,000 has been apportioned to all the districts, in proportion to their enrolment, and the amount of service heretofore furnished.

In the assignment of the present quotas the State of Michigan has received credit for 20,719 years of service, which she had as excess, under the July call. But as that call is for 300,000 men, in addition to all men heretofore furnished, that excess is not deducted from the quota, except to the extent that it exceeds the average amount of excess furnished by the other States. If all the States had furnished the same amount of excess (in proportion to their enrolment) then the quotas of all the States would have been in exact proportion to their respective enrolments; but if none of the States had been in excess, then the quota of the State of Michigan would have been to that extent diminished.

But as all the States have more or less excess, and as the call was to obtain additional men, the excess was added to the call, and distributed to the States according to their enrolment, and then the specific amount of excess which each State had was deducted from its quota.

The approximate quotas assigned in December, were made up from incomplete data, and have been revised and corrected, which accounts for the difference alluded to in your communication.

A commission has been appointed by the President to examine and report upon the correctness of the quotas of all the States and districts, and the princi-

ples upon which they are assigned, and the amount of credits allowed to each.

Until I have been advised by the report of the committee, that error has intervened in the assignment of the quotas of the State of Michigan, I am at loss to discover that any injustice has been done to the State.

I have the honor to be, sir, very respectfully, your obedient servant, (Signed) JAMES B. FRY,
Provost Marshal General.

The whole subject relative to Michigan and other States was referred by the President to a committee to investigate Gen. Fry's mode of equalizing credits and assigning quotas, who reported as follows :

The call for three hundred thousand men, made by the President on the 19th of December, 1864, requires that that number shall be raised. But the law requires that the number of men previously furnished by different localities, and the periods of their service, shall be considered, so as to equalize the draft. The number of men liable to military duty is to be determined by the enrolment lists. The number of men which had been furnished by the various localities and their periods of service were ascertained, and previous accounts having been adjusted, the excesses, where they existed, were carried forward under the last draft. The amount of service furnished is determined by multiplying the number of men raised by the number of years for which they enlisted. Having thus ascertained the number of men enrolled on the 31st of December, 1864, the number of men furnished up to that date, the localities from which they came, and the periods of their service, it is proposed to distribute the call for three hundred thousand men among the several districts, and parts of districts, according to the number enrolled in each, and the number of men furnished, and the periods of service previously rendered by each. The rule by which this is accomplished is as follows :

Take the whole number of years of service furnished by the districts of the United States from the commencement of the rebellion to the 31st of December, 1864; from that sum deduct the whole number of men furnished from all the districts of the United States up to that date. The remainder will be the excess of years of service furnished by all the districts. Multiply the call of Dec. 19, 1864, by three, to have the number of years of service upon that call, and to this add the excess as ascertained above. Then, as the number of men enrolled from the whole United States, up to the 31st of December, 1864, is to the period of service as above ascertained, so is the number of men enrolled in a given district to the number of years of service it is required to furnish, including its *pro rata* share of the excess. From this sum deduct the actual excess the district furnished; the remainder is the number of years of service which the district is required to furnish under the call of Dec. 19, 1864, which, divided by three, gives the number of men required from the district.

As this call is for 300,000 men, that number cannot be reduced by men going in for a period longer than one year. Inequalities produced by going under this call for longer periods than one year must be equalized on future calls. It will be perceived that though the aggregate of the excess furnished is added to the whole call, the excess of each district is afterward subtracted from its quota. Thus the number of men called for is neither increased nor diminished, but equally produced, considering the number of men, and the periods of their service. Localities which have heretofore furnished a greater amount of service have, in proportion to their enrolment, a less amount to furnish under this call, and conversely. Men having heretofore enlisted for one, two, and three years, it was necessary to take one of these periods as the basis of the calculation. As three years embraced both the other periods it makes the

calculation more simple to adopt that. The same result would be arrived at by adopting either one or two years as the basis, but the process of calculation would be more complicated. Such we find to be the rule adopted by the Provost Marshal General. The rule is in conformity with the requirements of the laws of Congress, and is just and equitable. We have carefully examined and proved the work done under this rule by the Provost Marshal General, and find that it has been done with fairness. We file in the Provost Marshal General's office our calculation of the quota of each and every district indorsed by us as correct.

JAMES SPEED, Att.-Gen. of the U. S.

R. DELAFIELD, Brig.-Gen. and C. Eng. U. S. A.

C. W. FOSTER, Col. and Ass. Adjutant General.

Approved Feb. 17, 1865. (Signed) A. LINCOLN.

By order of the Secretary of War:

E. D. TOWNSEND, Ass. Adj't General.

Some difficulties occurred in Huron County, arising from an attempt to compel drafted men to report. They were not, however, of a very serious character. With regard to recruiting in States declared to be in rebellion, Gov. Blair said in a proclamation :

For the purpose of filling this quota, only two resources are available, viz.: 1st. Recruiting in the States declared to be in rebellion under the act of July 4th, except the States of Arkansas, Tennessee, and Louisiana. 2d. Recruiting among our own people. The first of these, I believe, will be found of no substantial value to us. I shall not, therefore, appoint any such agents to be paid by the State, but will, under proper regulations, appoint such agents for the benefit of any counties, towns, or sub-districts which may request it, paying the expenses of the agencies for themselves.

On Oct. 30th the city of Detroit was thrown into a great excitement by a report that a raid was to be made during the night by armed parties of the enemy from Canada. Soldiers were called out; artillery was brought from the barracks and posted in the streets; the steam fire-engines were brought forth to be in readiness to extinguish fires, and the depots and public buildings were guarded. No enemy, however, appeared.

The State election was held on the second Tuesday of November. The vote given for President was as follows: Lincoln, 85,352; McClellan, 67,370. Majority for Mr. Lincoln, 17,982. The candidates for Governor were Henry H. Carpo, Republican, and Wm. H. Fenton, Democrat. The vote was as follows: Carpo, 91,356; Fenton, 74,293.

An act was passed by the previous Legislature, authorizing the soldiers in the Federal service to vote. The Supreme Court of the State decided this act to be unconstitutional and therefore void.

MICROSCOPE. The improvements which have been made in various parts of the compound microscope within a few years, have added greatly to its utility as an instrument of research, and they may be noticed briefly as follows: commencing with the object-glasses; or objectives, as they generally termed. Although extreme angles 165° to 175° had already been attained with the higher powers, neither the opticians nor the microscopists were satisfied; there has been a successful attempt to attain

the maximum angle, as far as possible, with the lower powers, such as the $\frac{1}{40}$ th and $\frac{1}{30}$ th inch objectives. These are now frequently made with angles, ranging from 110° to 140° , for direct light, and 140° to 160° for oblique, and possessing most exquisite definition. It has been found by the American artists, that low power objectives of these high angles, cannot be made equally perfect, at the same time, for direct and very oblique light. To meet this difficulty, Mr. Tolles supplies an *extra front*, to be used with extreme oblique illumination, and by thus changing fronts, the objective is made perfect as possible, and with very little trouble. The extra front when not in use, is contained in the objective box, the bottom of which unscrews to receive it. Messrs. W. Wales & Co. of Fort Lee, Bergen Co., New Jersey, whose objectives are now considered as of the highest quality, make the correction, as it appears to us, in a more efficient manner, by means of an *extra back*, which is introduced with but little more trouble than the extra front, producing a most perfect and satisfactory correction. We have a $\frac{1}{30}$ th of their make, thus corrected, now before us; and after comparing it with the best glasses of Ross, Powell, & Leland, Smith, Beck & Beck, Spencer and Tolles, have decided it to be as finely corrected an objective as has yet been made; the angle for direct illumination being about 140° , and for oblique near 160° , performing in the most satisfactory manner upon *Podura*, and easily resolving the *Grammatophora subtilissima* of Providence; we are the more particular to mention this as we omitted to name Messrs. Wales & Co. among the American opticians in our previous article.

While the attempt has thus been successfully made, by both the American and English artists, to push the $\frac{1}{40}$ th inch and $\frac{1}{30}$ th inch objectives, ordinarily, up to 120° and 140° , or more, there has been a slight decrease in the angles given to the higher powers, in order to obtain an increased working distance—as a general rule, the lower powers, such as the $\frac{1}{30}$ th inch have, for a given angle, a much greater working distance than a higher objective with the same angle. The $\frac{1}{30}$ th inch of Wales, above alluded to, has a working distance of over $\frac{1}{40}$ th of an inch, while an earlier $\frac{1}{30}$ th inch of Spencer, of fine corrections, and of only 160° of angle or thereabouts, cannot be used at all through glass of $\frac{1}{100}$ th of an inch in thickness. There can be no question that amplification produced by means of an objective, is far superior to that obtained by a high eye-piece, and that with equal angles and magnifying power, the higher objective, if well made, will surpass the lower in clearness of vision. To meet the demands of physiological investigators, especially, Messrs. Smith, Beck, & Beck now supply a $\frac{1}{20}$ inch objective, having a single lens front, and the moderate angle of 120° . This objective is corrected, as had been previously done by Nachet, upon the same principle as the dialytic telescopes of Plössel and

Frauenhofer, by means of an over-correction to the posterior lenses. This objective is very highly spoken of, and has a very good working distance. Messrs. Powell & Leland, already justly celebrated for their fine $\frac{1}{40}$ th inch have produced a $\frac{1}{25}$ inch, also a $\frac{1}{30}$ th inch of extreme angles; the latter is said to bear a power of 9,000 linear on the *Podura* with the utmost distinctness, and to have made revelations as to the ultimate structure and disposition of nerve fibre, unsuspected by other objectives.

Mr. Tolles has supplied as high objectives as $\frac{1}{30}$ th inch of most exquisitely corrected, but not of extremest angle, about 165° . The highest objective yet sent out by Wales & Co. is a $\frac{1}{15}$ th of admirable performance, and large working distance. It has appeared to us, that the only hope of real advance in these high powers, would be to make the first lens single, and a gem, say of garnet; thus giving a much increased working distance, with highest amplification, Messrs. Wales & Co. are about putting this to a practical test. Notwithstanding the determined opposition of a certain class of observers to objectives of high angle, it will be generally conceded by those who have had experience, that there is much greater precision and sharpness of definition, with a finely-corrected high angle objective, than with the same power of lower angle. We noticed in our former article some of the improvements in eye-pieces, and will only here allude to Mr. Tolles' new binocular. It is many years since binocular vision was suggested and employed with the microscope. None of these instruments appear to have given much satisfaction, until Mr. Wenham introduced his ingenious arrangement, which is now generally employed. The arrangement of prisms devised by Dr. Riddell gave pseudoscopic vision. The writer well remembers looking through this first instrument, which was constructed by Messrs. Graunow. A better arrangement of prisms was devised by M. Nachet, whose binocular is highly commended by Dr. Carpenter. Mr. Wenham's single prism was a still greater improvement, the result of a persevering determination of this gentleman, to whom microscopy owes so much, to improve the binocular microscope to the utmost possible. We do not, by any means, intend to disparage it in preferring Mr. Tolles' arrangement, which, we feel quite sure, with perhaps some improvements, Mr. Wenham himself will adopt, after careful consideration of its advantages. Not only is it applied in the same manner as an ordinary eye-piece, and can thus, with the smallest amount of trouble, be applied to any microscope, but it is also an erecting eye-piece of first quality—and hence particularly useful in dissections; and the division of the pencil being made quite near to the eye, the injurious effect of any slight departure of the faces of the prisms from a perfect plane, becomes a minimum. It is impossible that any binocular arrangement shall quite equal in definition the monocular form, however perfect may be the

dividing prism or prisms. The reason of this will appear from a simple experiment, which any one can easily make; and in judging of the performance of a binocular, allowance for this must be made. It will be at once perceived that the images presented to either eye come from separate halves of the objective. If we take a finely-corrected objective, and carefully adjust it on some test, and then, by means of a strip of paper, cover half the opening, at the back, thus cutting off half the pencil, and presenting exactly the condition of the objective as used to form the binocular images, it will be found to have lost considerably in fine definition, but to have gained in *penetration*, using this latter term to signify the power of perceiving as in focus, or nearly so, at the same time, different depths of the object. Now, when the binocular vision is effected, by whatever means, there will be this slight loss of definition almost inappreciable in powers below the $\frac{1}{16}$ th inch, but in some degree compensated by a great gain in penetration, which is of greatest value in assisting in the stereoscopic perception of the objects; and nothing can be more truly wonderful and pleasing than the effect of Mr. Tolles' eye-piece, especially with the lower powers, and upon opaque objects. Anatomical objectives, both transparent and opaque, are exhibited with a beauty entirely lost when viewing them in the ordinary manner. The $\frac{1}{16}$ th inch objective works remarkably well with the binocular eye-piece, as also the $\frac{1}{32}$ th inch, the fields illuminating readily with the achromatic condenser; there is, however, as already stated, some loss in definition, though at times hardly appreciable—with opaque objects this loss of definition is much less perceptible, and the stereoscopic effect is very fine. The principle upon which this eye-piece is constructed is simple; the optician will readily understand it, when told that the division of the pencil is effected at the crossing point of an achromatic erecting eye-piece. The erecting eye-piece of Mr. Tolles consists essentially of two Huyghenian eye-pieces, and is much superior to the old form; the anterior combination, or that nearest the objective, is almost half the power of the ordinary A., and about double its length. The field lens is a double achromatic, and the eye lens a triple achromatic—they are placed much farther apart than in the ordinary negative eye-piece. Immediately above the triple achromatic is placed the dividing prism; the arrangement is that of Nachet, thus giving orthoscopic vision, inasmuch as the image may be considered as a real object. It will be at once perceived, that the bad effect sometimes produced in Mr. Wenham's arrangement, arising from the necessity of placing the dividing prism so far from the posterior lens of the objective, is here entirely obviated, the division being effected exactly at the point required—there is a sliding motion allowed to the lenses anterior to the dividing prism which permits a

perfect compensation when different objectives are employed; it is however, hardly necessary. The eye-piece projects beyond the ordinary tube by the length of the prisms and eye-pieces; the latter are of the usual form of negative eye-pieces, and may be varied to increase the power; they are applied almost in contact with the prisms. The two tubes are parallel, and adjusted by a screw to open or close symmetrically, to suit the width of eyes of different observers. As yet, Mr. Tolles has sent out but the one eye-piece, now before the writer, but will soon be ready to supply the demand which will certainly be made for them.

The next improvement we shall notice is an entirely new method of illuminating opaque objects, to be viewed by the higher powers $\frac{1}{3}$ th inch to $\frac{1}{50}$ th inch, an invention of the writer, and here first described. The difficulty in illuminating opaque objects, to be viewed with the higher powers, is so great, that it is rarely attempted; an ingenious arrangement of Lieberkuhns has been made by Ross, as suggested by Mr. Brooke, but it is of difficult and limited use. Of course, if it be attempted to illuminate by means of condensers applied at the side, as suggested by Mr. Richard Beck, the light thus thrown in must cast immensely long shadows, and could hardly be sent in at all, under a $\frac{1}{12}$ th inch or a $\frac{1}{16}$ th inch. Mr. Wenham has proposed to effect the illumination of balsam mounted objects, by means of reflection from the glass cover, the light being caused to impinge from below, at such angle as to be totally reflected. This method is only applicable to mounted objects, and has not proved as advantageous as was expected, especially in viewing the diatomaceous frustule, which becomes too transparent when mounted in balsam, to throw back much light, when thus illuminated. It was to meet this latter want that the writer devised the simple plan now to be described. The employment of a collimating eye-piece, with a transit instrument, suggested it. The idea is briefly this: *to make the objective itself the illuminator*. To effect this, a small bit of tube open at one side, carrying a movable perforated silver reflector, is screwed directly behind the objective, and can be turned in any direction toward the light. An ordinary small illuminating lamp gives most intense illumination, with the $\frac{1}{12}$ th inch, without any condensing lens outside. There are some special contrivances necessary, to prevent reflection of light up to the eye-piece, from the surface of the posterior lens of the objective, thus obscuring the vision. This is easily effected, and clear brilliant illumination with a dark field readily obtained. We need not here describe it more particularly, as it will soon be put into the hands of Messrs. Wales & Co., with special care to its proper construction, and it will be described more fully, and the necessary manipulations, in another place. The revelations had by means of this illuminator are wonder-

ful; it can only be employed upon uncovered objects—the diatoms, especially the larger ones, such as *Pinnularia*, *Stauroneis*, *Surirella*, and some of the disc forms, particularly *Heliopelta*, are exhibited with a beauty scarcely conceivable by those who have seen them only as transparent objects. Even the simplest objects, the stellate hairs of *Deutzia* for example, are presented under new and hitherto unsuspected phases; while many of the smaller diatoms, such as *Cocconeis pediculus*, show markings and configurations utterly invisible when viewed as transparent objects. The illuminator works finely in conjunction with Mr. Tolles' binocular; it could not be used with Mr. Wenhams' binocular, as the objective would be removed too far from the dividing prism. We close with a few words upon microscope stands. Without any disparagement to other makers, we can name as unsurpassed, both as to the quality of finish and completeness of adjustments, the stands made by Mr. Joseph Zentmayer of Philadelphia. It is, we believe, generally conceded by the American microscopists, that the microscope stands made by this gentleman are, in many respects, superior to the best English work. Since writing the previous article on the microscope, we have had in use one of his stands, after a previous long trial of Smith, Beck & Beck's best work. We see no reason to regret the change; the stage is very thin, allowing the use of extreme oblique light, remarkably smooth and steady in its movements; and the mounting of the illuminating mirror, a decided improvement, as also the graduated circle on the revolving base, for measuring angular apertures. Messrs. Wales & Co. do not yet supply the stands, but Mr. Tolles furnishes several patterns of most beautiful finish, quite equal to the best English work. We believe Messrs. Wales & Co. intend to supply with their higher objectives an extra front for immersion in water; thus, by the introduction of a drop of water between the objective and the thin covering glass of a balsam mounted object, a much larger pencil of light will be transmitted than can be the case when the rays emerge into the air before entering the objective. The objectives of M. Hartnach of Paris, constructed on this principle, first suggested and employed by Amici, are highly commended. Although the use of these objectives would be troublesome, doubtless there are occasions when their performance will surpass that of any objective constructed in the ordinary manner.

MILITARY SURGERY AND MEDICINE.

At the commencement of the present war there was a great scarcity of surgeons who had any special training in military surgery; a few of the medical officers of the regular army had had some experience in the Mexican war, and occasional practice in the Indian conflicts on the border, and a few others, civilians, had served as volunteers, or visitors, in the European camps during the battles of the Crimea and Italian

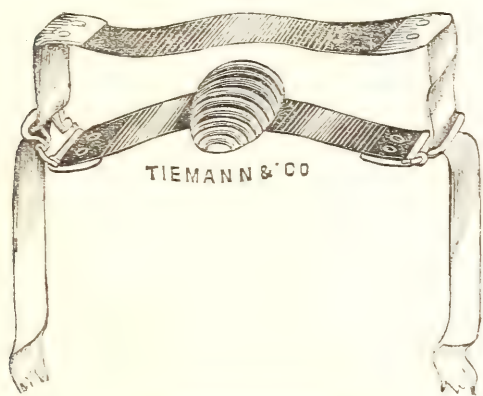
campaigns. The great surgeons of our large cities had become familiar with gunshot wounds in their practice, but the rapidity of diagnosis, the promptness of operation, the fertility of resource, the necessity of using often indifferent or ill-adapted instruments or apparatus, and the adaptation of the dressings to the protracted delay which must often occur before their renewal—these were matters concerning which the number of experts was very small. Fortunately those who were familiar with military surgery were mostly in positions where they could impart instruction to hundreds of those who were to become surgeons in the volunteer army, and brief as the time was for study it was zealously improved; the works of the great European military surgeons, Guthrie, Larry, Hennen, Armand, and others, were accessible, and several American treatises on military surgery, by Dr. Mann (written after the war of 1812), Dr. Frank H. Hamilton, an eminent army surgeon, Dr. Gross, and Dr. Stephen D. Smith, were also within reach of the volunteer surgeons, and were studied with avidity. The most valuable assistance in the way of manuals of instruction, however, was derived from a series of pocket monographs prepared by the eminent surgeons connected with the Sanitary Commission, Drs. Van Buren, Hammond, Mott, Agnew, and others on the more important operations, and camp and field diseases. These, furnished gratuitously to the three or four thousand surgeons and assistant surgeons of the army, have proved of great service in guiding the minds of the surgeons to a correct diagnosis, and indicating the best methods of operating, or the most successful plan of treatment.

For the first few months, with the exception of the wounded at the battle of Bull Run, and the minor actions of West Virginia, the duties of the military surgeons were mostly confined to the examination of recruits, the enforcement (very imperfectly accomplished) of hygienic measures in the camps and hospitals, and the care of the epidemic diseases, measles, small-pox, and pneumonia, and the other usual camp disorders, which prevailed to a greater or less extent in the camps of the Union army. The history of the hygienic measures adopted in the army is given at considerable length in the *ANNUAL CYCLOPEDIA* for 1863, and requires no further notice here. The object of the present article is rather to indicate the peculiarities which distinguish military from civil surgery, and the improvements in instruments, apparatus, and modes of treatment which have been evolved and have borne the test of the vast experience of the four years past. This is not the place, even if there were room for it, for an exhaustive treatise on military surgery and medicine, but it is a part of the sphere of the *ANNUAL CYCLOPEDIA* to note progress in medical and surgical science as well as on other topics.

Wounds received in battle are almost always attended with considerable, and often with dangerous or fatal, hemorrhage. The checking or

arrest of this hemorrhage before it has produced serious prostration is a matter of the first importance. For this purpose the use of some form of the *tourniquet* has been most generally advised. In the absence of the forms usually employed by the surgeon, an *extempore* tourniquet is often improvised from a handkerchief, cravat, or pair of suspenders, a knot being placed over the wounded blood-vessel and the whole twisted tightly with a stick. If the wounded vessel bleeds in jets and the color is a bright red the tourniquet is placed above the wound; if the blood is dark colored, below. The disadvantage of these extempore tourniquets, and indeed of most of those provided by the surgical instrument-makers, is that in unskilful hands there is danger of ligating the limbs too tightly and cutting off the circulation of blood in the limb through the anastomosing vessels, so as to produce serious ulceration and pain, or even sometimes paralysis of the limb. A field tourniquet (*fig. 1*) recently invented by Dr. Alex. B. Mott, ingeniously avoids this difficulty. His in-

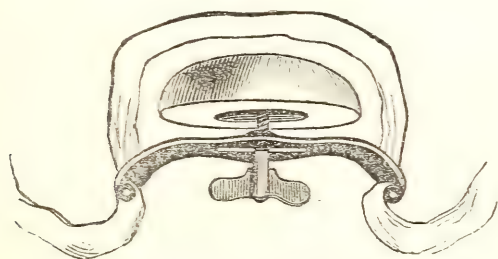
FIG. 1.



Mott's Tourniquet.

strument consists of two ribbons of metal, to one of which a small pad is attached, and which are connected together by straps of webbing at each end riveted upon one and attached to the other by means of a buckle. By this apparatus no pressure is made upon the limb except at two points, over the vessel and at a point directly opposite, the lateral blood vessels being free to maintain the circulation and life of the limb. Tiemann's tourniquet (*fig. 2*) ac-

FIG. 2.



Tiemann's Tourniquet.

complishes the same purpose very well, though, perhaps, with some liability to injurious pressure, if carelessly applied.

The use of powerful styptics, such as the persulphate or perchloride of iron, or the compound alum styptic, to arrest hemorrhage by producing instant coagulation of blood in the wounded artery or vein, has been recommended by some surgeons, and soldiers were advised to carry a small bottle of some of these styptics with them; but the most eminent military surgeons disapprove of their use in wounds of the limbs wherever the tourniquet can be substituted for them, as their use is almost invariably followed by extensive sloughing and ulceration, and they are often unsuccessful in checking the hemorrhage, forming only a huge clot, which, falling away after a short time, leaves the orifice larger and the hemorrhage more profuse than at first. In wounds of portions of the head, face, or neck, or superficial wounds of the trunk involving large blood-vessels, or such as might occasion too severe loss of blood, the styptics are used with advantage, a piece of lint being saturated with the solution, and laid over the bleeding orifice, and a larger pledget of dry lint or a piece of cloth folded, placed over this and moderate pressure being applied for a few minutes to retain it in place. Uniform and moderate pressure with a roller bandage properly applied will generally close sufficiently all the smaller vessels, and materially diminish the danger of further bleeding from the larger ones. In the field-hospitals, however, there is so much difficulty in the proper application of the roller bandages, that they are seldom used, a piece of cloth or lint wetted in cool water being the usual application.

The transportation of the wounded soldier from the battle ground to the field-hospital, as well as to the more remote camp, post, or general hospital, is a matter of importance. If roughly and unskilfully performed the wounded man not only suffers severely but his injuries may be rendered mortal. At first it was the practice in the army for the line officers to detach two men who were uninjured from the ranks to bear off each wounded man, but this weakened the force so much in a severe battle (the bearers seldom returning to their place), that it was finally prohibited, and only the ambulance men of the regiment, or the members of the band, aided sometimes by the chaplain, or by civilians, assisted in that duty. An ambulance corps was organized in connection with the Army of the Potomac in the autumn of 1862, but did not attain much efficiency till the spring of 1863. Congress, at its session of 1863-'4 extended its provisions to the other armies of the republic. By its provisions each regiment in going into battle is entitled to three ambulances, with their drivers, and six stretcher-bearers, who are commanded by a sergeant, the stretcher-bearers marching with the regiment into battle, and the ambulances being drawn up in rear between the army and the field-hospital; the ambulance force of the regiments forming a brigade, being under the command of a second lieutenant, that of a division being commanded

by a first lieutenant, and the force attached to a corps by a captain who is responsible to the medical director of the army. The ambulances to be provided with stretcher-hooks and seats, and with water, cordials, bandages, etc. The wounded are brought off by these arrangements promptly and with comparatively little suffering. As a matter of fact, however, there have been usually but two ambulances to a regiment, and sometimes but one.

The different means of transportation adopted deserve notice. In most of the armies the U. S. army hand-litter or stretcher is now in use for carrying men off from the field, but some of the smaller outlying bodies of troops, and occasionally detachments of cavalry, are not provided with them. For these, as well as for the larger bodies of troops early in the war, the hand-litter made with guns and blankets, has been extemporized; for this purpose the edges of the blanket are rolled over the guns, and tied firmly with twine, and two stout sticks are also tied transversely across at the head and foot serving as handles for the bearers. This being laid on the ground, the wounded man is placed gently upon it with his knapsack under his head, and the bearers, standing between the guns, carry him with comparative comfort. The Indian litter is made by taking two stout saplings, and attaching to them three cross-pieces about two and a half or three feet apart by cords and notches; the sick or wounded man being placed on his blanket, this framework is placed over him and the blanket knotted to it. By three bent twigs and an additional blanket a kind of wagon top can be made to this in case of storm. Dr. James R. Wood has invented an admirable hand-litter of canvas, with the sides bound with very strong rope with loops at suitable distances and the cross-pieces of steel. This can be rolled up in small compass for transportation, and needs only a couple of poles, easily obtainable for use at any time. Panniers to be fitted on the backs of mules or horses (the former are preferable) are of service in mountainous districts where wheel carriages are inadmissible. The French use them to some extent in their ambulance corps. One of the panniers receives a man sitting, the other, one in a recumbent or partially recumbent position. It is necessary that the animals, whether horses or mules, should have been trained specially for this service. A horse or mule litter for transporting a wounded man in a recumbent position, by means of two horses, one before, the other behind the litter, was ordered by the U. S. Army Medical Board in 1860, but has not been very generally introduced. It is convenient for a mountainous country, but requires too many horses and men for a single soldier. The two-wheeled ambulance, known as Cherry's Cart, which may be used either as an ambulance or transport, found at first considerable favor in the army, though Dr. (now Medical Inspector, U. S. A.) Coolidge's two-wheeled ambulance soon superseded it, and

proved an admirable conveyance for wounded men on smooth and good roads, though too light for the rough and horrible routes over which most of our campaigning has been conducted. Surgeon General Hammond ordered, in 1863, four-wheeled ambulances to be drawn by two horses, which proved preferable to any others in the service. They were intended to convey ten or twelve persons sitting, or two sitting and two or three lying down. A still better four-wheeled ambulance, also drawn by two horses, has, within a few months past, been perfected by Dr. B. Howard, late a surgeon in the U. S. Army, and has been adopted in the service, and received the approval of the Sanitary Commission (*fig. 3*). It is beyond question the most admirably contrived conveyance for sick or wounded men over roads of any description which has ever been constructed, and seems to leave no room for further improvement. It admits of the transportation of six persons sitting, or two recumbent, or one recumbent and three sitting, and gives to the sitter all the advantages of a corner seat with cushion, for support, while the jostling and shaking of an ordinary ambulance is entirely prevented by the use of semi-elliptic springs with counterpoise springs inside, and rubber buffers to receive any sudden shock (*figs. 4, 5, 6*). The badly wounded are brought on the litters of the ambulance, which are well cushioned and slid into place in the ambulance on steel rollers, and steadied in their position by loops and guys. A tank of fresh water is placed underneath the seats and beds, and the water can be drawn from the rear end of the ambulances (*figs. 7, 8*). There are also contrivances for the suspension of fractures of the lower extremities without motion, and for suspending, if necessary, additional stretchers in the ambulance. There are also hooks on the sides of the ambulance for carrying folded stretchers, and compartments for the necessary simple cordials, lint, bandages, &c. It is in short a complete flying hospital (*fig. 9*).

It has sometimes been necessary to transport the sick and wounded to hospitals remote from the battle-fields, either for the sake of a more healthful climate, or to afford them better hospital accommodation and greater facilities for recovery. In the earlier years of the war, this was done, when it was possible, on steamboats or steamships chartered as transports. They were often fearfully crowded and exposed to great suffering in their voyages, and where, as was the case after the battles of the Peninsula and Antietam in 1862, the voyage was made by sea, the rolling of the vessels in the gales they often encountered, increased the agony and caused the death of many of the helpless sufferers. Subsequently, where transportation by railroad was necessary, they were carried in passenger cars, or oftener in box or freight cars, with straw laid upon the floors. In this way many thousands were brought from Chattanooga to Nashville and Louisville, in the autumn of 1863, and a large number in the spring

FIG. 3.



FIG. 4.

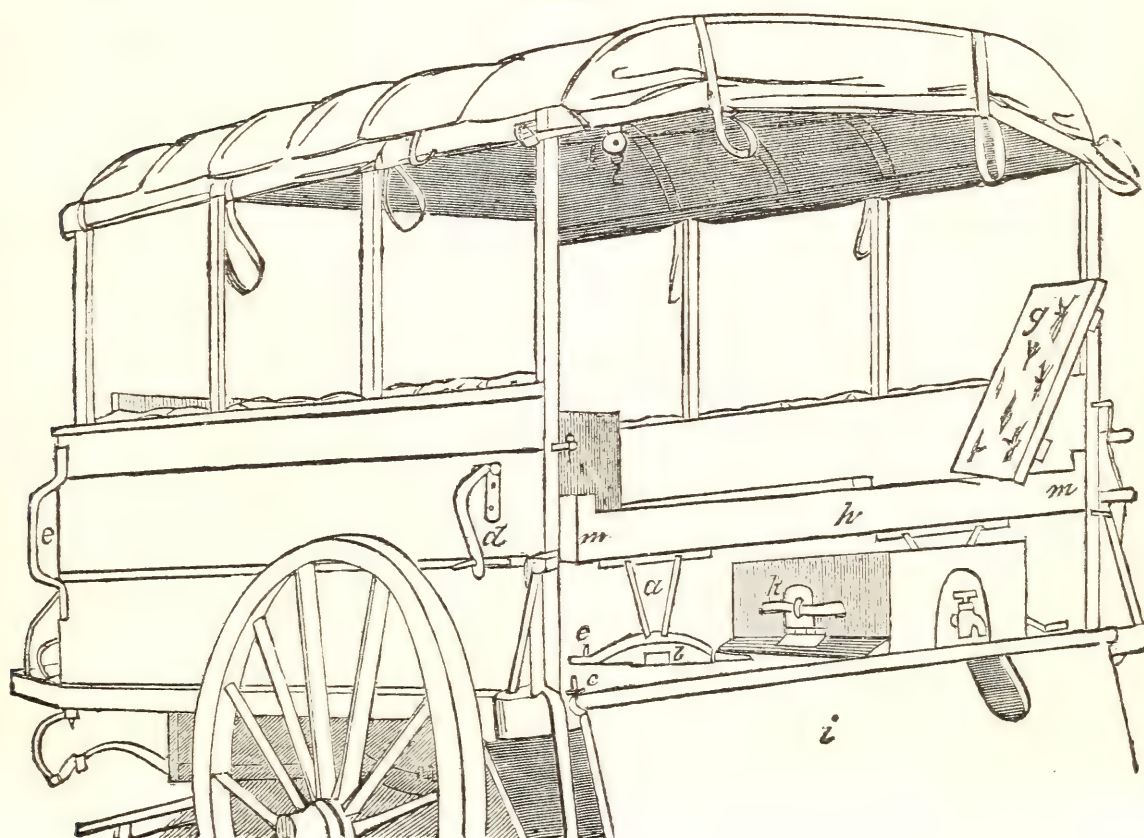


FIG. 5.

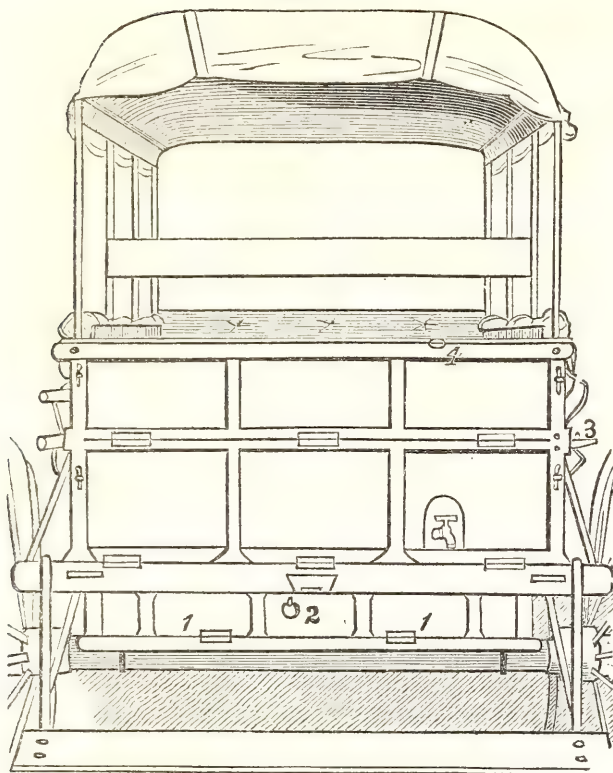


FIG. 6.

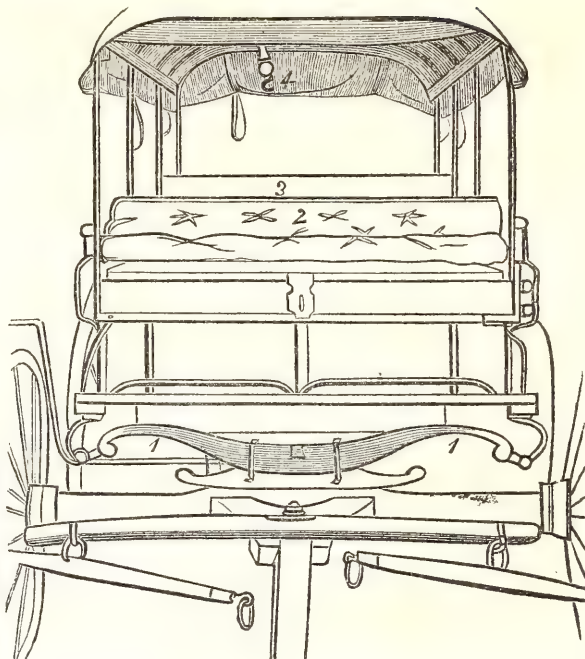


FIG. 7.

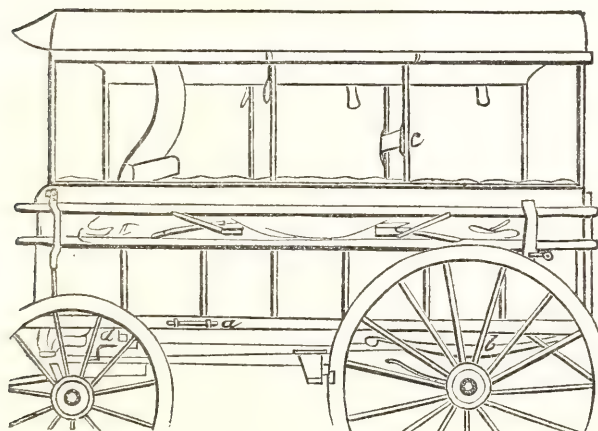
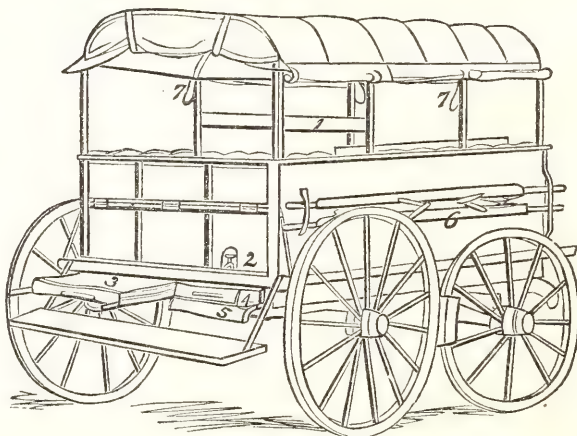


FIG. 8.

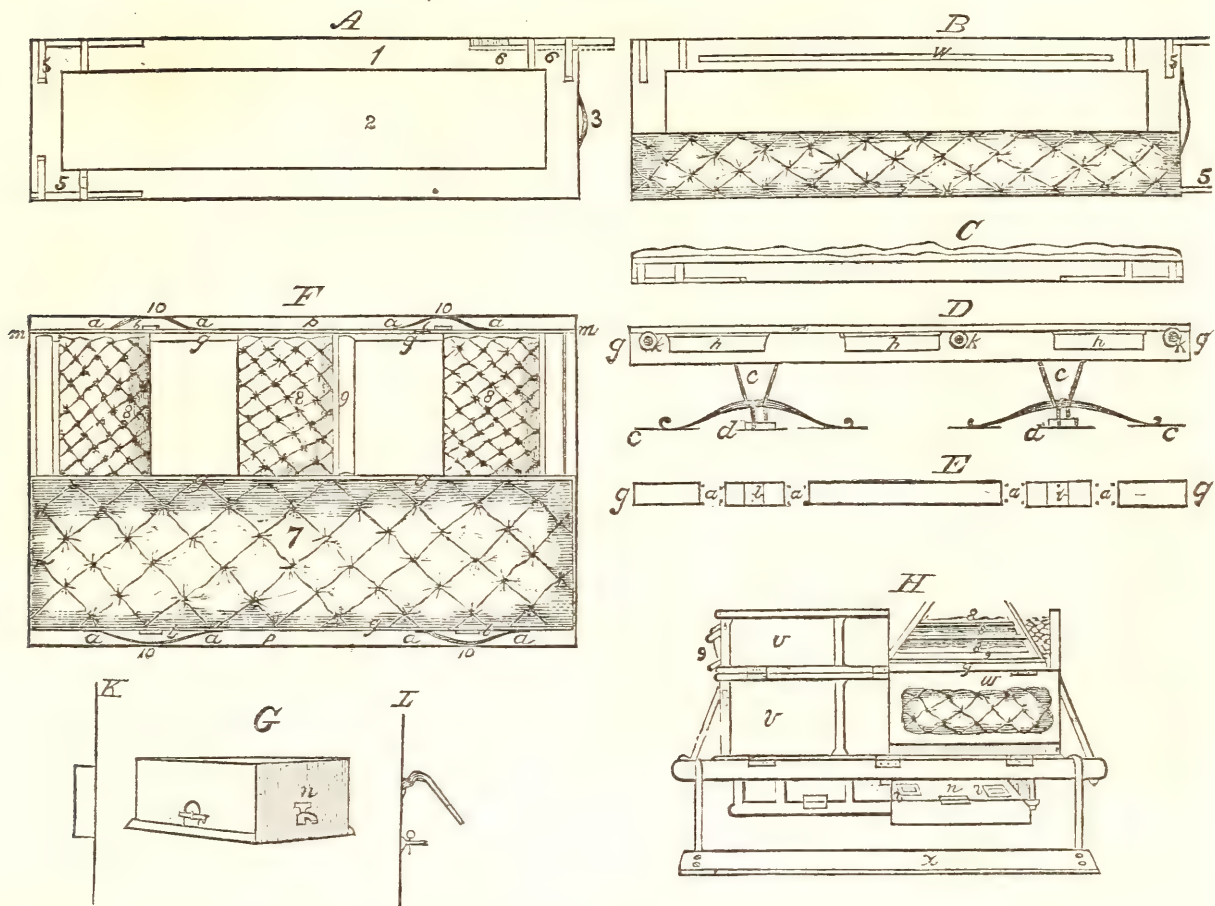


and summer of 1864. The Sanitary Commission, desirous to relieve the suffering thus caused, ordered the construction of a number of hospital cars, from drawings made by Elisha Harris, M. D. In these cars the seats are removed, and the stretchers in which the patients are brought suspended upon gutta percha or rubber loops, and secured from swaying. There were five or six of them on the Atlanta, Chattanooga, Nashville, and Louisville route, with the surgeons' car in the centre of the train, with kitchen, dispensary, nurses, assistant-surgeons, and apothecaries in attendance, and the sick and wounded had the same care and attention they could have had in the best regulated hospitals. The same number have been constantly running between Washington, New York, and Boston.

The introduction of new and more deadly missiles into modern warfare has considerably

modified the methods of treatment as well as the diagnosis and prognosis of gunshot wounds. The old round bullet produced wounds far less formidable than those inflicted by the Minié ball, or the shell, which have played so prominent a part in the battles of this war. The round musket-ball had a much lower initial velocity, was readily deflected from its course by coming in contact with bone, tendon or even firm muscular tissue, and if it penetrated the large cavities usually made a clean perforation of a diameter but little larger than its own. The Minié, on the contrary makes a ragged ugly wound, and passes straight on through muscle, tendon, cartilage, and bone, producing terrible comminuted fractures of the latter; and if it does not pass entirely through, usually comes to the skin on the opposite side from that which it perforated, and lying there, presenting its long diameter to the surface,

FIG. 9.



leaves a large and ragged cavity in its last resting-place. The wounds made by fragments of shell are still more severe, mangling the unfortunate subject most cruelly, and producing destructive fractures and sloughing wounds.

The treatment of these gunshot wounds must necessarily be different in many respects from those of the musket-ball, treated of by the older surgical writers. The extraction of the ball is, as a general principle, the first work of the surgeon, the hemorrhage from the wound having been previously checked. This is often a matter of considerable difficulty, though from the frequency with which the Minié bullet approaches the surface on the opposite side from that which it entered, it may often be reached speedily. Dr. Frank H. Hamilton, late Medical Director in the U. S. Army, has invented a probe (*fig. 11*) and two pair of forceps, one of which is shown in *fig. 10*, for extracting the bullets when lodged in the soft tissues, the other when impacted in the bony structures, which prove very serviceable for this purpose. Surgeon Isaac Moses, of the army, also invented a somewhat complicated instrument working in a canula, through which are forced three hooks to seize the ball when the instrument strikes it (*fig. 12*). This is also said to prove serviceable. George Tiemann & Co. have invented a pair of forceps (*fig. 13*) with two teeth set obliquely forward, like the incisors of a mouse, which proves admirable for removing buckshot, light balls, or fragments of lead,

but does not answer for the removal of fragments of harder metals. Nelaton's probe (*fig. 14*), which has a small ball of unpolished porcelain on the end, is invaluable for discovering the presence of a bullet by the marks of the lead on the ball.

The military surgeon in the field at the present day rejects all those medicaments and processes formerly deemed essential in the primary treatment of gunshot wounds; and having removed if possible not only the missile which caused the wound, but any fragments of clothing, bone, or other foreign substance in the track of the wound, confines himself to the use of *water* as a dressing for the wound, as the simplest, most convenient, and most efficacious application which can be made. The water is generally applied cool or at its ordinary temperature, but of course becomes tepid speedily. When inflammation sets in the temperature should be lowered, and this is effected best by the method of irrigation, by means which the ingenious surgeon or nurse readily devises even in the rudest or most poorly supplied hospital tent.

The part which is wounded, and several inches of the integument beyond the margin of the wound, being covered with a piece of patent lint, or in default of this woollen or flannel cloth, the water is suspended over the limb, or placed on a table beside the bed, and from it is conducted either by a syphon tube filled with candle-wicking or thread, or in default of any

FIG. 10.

Hamilton's Strong
Bullet Forceps.

FIG. 11.

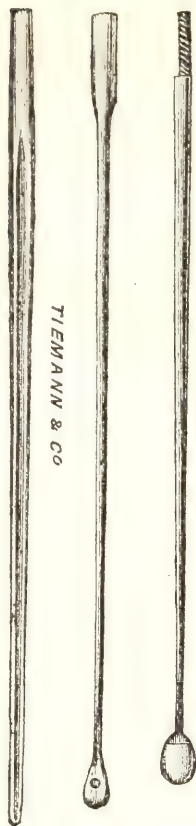
Hamilton's Compound
Bullet Probe.

FIG. 12.

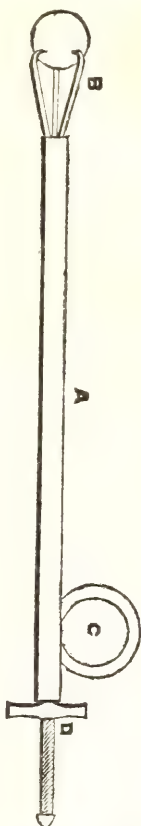
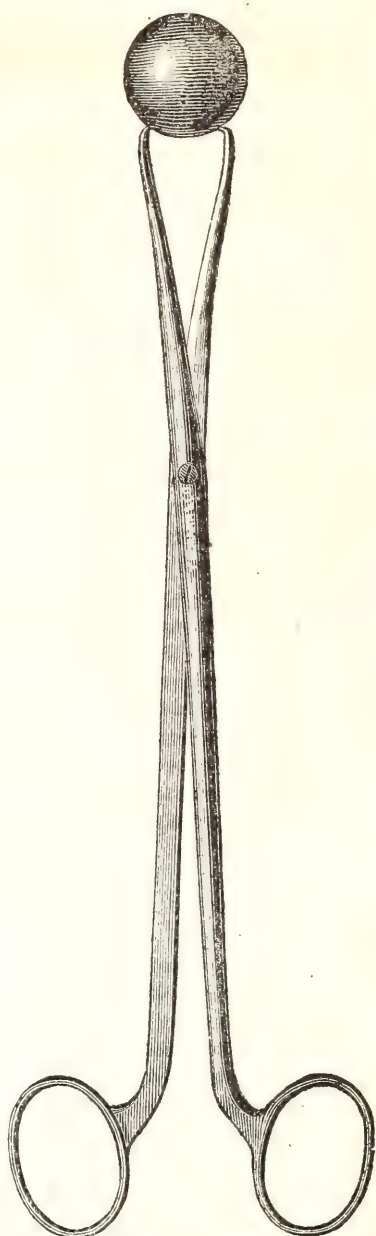
Moses's Bullet
Extractor.

FIG. 14.

Nelaton's
Probe.

FIG. 13.



Tiemann's Bullet Forceps.

thing better a piece of candle-wick or a strip of cotton or woollen cloth, the water in small but constant drops falls upon the cloth or lint covering the wound. This usually reduces the temperature sufficiently, and is besides very grateful to the patient. When the wounded man is to be transported a long distance, simple cerate spread upon patent lint is used for a dressing, and this is covered with a broad and pretty thick dressing of cotton-batting, tow, or some other soft material, secured in its place by adhesive plaster or a few turns of a light roller.

The subsequent treatment of gunshot wounds, which is usually conducted in the general hospital, presents little that is novel. In the treatment of secondary hemorrhage (that occurring after the sloughing of the dead tissues), the ligation of the bleeding vessel in the wound, if possible, without embracing a nerve with it, or when this cannot be done the use of perchloride of iron, or what is better, perhaps, Dr. Papcoast's hæmostatic (carbonate potassa, one drachm; castile soap, cut fine, two drachms; alcohol, four fluid ounces), is generally resorted to; if these fail, no time is lost in applying a ligature to the main artery above the wound. For the removal of decomposing tissues and acrid pus, the method of irrigation is again adopted, as being the most gentle and speedy, and as imparting a healthier tone to the granulations. When the water develops a fine papular eruption, as it will after a time, it is medicated by the addition of one drachm of

super-acetate of lead to the quart of water, or the milder zinc ointment is substituted. Meddlesome surgery, such as the squeezing of a wound to press out the pus, or probing and picking, to remove suspected

spiculæ of bone, during the suppurating stage, is wholly interdicted. In the treatment of gunshot fractures of the limbs, and especially of the lower extremities, the methods of treatment and apparatus devised for securing perfect rest, easy dressing, moderate extension, and the prevention of bed-sores, are ingenious, efficacious, easily constructed, and of moderate cost.

In gunshot wounds of the head, trephining is sometimes though rarely necessary. In fractures of the skull from blows of blunt instruments, as the butt of a musket, &c., or from injuries from fragments of shell, &c., it is very generally advisable. Among the circular trephines employed for this purpose, we have seen no instrument equal to Galt's spiral trephine (*fig. 15*).

The tendency with the army surgeons to

FIG. 15.



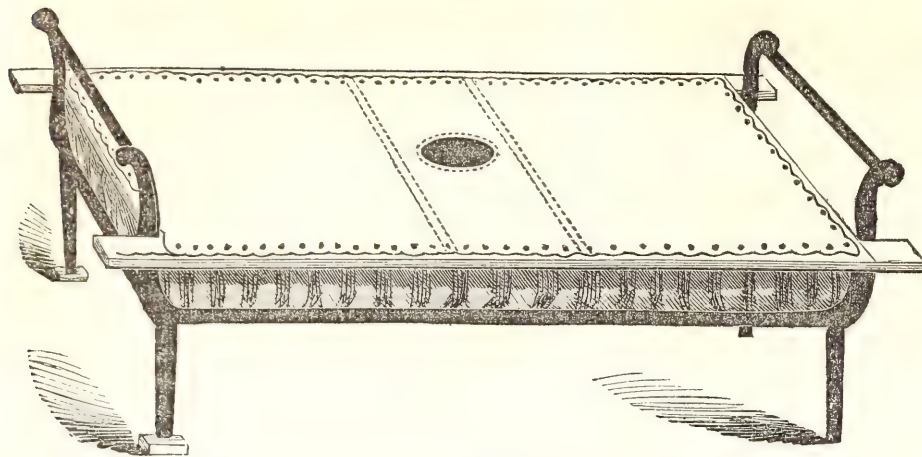
Galt's Spiral Trephine.

conservatism, in regard to amputation in gunshot fractures of the thigh, has been very strong; amputation having been attempted in not more than one-third of the cases brought under treatment, and in not more than one-half of those of gunshot injuries of the knee-joint. Some of the most eminent surgeons, Dr. F. H. Hamilton among the number, regard this conservatism as excessive, believing that in a considerable number of the cases life, easier locomotion, and sounder health would have been secured by amputation than by the attempt to preserve the limb under the adverse circumstances of transportation to a distant hospital, great comminution of the bones, spasms, or intense and continued pain, great contusion or laceration of the soft parts, or the participation of the principal arteries or nerves in the injury. Still this conservatism is more to the credit of the surgeons than the reckless and indiscriminate resort to capital operations, so characteristic of young and inexperienced surgeons, would have been; and it gives an incidental testimony of great value to the ability and discretion of the thousands of surgeons, called so suddenly from civil life to the serious and unaccustomed responsibilities of the camp and battle-field. Of those cases of gunshot fractures of the femur or thigh bone in which amputation has not been attempted, the proportion of recoveries cannot be stated with certainty; but judging from the results at several of the larger hospitals, it may probably be safely reckoned as at least two-thirds. In some hospitals, as for instance in the City General Hospital, U. S. A., at St. Louis, it has approached three-fourths. The apparatus adopted for the treatment of these cases is entitled to a considerable share of the credit for so satisfactory a result.

The indications to be observed in the successful treatment of a gunshot fracture of the femur, without amputation, are, perfect quiet and rest for the injured limb, without possibility of displacement of the fractured portions of the bone, gentle but continuous extension and counter extension, to obviate the danger of any material shortening of the limb, accessibility to the wound in order to observe its condition, to prevent hemorrhage or the secretion of foul and irritating pus, and the removal of the necessary evacuations and the change of the bed without disturbing the patient. If the knee-joint be involved in the injury, it is necessary to lay it open; and in these cases a somewhat different apparatus is required from that adopted in fractures of the femur at a higher point. Although the treatment of these cases has generally taken place in the larger post or general hospitals of

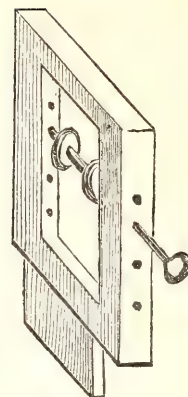
the United States Army, yet they were so numerous, and the labor devolving upon the dressers and assistant-surgeons was so incessant and exhausting, that a resort to the complicated operation and processes of the old civil hospitals was impossible, and fortunately it has been proved unnecessary. The first and one of the most admirable of the inventions for the treatment of these cases is Dr. Frank H. Hamilton's canvas frame. This is simply a wooden frame, a little longer and wider than the mattress on which the patient reposes, covered with firm canvas, and this reinforced a little above (the side-rails extending perhaps six inches at each end beyond the cross-rails), the centre by a second piece two feet in width, stretched across from one side-rail to the other, and firmly stitched to the upper canvas; through this central portion, or a little above the centre of the canvas, a hole one foot in diameter is cut, and firmly bound with tape. In the foot cross-rail is a broad slot into which an upright board six or eight inches high, and having in it a spool or other contrivance for a pulley, is inserted. The patient is laid upon this frame, it having been previously covered partially by two sheets, folded in half, and laid one above and the other below the central opening. The wounded limb has a long wide strip of adhesive plaster applied to each side of it, and maintained in place by a roller carefully applied to the leg below the knee; the ends of these adhesive straps are firmly attached to a small piece of board applied to the sole of the foot, but wide enough to prevent any pressure by the straps on the malleoli, and the leg from the thigh downward is a little elevated by being placed upon a thin cushion, which should be filled with bran. Attached to the board which is bound to the foot, is a strong cord, which, passing through the pulley in the upright board in the bottom rail, has at its other end a bag of sand or a pail of the same, not exceeding at first five or six pounds in weight, but to be gradually increased afterward as necessary. This constitutes the whole apparatus for extension, and counter-extension is made by raising the foot of the bed from three to six inches by means of bricks, and thus making the weight of the body the counter-extending power. When it is desired to change the bed, use the bedpan, or move the patient, the canvas frame is lifted carefully with the patient on it, and transferred to a couple of movable stands or "horses," or laid on blocks (*figs. 16, 17 and 18*). Another form of invalid bed adapted not only to these injuries but to other cases, like severe typhoid or yellow fevers, where it is difficult to move the patient, is Dr. Josiah Crosby's invalid bed, recently introduced by the Army Medical Board into several of the U. S. general hospitals. It is so constructed that while the patient lies suspended upon broad and firm bands of webbing, the bed can be lowered, one of the straps loosened, and a bedpan used; or the bed may be run out and aired or changed, or the wounds

FIG. 16.



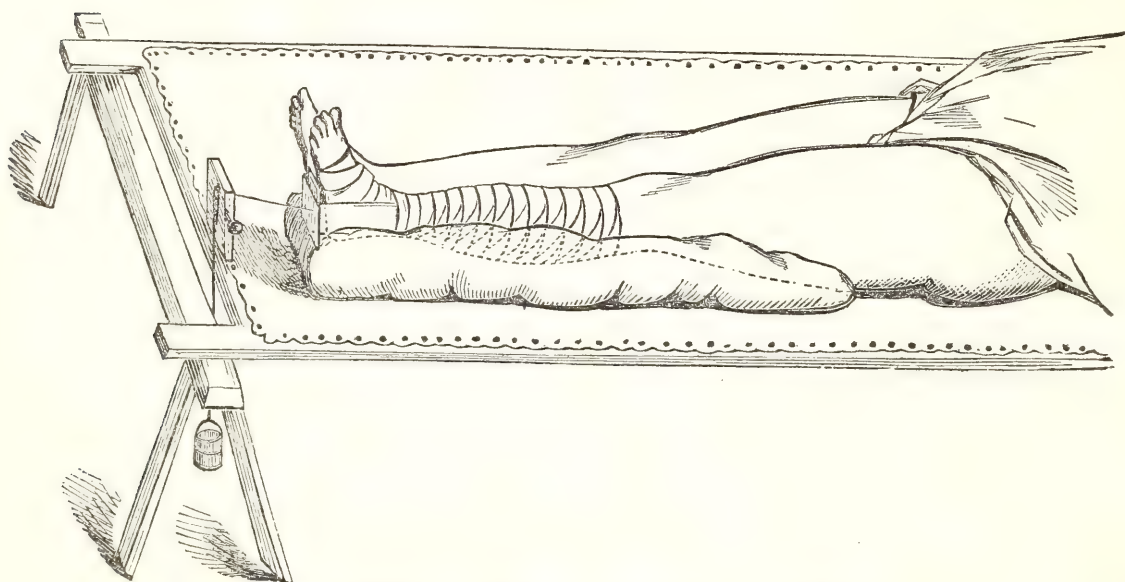
Canvas Frame laid upon the bed, and the foot of the bed elevated by bricks.

FIG. 18.



Foot-block and Pulley.

FIG. 17.



Canvas Frame removed from the bed and laid upon "horses."

FIG. 19.

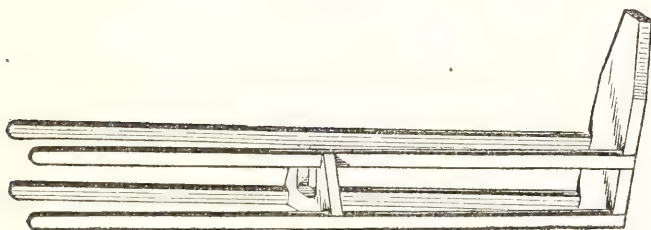
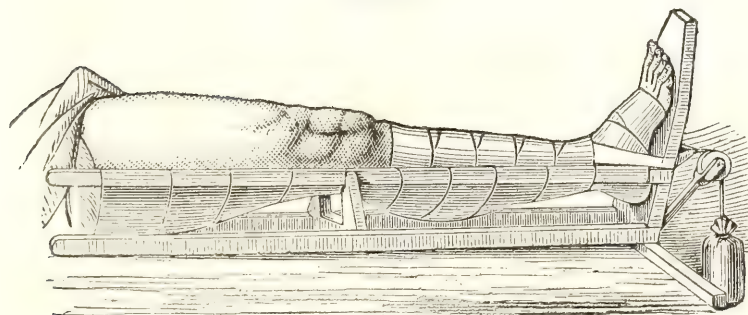


FIG. 20.



John T. Hodgen's Cradle for gunshot fractures of the thigh.

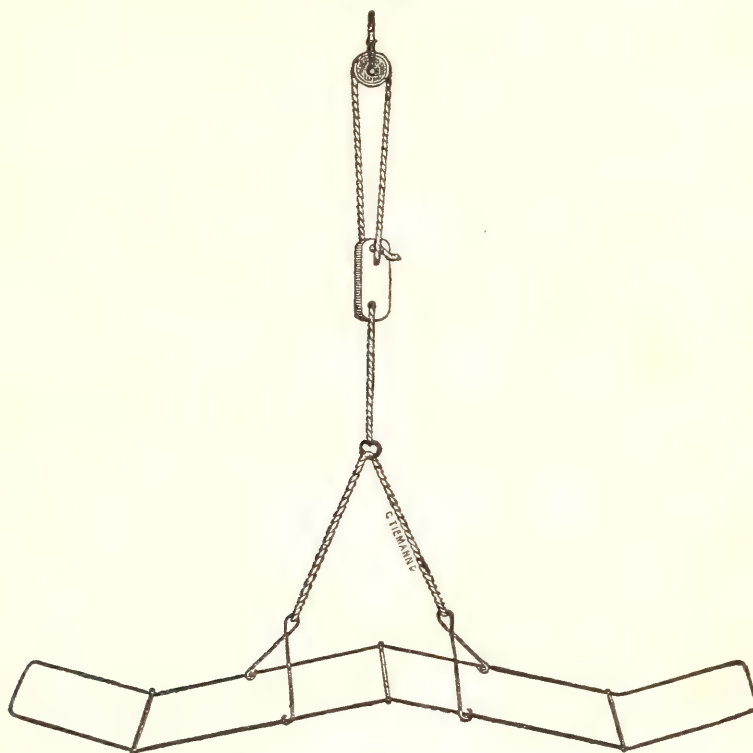
exposed and dressed, while at the same time the patient is himself aired and comforted. This bed is fully as well adapted to prevent bed-sores as an air or water bed. The foot-board and extension by weights can be used as well as with Dr. Hamilton's canvas frame.

Other apparatus in the form of cradles or wire-splints, to be applied to the wounded limb alone, and intended for the accomplishment of the same object, have been invented, and extensively adopted by the surgeons in charge of the principal general hospitals. Among these is the cradle invented by Dr. John T. Hodgen, the able surgeon of the City General Hospital at St. Louis (*figs. 19 and 20.*) The limb is supported by transverse straps of cloth, two and a-half inches wide,

extended across from one of the upper bars to the other, and adapted to its inequalities. The extension is made by means of adhesive straps, and the pulley as in Dr. Hamilton's canvas frame, and counter-extension by raising the foot of the bed. Dr. Nathan R. Smith, of Baltimore, has introduced to the profession a double inclined plane made of wire and intended for suspension (*figs. 21 and 22*). It is placed above the limb instead of beneath it, and is therefore known as "Smith's anterior splint." It is composed of a frame made of No. 10 wire, and must be long enough to reach from the anterior superior spinous process of the ilium to a point beyond the

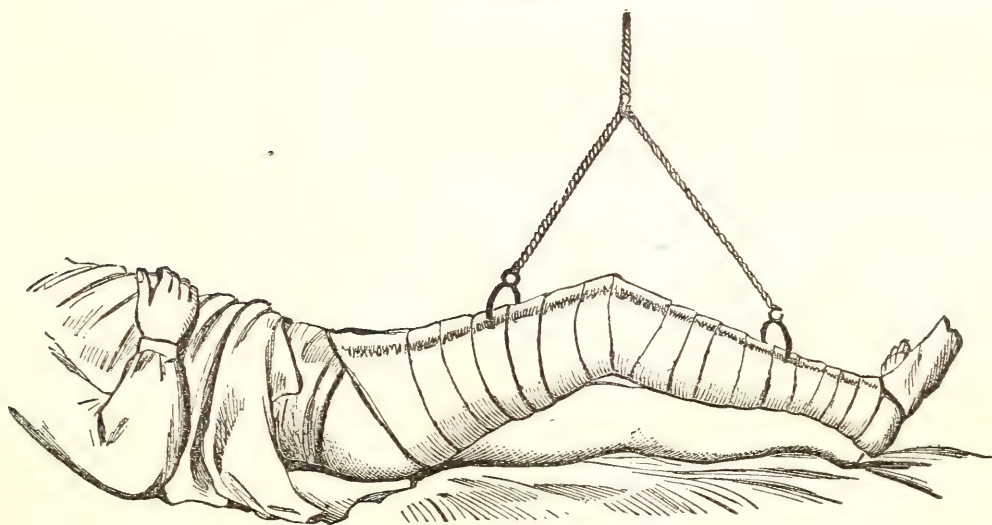
toes, the lateral bars being three inches apart at the upper end, and two and three quarters at the lower end. Before being used it is covered with cotton cloth to protect the limb from direct contact with the wire. The limb is then secured to the splint by successive turns of a roller from the foot to the groin. One of the hooks to which the suspending cord is attached should be made fast to the splint about opposite to the seat of fracture, and the other a little above the middle of the leg, and the point of attachment in the ceiling or frame above should be a little in advance of the knee and not perpendicularly above it, in order to secure a cer-

FIG. 21.



N. R. Smith's Anterior Splint.

FIG. 22.



N. R. Smith's Anterior Splint applied.

tain amount of extension and counter-extension upon the thigh. The difficulty of applying the splint and roller, when a change of dressing is required without disturbing the limb at the seat of fracture, is a serious objection to this splint.

Dr. Hodgen has invented a wire-splint as a substitute for his cradle which possesses some advantages over Smith's. It is made of No. 2 iron wire, the centre and upper part being kept apart by strong bars of iron, and the limb is suspended in it as in his cradle by strips of cloth, while small hooks on each side serve for the attachment of cords attaching it to a pulley

above. Extension is made by adhesive straps as in the cradle (*fig. 23*). As a means of support for fractured limbs during amputation, Dr. Elisha Harris, of the Sanitary Commission, has introduced into the supplies furnished by that Commission, metallic troughs made of perforated tin, which have proved of great value for the purpose.

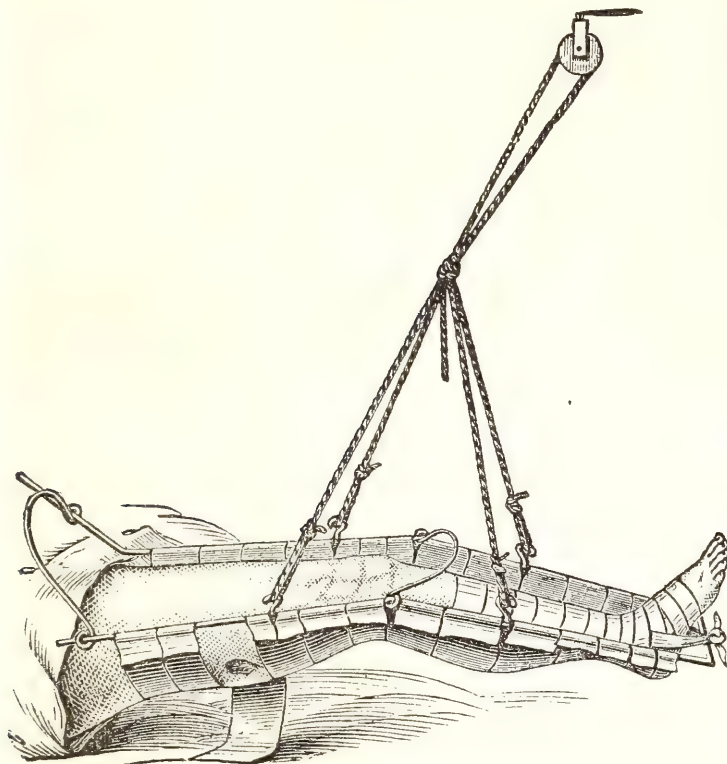
In fractures of the bones of the leg, the use of some apparatus for the support of the leg, and to keep it in a position of perfect rest, is indispensable; and it is absolutely necessary that this should be raised so as to swing clear of the bed, or shortening of the limb and great irritation of the wounded tissues will ensue.

A suspended box, with bran to pack around the limb, to check the oozing of either blood or pus, to prevent the wound from being infested with maggots in warm weather, and act as a sufficient lateral and back-support to the limb, is one of the simplest and most effective plans for keeping these fractures in place and in a fair way for recovery. "Salter's cradle," in which the box is suspended upon pulleys, which run in an iron groove or rail, is convenient for the purpose of adjusting the position of the wounded limb to any involuntary motion of the body; but perhaps the simplest and most ingenious of all is the suspending apparatus invented by George F. Shrady, A. A. Surgeon U. S. A., by which, by the aid of the clamps which attach it to the bedstead, any degree of elevation can be given to the limb, and it can be placed at any inclination (*fig. 25*).

The old question agitated in all treatises on surgery, and on which military surgeons have differed so widely, of the best time for amputating a wounded limb, has been a matter of serious discussion during the war; the great preponderance of authority among the eminent army surgeons is, however, in favor of primary amputation, and that at as early a moment as possible after the injury. The point to be ascertained, these surgeons say, is, whether the wounds received are of such a nature as to preclude the hope of saving the limb. This decided in the affirmative, the sooner it is removed the better for the patient. The necessity of moving the patients often to great distances, and the danger of poisoning the air of crowded hospitals by the effluvia from suppurating and sloughing wounds, renders amputation necessary oftentimes in military practice, where in civil practice it might be possible to save the limb.

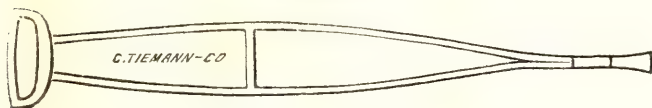
The best method of amputation,

FIG. 23.



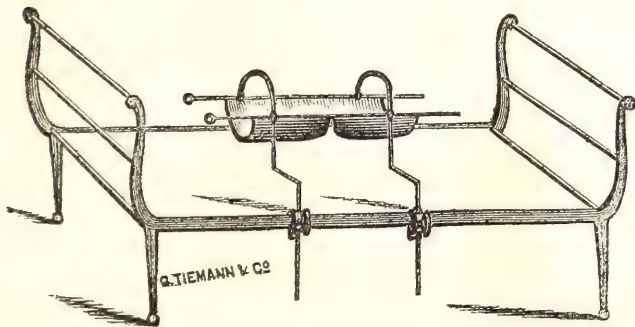
Dr. Hodgen's Wire Suspension Splint.

FIG. 24.



Child's Elastic Crutch.

FIG. 25.



Shrady's Leg Splint.

whether by the circular or flap operation, is still an unsettled point. The flap operation has the advantage in point of time, and on that account is preferable where time is a consideration of the greatest moment. But the flaps in operations on the thigh are very apt to loosen and become gangrenous or ulcerate, if the patient is to be transported for a long distance immediately or soon after the operation, and in such cases the circular method, as giving a smaller amount of muscular covering, is preferable. In operations on the leg, the circular method is usually best. To avoid sloughing of the end of the bone, the practice is to dissect up the periosteum from it for an inch or more, and drawing this back, sever the bone at the highest possible point underneath the mass of flesh.

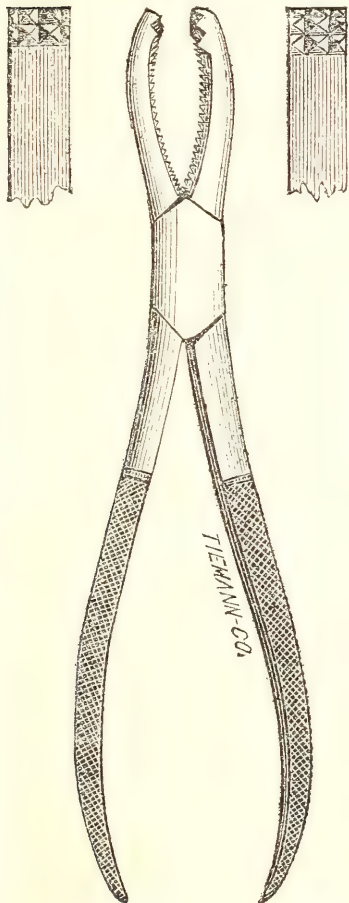
Exsection and resection of the bones of the upper extremities have been practised with very gratifying success in many of the general hospitals, the limbs, though shortened, being serviceable and much better than an artificial limb. The operation, though painful and tedious, is justified by the results attained, and is usually performed while the patient is under the influence of anæsthetics. Operations of these descriptions on the bones of the lower extremities have very seldom proved successful. A few cases of successful exsection of the tarsal bones, and four of exsection of the shaft of the

femur, and one of the head of the femur, are all, or nearly all, that have resulted satisfactorily, while large numbers have had a fatal termination, a result which perhaps would have followed in any event.

The instruments used for these purposes are numerous, and most of them are of recent invention. Among them are straight and curved bone cutters; strong forceps for holding the bone, like those recommended by Chapaignac, and improved by Halstead, of New York (*fig. 26*); chain saws of various kinds, of which the Symanowsky saw (*fig. 27*), improved by Tiemann, is the best, combining, as it does, the advantages of a chain and fixed saw; it is disconnected by a spring on the handle, passed under the bone and reattached instantly, and may be made to cut in any direction, even in the segment of a circle; bone drills of various patterns to make provision for bringing together by wire ununited fractures, among which those of Surgeon Howard, U. S. V., which work with a bow (*fig. 28*), are best. The interosseous knife of Dr. Sands (*fig. 29*) is shown.

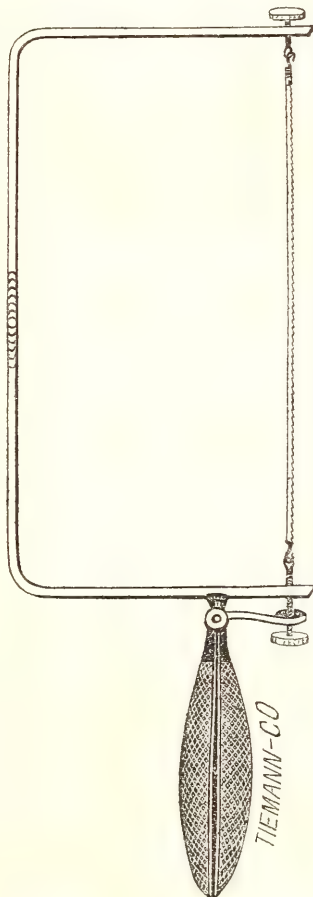
The prevalence of hospital gangrene in the large army hospitals has been a not unfrequent occurrence, though always one greatly dreaded by the surgeon, as seriously aggravating the peril of his patients. It is developed by over-

FIG. 26.



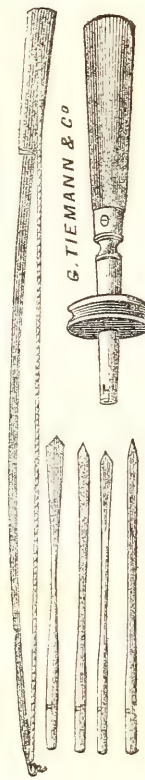
Furseson's Lion-jawed bone-holding Forceps.

FIG. 27.



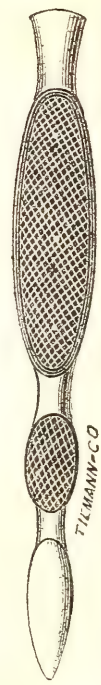
Symonowsky's Saw for Bone Reflections.

FIG. 28.



Dr. Howard's Bone Drill.

FIG. 29.



Dr. Sands' Interosseous Knife.

crowding, want of ventilation and cleanliness in hospitals, by dampness, by unfavorable location, by the bad position of the vaults or latrines of the hospital or ward, and once developed it becomes epidemic, and is propagated both by infection and contagion in the wards of the hospital. The scorbutic condition, or the depressed vitality of the patient from excessive hæmorrhage, may induce it. It is characterized by a phagedenic destruction of the soft tissues, leaving the tendons, blood-vessels, and nerves completely dissected, and is attended by a most offensive and penetrating odor, and severe gnawing and biting pains, and an almost entire loss of appetite. Unless speedily arrested, it terminates fatally within a few days. The treatment adopted in the United States general hospitals, has been new, but has proved so successful in arresting the disease, that the mortality from it has been considerably less than five per cent. of the cases attacked. In the Spanish peninsula, in 1813, nearly one-third of those attacked died. The prophylactic and constitutional treatment, though important, possesses little novelty, the effort being to remove promptly all predisposing or inducing causes of the disease in and about the hospital, to destroy by burning anything which could communicate the disease, and to support the patient by stimulants and a most generous diet. The local applications which have proved successful in arresting most promptly this terrible disease, are bromine, applied pure (the surface having first been thoroughly cleansed by the use of soap and water, the dead and gangrenous tissue carefully removed, and carefully dried by the application of lint) to the gangrenous surface, and a solution of a drachm to four ounces of water employed to paint the surrounding tissues. This application is followed immediately by an emollient poultice. A single thorough application is usually sufficient to destroy the gangrene and restore the part to a healthy condition, after the evolution of the slough. For the introduction of this remedy, the profession are indebted to Dr. Middleton Goldsmith, Surgeon U. S. V.

The permanganate of potassa, first introduced by Dr. Hinkle, A. A. Surgeon U. S. A., is perhaps not inferior to bromine as a local application in this disease. The concentrated solution is applied as an escharotic, and the dilute solution applied on lint as a dressing and repeated every three or four hours. Both this salt and the bromine are powerful disinfectants. The use of spirits of turpentine as a local application, as recommended by Dr. Hachenberg A. A. Surg. U. S. A., has proved an efficient and speedy remedy. Leaving no chemical eschar, it is perhaps on that account to be preferred to the others. In default of these remedies, the application of Maunsell's solution of persulphate of iron, pure tincture of iodine, or of nitric acid, will arrest the progress of the gangrene more slowly, though with perhaps equal certainty. In the treatment of scurvy, which has at different periods prevailed somewhat extensively in

the army, in addition to the use of potatoes, onions, sauerkraut, oranges, lemons, and lime-juice, which have been considered as the best antiscorbutics, Dr. William A. Hammond, late Surgeon-General, recommended and introduced, with the best effect, the use of the solution of bitartrate of potassa (cream of tartar), as a beverage among the men. The use of the common dandelion with vinegar, and of sorrel, are also recommended. Both contain salts of potassa, which in some form seems to be the most effectual remedy for scurvy. Wine, cider, spruce beer, and vinegar made from apples, are also valuable for the same cause. The vinegar made by the German process in the acetous fermentation of alcohol, is worthless in this disease. Dr. Hammond also recommends from his own practice, tincture chloride of iron in doses of thirty drops three times a day.

The use of anæsthetics in surgical operations during the war, has been far more extensive than in all the previous history of these agents. An experience of their use in probably fully two hundred thousand cases, ought to throw light on the advantages and injuries resulting from them, and to enable the profession to determine whether their introduction is, all things considered, a bane or a blessing. Yet, strange as it may seem, the opinions of eminent surgeons are at variance on this subject, and that after extended opportunities of observation Dr. Frank H. Hamilton, after a very large experience in surgical operations both before and since the introduction of anæsthetics, states distinctly, that "his success in capital operations, especially in primary thigh operations, has not been so good since he began to use these agents as it was before." "Anæsthetics," he says, "produce certain effects upon the system which tend to prevent union by the first intention; and consequently they must be regarded as indirectly causes of suppuration, pyæmia, secondary hæmorrhage, erysipelas, and hospital gangrene. Ether, he thinks, ought to be preferred to chloroform, being less liable to destroy life immediately.

Mr. Cole, an eminent English surgeon, regards chloroform "as a highly pernicious agent," and desires that it should be entirely excluded from field and field-hospital practice." The Director-General of the Medical Department of the British Army states, "that while a majority of the surgeons of that army believe its use desirable in all cases both of slight and severe wounds requiring operations, where no organic disease exists, a large minority object to its use in cases of very severe shock, more especially where much blood has been lost; and a smaller minority believe its use to be dangerous in secondary operations, where the patient's system has been much reduced by large purulent discharges, and more especially when this reduction has taken place with rapidity greater than usual from inordinate amount of discharge, or from the addition of secondary hæmorrhage." Dr. Zina Pitcher, of Detroit, a surgeon in the

United States Army in 1812, and now surgeon in St. Mary's Hospital, Detroit, while approving of their use in the severer operations of surgery, whenever there is sufficient force in the circulation, and nervous activity enough to sustain the patient, "feels obliged to remonstrate against their use in cases of syncope or nervous exhaustion." On the other hand, Dr. Valentine Mott, Dr. Gross, an eminent army surgeon, and some others, advocate their use in all capital operations, and Dr. Mott prefers chloroform to ether. The use of the nitrous oxide now becoming so popular with the dentists, is generally regarded as inadmissible in most surgical operations, both from the difficulty and trouble of its daily preparation, and from the fact that the anæsthesia produced by it, is not sufficiently lasting to permit of protracted operations. Its effect on the system is unquestionably less pernicious than that of either chloroform or ether. (See ANÆSTHETICS.)

MINNESOTA. This young State, situated on the extreme northwest of the other States, is rapidly increasing in population. The amount of public land entered by settlers during the year was 665,750 acres, being an increase of 202,454 acres over the previous year. The increase in logs scaled for lumber is 28,000,000 feet. The sales of school lands during the year were 41,510 acres for \$287,675, and during the past three years 131,950 acres for \$839,984, averaging nearly \$6.50 per acre. A hundred miles of railroad within the State are in operation, and two hundred miles more are graded and ready for the rails. The balance in the State Treasury at the end of the year was \$93,530. The number of troops contributed to the Federal service by the State at the close of the previous year was 13,201. Under the call for five hundred thousand men in July, 1864, the State contributed for one year, 2,682 men; for two years, 204; for three years, 61 men. The excess of credits to the State on August 1st, was 1,407 men.

A correspondence took place between Gov. Miller and Provost Marshal General Fry, relative to the quota of the State under the call for troops made in December, 1864. The latter stated that the call of December was intended to supply deficiencies in the call of July arising from credits allowed under that call, and said:

The rule in applying credits is, that they should be deducted from the quota of the call that produced them. All men raised since the call of July 18, 1864, are credited upon the quota under that call; if the quota is more than filled, it is carried as an excess to the credit of the locality, and taken into account in the assignment of the quota under the call of December 19th, 1864, and provost marshals are instructed that, in determining the quotas of sub-districts under the present call, they will apply such excess accordingly; and all men raised since December 19th are of course credited upon the call of that date.

In crediting the excess that is carried forward from the call of July 13th, 1864, and applied to the call of December 19th, 1864, I consider not only the number of men of which the excess is composed, but also the period of their service, and the quotas assigned under the call of December 19th are thus reduced by this excess of service, and hence they should not

be further reduced, except by enlistments subsequent to December 19th, 1864, the date of the call for three hundred thousand men.

The entire vote given by the State at the Presidential election was 42,435, of which Mr. Lincoln received 25,060, and Gen. McClellan 17,375; majority for Mr. Lincoln, 7,685. Soldiers do not vote out of the State. The vote of the State in 1860 was 34,421, being an increase of 8,014. Two Republican members of Congress were chosen at the same election.

The Legislature elected was divided as follows:

	Senate.	House.
Republicans.....	16	32
Democrats.....	5	10
Total.....	21	42

The educational and benevolent institutions of the State made more progress than during the previous year. They are yet, however, in their infancy.

The large Federal force on the western border prevented the incursions of the Indians as in previous years, and the State was comparatively free from disturbance in consequence of the neighboring Indian war.

MISSISSIPPI. After the expedition under Gen. Sherman to Meridian at the commencement of the year (see ARMY OPERATIONS), Mississippi was almost entirely abandoned by the Federal forces. All the northern counties were left, and also other parts of the State excepting Vicksburg and Natchez, where garrisons were stationed, and a small force on the Yazoo. The people on the line of Gen. Sherman's march returned to their homes and endeavored to accommodate themselves to the circumstances which existed. Many of the planters without horses and servants were supplied by those in the districts not overrun to such an extent as to enable them to get in a crop sufficient for their necessities. The railroads and telegraphs were repaired with much vigor.

The efforts which were made to employ freedmen on plantations were generally unsuccessful, owing to the hazardous nature of the business, unless a Federal force was close at hand to afford protection against guerrillas. An order was issued by Gen. Slocum on May 19th, declaring that the residents of a district should be made responsible for all the damage caused by guerrillas to lessees. For every lessee killed an assessment of ten thousand dollars was ordered to be levied upon the disloyal people residing within thirty miles, which should be appropriated to the family of the deceased. Notwithstanding these provisions for the employment of freedmen, the banks of the Mississippi River were almost lined with their rude huts and cabins, and a vast amount of destitution, starvation, and sickness prevailed. The return of Gen. Sherman brought between ten and eleven thousand, which added to the numbers already at the military posts. In Natchez military orders were issued as a sanitary measure, forbidding any contraband to remain in that city after April 1st, who was not

employed by some responsible white person in some legitimate business. A limited number only were allowed to occupy a house. They were also forbidden to rent houses and live to themselves, but required to seek shelter from their employers at the contraband camps.

The corn crop of the year was comparatively a failure in the northern counties of the State, and foreshadowed great destitution during the ensuing winter.

There is a class of persons who have probably been the severest sufferers by the war, of whom comparatively little has been said. These are the white refugees. Their condition in Mississippi was even more deplorable than that of the negroes, for equally with them they have borne the evils of slavery without acquiring the habits of industry which the latter obtained. Many of them were natives of the North, who had become citizens of the Southern States before the war in order to improve their fortunes, and who seized the first opportunity to escape with their lives, leaving every thing else behind. Hundreds of others were deserters from the Confederate army. The greatest sufferers, however, were the more ignorant of these men and women and children. The refugees that returned with Gen. Sherman to Vicksburg, were long compelled to lie in the streets or open squares. The condition of these people is thus described :

Banks' unfortunate expedition brought ruin upon thousands; for the people, feeling confident of his success, openly avowed their attachment to the Union, and after his defeat they were left wholly unprotected. Their houses were burned over their heads, and they themselves were compelled to flee for their lives.

On both sides of the river they are crowded together in miserable buildings, and when those fail they lie often with no bed but the damp ground and no covering but the open sky. No wonder that death makes such awful havoc among them. In an old warehouse we found forty-seven in one room. Of this number only twelve were able to stand—they were so sick and weak from exposure and want of food. A sick woman lay on the floor with a babe a week old by her side; at her feet lay a little child two years old, wasted to a skeleton by want and disease, while her four other children lay near her, all too sick to bring even a drink of water. Her husband is a soldier in our army. On a blanket in the corner, with a few old clothes rolled up to supply the place of a pillow, lay three little children, all very sick. Their mother, a worn, feeble-looking woman, sat beside them on the floor, and as I stooped to examine the little ones and inquire into their wants, she burst into tears and exclaimed: "I am afraid my children will all die! I have no medicines and nothing that they can eat—God knows what is to become of us." Her look of bitter despair, as she said this, haunted me for days afterwards. I found her husband and son had entered our army more than a year ago, but she had lost all track of them and they knew nothing of her whereabouts. A short distance from the building I have described, in a wretched shed where hogs had always been quartered I found three families in a condition which it is impossible to describe. The building had no floor, and the stagnant water stood upon the ground in many places, while the air within was so intolerable, that while dealing out the food and medicines I was several times obliged to go out into the open air. Upon the ground lay a mother, a grown daughter, and

four other sick children. Close beside them was a woman too far gone to speak or notice us. But I need not dwell longer upon these heart-rending scenes; enough has been said to awaken sympathy in every heart that contains one spark of feeling or humanity. I know that many have but little sympathy for these refugees, denouncing them all as Secessionists and not worthy our charity. I can only say that such persons either lack heart or they have been superficial in their investigations. My own experience with them has been quite the contrary.

A number of small military expeditions were made from the posts held by the Federal forces during the year. On May 6th a troublesome band of guerrillas, which had plundered and burned almost to the outskirts of Vidalia, retired for shelter to a swamp. Major Smith, of the Sixth U. S. colored artillery, who commanded the post, sent out a force under Col. Farrar. The enemy were overtaken, and a brief contest, without quarter, ensued. The uncertainty of the number of the assailants caused the enemy to flee with a small loss.

On June 10th an engagement took place at Guntown, in which the enemy obtained considerable success. The Federal force consisted of two brigades of cavalry, under Col. Grierson, two brigades of infantry in company with the First Illinois light artillery and two regiments of colored infantry, all under Gen. Sturgis. The enemy were commanded by Gen. Forrest, and consisted of Bell's, Lyon's, Rucker's, and Johnston's brigades, and Rice's and Morton's batteries. Gen. Sturgis advanced from Memphis until he encountered the enemy in strong force near Guntown, and after a sharp contest was routed. The enemy pursued Sturgis to Colliersville, and his loss was three thousand men, eight hundred mules, five hundred horses, two hundred wagons, twenty ambulances, one hundred and fifty thousand rations, six hundred thousand rounds of ammunition, and fourteen pieces of artillery all spiked and the wheels cut down. The defeat is ascribed to the exhausted condition in which the Federal infantry were brought into action and the overwhelming force of the enemy.

On Oct. 5th Gen. Albert L. Lee moved from Baton Rouge, in Louisiana, marching through Rocky Hill cross-roads, Osyea, and Greenburg, destroying much property and taking a number of prisoners. He returned to Baton Rouge on the 9th.

On Nov. 14th Col. Fonda left Baton Rouge and marched to Williams' Bridge, Liberty, and Brookhaven, Mississippi, capturing a number of prisoners and destroying a bridge, and then returned.

In consequence of the following order, the Catholic Bishop of Natchez was arrested and transported to Vidalia :

HEADQUARTERS U. S. FORCES, }
NATCHEZ, MISS., Aug. 12, 1864. }

Military authority having been, for the time, vindicated, so much of Special Order No. 11 as requires Rev. William Henry Elder, Bishop of Natchez, to remain within the military lines of the Post of Vidalia, La., is suspended, and he may return to his home and

duties until the pleasure of the War Department be known in his case.

And as all solemn appeals to the Supreme Being not proceeding from honest hearts and willing minds are necessarily offensive to Him and subversive of sound morality, so much of Special Order No. 31, June 18, 1864, as requires public prayer to be pronounced in behalf of the President of the United States and the Union, is suspended until further orders; leaving all persons conducting Divine worship liberty to manifest such measure of hostility as they may feel against the Government and Union of these States, and their sympathy with the rebellion, by omitting such supplication, if so minded.

By order of Brig.-Gen. M. BRAYMAN,
J. H. ODLIN, Ass't Adj't Gen.

The Confederate State Government continued undisturbed through the year. At the session of the Legislature all white males between sixteen and fifty-five were made subject to the Governor's orders. Little else is at present known of its proceedings.

MISSOURI. The session of the Legislature of Missouri, commenced immediately after the close of the election in November, 1863. In February, 1864, a bill was passed, which provided simply for a call of a convention to revise the organic law of the State. The election of delegates to this convention was to be held in November ensuing, at the time of the general election. At the same time the people were to vote on the proposition whether they desired a convention or not. If they decided against a convention, then the delegates were not to assemble. If the vote sustained the proposition, then the convention was to meet in St. Louis on Jan 5th, 1865.

The action of the convention in 1863, on the subject of emancipation, was not satisfactory to a portion of the citizens. It provided for gradual instead of immediate emancipation. The latter was sought to be obtained by a new convention, composed of men more recently elected than those of the adjourned convention.

The annual election was held on Nov. 8th; previous to which Gen. Rosecrans, in command of the department, issued the following orders:

HEADQUARTERS DEPARTMENT OF THE MISSOURI, {
ST. LOUIS, Mo., October 12, 1864. }

General Order No. 195.

Our free government, established and administered by the will of the people, expressed through legal elections, requires from every citizen a sacred regard for the preservation and purity of the elective franchise.

The General commanding expects the united assistance of the true men of all parties, in his efforts to secure a full and fair opportunity for all who are entitled to vote at the approaching election in the State of Missouri, and in excluding from the polls those who by alienage, treason, guerrillaism, and other crimes or disabilities, have no just right to vote.

The laws of the State declare who may vote, and prescribe the times and places of voting. But, in the present disturbed condition of the country, the civil power is too weak effectually to enforce the execution of those laws, or adequately punish offenders. Wherefore in compliance with his duty as a citizen and department commander, and with the wishes of all true citizens, and in aid of the law, the General commanding orders as follows:

1. Those, and only those, who have the qualifica-

tions, and who take the oath prescribed by the State, copies of which are hereunto annexed, shall vote.

From the terms of the oath, it is manifest that it was the intention of the Missouri State Convention that no person should vote who, since the 17th day of Dec. 1861, has wilfully taken up arms or levied war against the United States, or against the Provisional Government of the State of Missouri. This excludes from the right of voting all who, since that date, have been in the rebel army or navy anywhere, and all who, since that date, have been anywhere engaged in guerrilla marauding or bushwhacking. If, therefore, any such person offer to vote, his vote may be challenged, and he shall be immediately arrested. And any judge of election shall be arrested and punished who permits the name of any such person to be recorded in the poll book, or his vote to be received, where such judge has personal knowledge of his true character, or the same is shown to him by lawful evidence before the vote is received.

Voting, or attempting to vote, in contravention of law or orders, is declared a military offence, subjecting the offender to arrest, trial, and punishment, if convicted.

2. No one who has borne arms against the Government of the United States, or voluntarily given aid and comfort to its enemies during the present rebellion, shall act as judge or clerk at an election; nor shall any county judge knowingly appoint any such person to act as judge at an election. Violation of this will be promptly noticed, and the offenders brought to trial by the local military authorities.

3. Outrages upon the freedom of election by violence or intimidation; attempting to hinder legal, or to procure or encourage illegal, voting; interfering with the legal challenge of voters; acting as officers of election, in contravention of law or orders; wilful neglect to perform their duties, under the laws and these orders, by officers of elections, and especially taking the voters' or officers' oath falsely; and all other acts and words interfering with the purity and freedom of elections, are crimes against the liberties of the people, and are declared military offences, and will be rigorously punished.

4. The laws of the State provide that those of its citizens who are in the army shall not thereby lose the privilege of voting, provided the voting is done in the manner prescribed. The commanding General, therefore, directs that, on the day of election, every practicable facility be afforded for taking, in camp, or on the field, the vote of citizens of Missouri who may then be in any company of Missouri volunteers or militia, in the service of the United States or the State.

A copy of the ordinance of this State, providing for elections under the supervision of the commanding officers of companies, is hereto subjoined, for the guidance of all concerned. Such commanding officers will not on any account neglect to make arrangements for, and to hold, such elections, where the condition of their commands will admit of their being held without detriment to the service.

The commanding General deems it better that all citizens of Missouri in the military service in this State should vote in their companies, as authorized by said ordinance; but he does not consider that the uniform of the army should be a badge of exclusion of any soldier from voting at the polls where he, as a citizen, would be entitled to vote, and therefore does not prohibit it. At the same time, he directs that any soldier who abuses the privilege of access to the polls, by any disorderly conduct, or by any unauthorized interference with other citizens in the lawful exercise of the right of voting, shall be punished, and all military officers are especially charged to prevent any such act on the part of any soldier.

5. Wherever there is good reason to apprehend that rebel bushwhackers, or other evil disposed persons, will attempt to control the election at any precinct by their acts, threats or presence, a sufficient

guard will be detailed to prevent any such control, and keep the peace.

6. District and all subordinate commanders will strictly and carefully enforce this order at the approaching elections, and use all diligence to bring to speedy and condign punishment all civilians, officers, or soldiers who violate any of its provisions.

7. The commanding General earnestly invokes the zealous and active aid of all law-abiding citizens, on the day of the said election, in preserving the peace at the polls, and preventing illegal voting; and he hopes that every newspaper in this State will see proper to publish this order continuously in every issue until the day of the next election.

By command of Major-General ROSECRANS.
FRANK ENO, Assistant Adjutant General.

The vote given by the people for President, was as follows:—Lincoln, 71,676; Mc Clellan, 31,626. Majority for Mr. Lincoln, 40,050.

The Radical or unconditional Union candidate for Governor, Thomas C. Fletcher, was elected by a majority of about 41,125 over Thos. L. Price.

The total vote relative to a State Convention, was 89,215; of which the majority in favor of a convention, was 37,793. Of the members chosen to the convention, three-fourths belonged to the Radical party. The entire Radical ticket for State officers was elected, also a large Radical majority of the members of the Senate, and three-fourths of the Assembly; eight out of nine Radical candidates were elected to Congress. The Radical ticket was also elected in eighty of the one hundred and fourteen counties in the State.

This was the first election for State officers which had been held in Missouri since the beginning of the war. The acting Governor, after Gov. Jackson and Lieut.-Governor Reynolds withdrew from the State, had been chosen by the convention (Gamble), and also the Lieut.-Governor Hall who succeeded on the decease of the former.

The Legislature assembled on December 26th. Governor Hall in his message stated that on July 1st, 1864, the State had furnished by volunteer enlistments ten thousand more soldiers for the Federal army than her quota. Since that time eleven new regiments had been recruited and organized.

The whole number of men furnished by Missouri under different calls of the President prior to February 1st, 1864, is..... 59,676
Number of men furnished since February 1st, 1864, as shown by the reports of the Commissary of Musters, Department of the Missouri, and Assistant Acting Provost Marshal General for Missouri..... 18,508
Veteran Musters to April 28, 1864..... 1,409
The Enrolled Missouri Militia that have served six months and longer reduced to three years standard, by report of Adjutant-General of Missouri of April 18, 1864..... 2,174

Total number furnished to 30th November, 1864. 81,767

In addition there has been in the field since July 31st, 1861, more than sixty thousand militia, in payment of which more than four millions of dollars have been expended. On January 1st, 1864, there was due the militia \$989,579.05, to provide for which the Governor recommended an issue of bonds. The services of this militia have been of great importance to the welfare of the State.

The revenue of the State for the two years ending September 30th, 1864, was \$2,040,567. The balance in the treasury on October 1st, 1862, was \$700,101. The amount subject to appropriation, after adding balances transferred from the road and canal funds, was \$2,751,899. The expenditures in the two fiscal years, including ordinary and special appropriations, were \$961,830; adding the several sums chargeable on the revenue fund, and the expenditures were \$2,358,207; balance October 1st, 1864, \$393,691. The revenue of the State in 1863 and 1864 exceeded that of the years 1861 and 1862.

The bonds and interest due up to January 1st, 1865, by the State, including old debt, revenue bonds, and interest due on railroad bonds issued by the State to the various railroads is as follows:

State bonds, old debt, due in 1862,.....	\$163,000	
“ “ “ 1863,.....	239,000	
		\$402,000
Revenue bonds, 1864,.....	217,000	
“ “ 1866,.....	214,000	
		431,000
Interest on Pacific R. R. bonds from July 1861, to Jan. 1865, inclusive,....	1,680,000	
Interest on Pacific R. R. bonds for Southwest Branch, from July 1861, to Jan. 1865, inclusive,.....	1,120,000	
Interest on Platte Co. R. R. bonds from July 1861, to Jan. 1865, inclusive,....	168,000	
Interest on North Missouri R. R. bonds from July 1861 to Jan. 1865, inclusive	1,044,000	
Interest on St. Louis and Iron Mountain R. R.* bonds from July 1861, to Jan. 1865, inclusive,.....	840,240	
Interest on Cairo and Fulton R. R. bonds from July 1861, to Jan. 1865, inclusive	156,000	5,008,240
Add for money borrowed from the banks by Governor Gamble,.....		150,000
		\$5,991,240

There was also contracted a military debt by the State. The Missouri Convention, at its October session, 1861, passed an ordinance appropriating one million of dollars in defence warrants, redeemable and payable into the State treasury for taxes, to enable her authorities to protect the State by organizing and putting into service the loyal militia. These warrants, to the amount of one million three hundred and seventy thousand four hundred and eighty dollars, have been paid out in the State for the organization, support, and maintenance of the State militia. The General Assembly at its last session, by an act to provide means for the payment and support of the enrolled militia, approved March 9th, 1863, appropriated the sum of three millions of dollars, and authorized the issue of three millions of Union military bonds for that purpose. The sum of three millions of these bonds have been issued, and delivered to the paymasters of the State, and by them paid out to the enrolled militia, making a military debt of the State of four million three hundred and seventy thousand four hundred and eighty-dollars. Defence warrants were made receivable for all taxes due the State; Union military bonds were made receivable for 50 per cent. of

* The Iron Mountain Railroad Company have paid into the treasury \$60,000 on their interest account.

State revenue, and for all military and commutation tax, provided for under said act of March, 1863, up to and including the year 1864.

There has been paid into the treasury and cancelled and destroyed, up to the 1st of December, 1864, defence warrants amounting to the sum of one million one hundred and thirteen thousand three hundred and sixty-five dollars. There has been redeemed and paid into the treasury for taxes, etc., up to the first day of December, 1864, Union military bonds, amounting to the sum of one million two hundred and twenty-eight thousand nine hundred and seventy dollars and interest allowed thereon amounting to three thousand four hundred and seventy dollars and seven cents.

During the years 1861 and 1862 the disturbances in all portions of the State utterly suspended and prostrated the common schools in nearly every county. In 1863 many school-house doors were thrown open and children gathered in the schools in all parts of the State. In 1864 nearly all the counties north of the Missouri River had their common schools in full operation, and in many counties south of the river schools were opened. The change about to take place in the condition of the slaves, has already turned attention to their education and to the relations which they shall hold to the institutions of the State.

It was estimated that nearly one-third of the population of 1860 had been lost to the State in consequence of the war. Even at that period the population was hardly sufficient to develop the resources and gather the harvests. Immigration is therefore greatly needed.

The newly-elected State officers were inaugurated on Jan. 6th, 1865. Gov. Fletcher in his address says:

In point of physical advantage, in the combination of all the elements of wealth, in the invitations that are held out to enterprise, and in the magnificent and swift rewards that wait on industry, no area on the Western Continent containing an equal number of square miles, can compare with our own State. While embracing a greater number of acres of good agricultural land than any other State in the Union, Missouri has more iron than all the other States combined; lead in quantities greater than elsewhere discovered in the world; mines of cobalt and zinc, and lodes of copper; whole districts of country underlaid with strata of coal; almost illimitable forests of the most useful timber, including the giant resiniferous pine, inviting the hand of unshackled industry and liberal enterprise to gather its wealth; prairie and forest diversified everywhere by streams affording unequalled water-power; one of the largest rivers of the world flowing through her centre, and another washing the whole length of her border.

The military policy adopted at the present time in Arkansas and Missouri, it is expected, will prevent the return of the Confederate armies to the soil of either State.

That part of the State north of the Missouri River is mostly an agricultural country. Good timber is found in abundance along the streams, and out from one-fourth to half a mile usually, the prairie begins. The land is rich, and the sub-soil is of a loamy clay, making it a very

lasting soil. Coal of a good quality for fires and blacksmiths' use, is found in most of the counties. Fine building-stone is found in nearly every county.

South of the Missouri River minerals are found, with but little farming land except along the Kansas border and Missouri River, and a small section of the southwest corner of the State. The surface of the country is broken and hilly, the Ozark Mountain range crossing the entire breadth of the southern part of the State. Several rivers, that are at times navigable quite a distance, and numerous mountain streams and great springs, will furnish, when improved, immense power for manufacturing purposes.

The minerals are in great abundance; the coal and wood in close proximity, rendering the cost of working the ore very little. Often iron ore, coal, wood, and water power may be had from the same hillside.

On Jan. 6th the Constitutional Convention assembled in St. Louis. It was organized by the election of Arnold Krekel, of St. Charles, as President. On the 11th, a committee reported the following ordinance of emancipation:

Be it ordained by the People of the State of Missouri in Convention assembled, That hereafter in this State there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall have been duly convicted; and all persons held to service or labor as slaves, are hereby declared free.

The subsequent proceedings of the Convention are thus reported:

The ordinance having passed to a second reading, Mr. Drake proposed the following amendment:

Sec. 2. That no person can, on account of color, be disqualified as a witness, or be disabled to contract, or be prevented from acquiring, holding, or transmitting property, or be liable to any other punishment for any offence than that imposed on others for a like offence, or be restricted in the exercise of religious worship, or be hindered in receiving education, or be subject in law to any restraints or disqualifications in regard to any personal rights than such as are held upon others under like circumstances.

Mr. Switzler. I desire to offer an amendment to the amendment. I desire to amend the amendment by adding an additional section as follows:

Sec. 4. It shall be the duty of the Legislature to provide by law for apprenticing all slaves emancipated by this ordinance, between the ages of twelve and twenty-one years.

Mr. Drake. That is introducing a new proposition under the name of an amendment, which is in direct contravention to the rules.

The President. I shall rule that proposition out of order under the rules.

A lengthy discussion ensued, in which the subject of negro suffrage was variously handled by members, to cut off which Mr. Budd moved the previous question.

Mr. Drake. What is it?

Mr. Budd. If the question is sustained by a majority of this house, it brings the subject to a vote, first on the first amendment, and second on the second amendment, and third on the original proposition.

The President. The question now before the convention is, on the rejection of the amendment of the gentleman from Franklin; the previous question affects that alone.

Mr. Budd. I withdraw it.

Mr. Drake. The question is on the motion I made

to reject the amendment of the gentleman from Franklin.

Mr. Clover. And upon it the ayes and noes are demanded.

Mr. Drake. Yes, I call for the ayes and noes on that question.

Mr. Strong. I ask, Mr. President, if it is in order to amend that motion? If so, I desire to offer a motion that all amendments be rejected temporarily.

The President. I don't think it is proper at this time.

The vote was then taken and resulted: ayes, 58; noes, 4.

The motion to reject the amendment prevailed: ayes, 37; noes, 25.

After the disposal of several points of order the vote was taken on the adoption of the ordinance, resulting—ayes, 59; noes, 4; absent, 2. The noes were Messrs Gilbert of Platte, Harris, Morton, and Switzler.

The announcement of the vote was received with loud applause and with waving of handkerchiefs and swinging of hats. The president and sergeant-at-arms found it impossible to quell the enthusiasm.

Mr. Owen. I desire to move to reconsider the vote on adopting the ordinance and lay it on the table.

The motion was agreed to.

Mr. Owen. I understand that the Rev. Mr. Eliot is in the hall, and I move that he come forward and give thanks to Almighty God for the passage of an Ordinance of Emancipation in Missouri.

Prayer was then offered by the Rev. Dr. Eliot as follows: Most merciful God, before whom we are all equal, we look up to Thee who hast declared Thyself our Father and our helper and our strong defence, to thank Thee that Thou art no respecter of persons, to thank Thee that Thou didst send Jesus Christ into the world to redeem the world from sin, and that He was the friend to the poor, that He came to break the manacles of the slaves, "that the oppressed might go free." We thank Thee that this day the people of this State have had grace given them to do as they would be done by. We pray that thy blessings may rest upon the proceedings of this Convention, that no evil may come to this State from the wrong position of those who do not agree with the action of to-day, but that we, all of us, may be united to sustain this which is the law of the land. We pray, O God, but our hearts are too full to express our thanksgiving. Thanks be to God for this day; that light has now come out from darkness, that all things are now promising a future of peace and quietness to our distracted State. Grant that this voice may go over the whole land until the Ordinance of Emancipation is made perfect throughout the States. We ask it through the name of our dear Lord and Redeemer. Amen.

Mr. Budd offered the following resolution:

Resolved, That a copy of the ordinance passed by this Convention, freeing all persons in the State heretofore held as slaves, signed by the President and attested by the Secretary as a true copy, be, and the same shall be placed in the hands of a special messenger to transmit to the Governor of the State at Jefferson City; and when received by him, he is requested to issue his proclamation, stating that by an irrevocable act of the Convention, slavery is abolished in the State of Missouri now and forever.

The resolution was adopted, and the Convention adjourned.

The news of the passage of the ordinance was immediately sent by telegraph to Jefferson City, where the Legislature was in session, and a scene of great rejoicing ensued. Several spontaneous gatherings of the people were held, "at which the wildest enthusiasm prevailed. At one of the meetings speeches were made by State senators, the chaplain of the

House, and Congressmen elect, and the report says:

Mr. Bonner, of St. Louis, offered the following resolution, which was adopted:

Resolved, That Col. Jameson, of St. Louis, Mr. Kutzner, of Hannibal, and Mr. Doan, of Grundy, be invited up in front of the speaker's stand and sing "John Brown."

The song was sung amid immense applause.

The Lieut.-Governor offered the following resolution, which was adopted:

Resolved, That a committee of seven be appointed by the chair to draft joint resolutions suitable to the importance of the occasion, and that the same be submitted to the General Assembly for its action.

The chairman appointed the committee.

Pending the proceedings of the meeting, which was held at night, every window of the Capitol was illuminated, and the very hills of Jefferson were made to lift up their heads and rejoice.

On the next day a message was received by the Convention from the Governor and Legislature of Illinois, expressing their congratulations on the passage of the ordinance. Afterwards a motion was made in the Convention to pay the loyal owners for their slaves. It was laid on the table—ayes, 44; noes, 4.

A motion was also made to submit the ordinances of the Convention to the people. After some discussion it was laid on the table—ayes, 44; noes, 9.

The number of slaves in Missouri, according to the census of 1860, was 114,931.

Measures were introduced before the Legislature to provide for the welfare of the emancipated blacks. These measures, and also the further proceedings of the State Convention, form a portion of the history of 1865, and will be found in a subsequent volume.

At the close of the year Maj.-Gen. Pope was ordered to relieve Gen. Rosecrans in command of the military department.

MOCQUARD, JEAN FRANÇOIS CONSTANT, a French man of letters, and private secretary to Napoleon III., Emperor of the French, born in Bordeaux in 1791, died in Paris, Dec. 9, 1864. He was educated at Paris, and obtained the place of bursar in the college of Louis le Grand, then known by the name of Prylanée. On quitting college he entered the school of law, was called to the bar in 1817, and joined the Liberal party in its opposition to the Government of the Restoration. He was employed as counsel in some of the political trials of the period, and particularly in that of the military conspiracy, in which the four sergeants of Rochelle were implicated, and for which they suffered death. He ceased to practise as a lawyer in 1826, and devoted himself to literary pursuits. It was probably during this period that he prepared his translation of Tacitus, and some other works of less importance. The career and misfortunes of Hortense Beauharnais, the beautiful, though not always discreet queen of Louis Bonaparte, ex-King of Holland, seem to have fascinated the young advocate, and he became a warm adherent to the fortunes of the Bonapartes. In the attempt of Louis Napoleon to incite a revolution at Stras-

burg in 1836, Mocquard was one of his party, and rendered him essential service. In 1840 he started *Le Commerce*, a paper devoted to the interests of the Bonaparte family, and in every way sought to propagate the doctrine of Louis Napoleon. Naturally he was one of the most active opponents of Louis Philippe and the Orleans dynasty in 1848, and aided powerfully in the election of Louis Napoleon as President of the French Republic, and in the *coup d'état* of Dec. 1852, was the confidant, if not the prompter, and certainly the most trusted adviser of his imperial master. He had been his private secretary from the time of his election to the Presidency. From 1852 to his death, he was ever the confidential friend and mouth-piece of Napoleon III. The decrees, proclamations, and manifestoes of the emperor owed their final form to him, and often not a little of their character. If Napoleon wished to feel the pulse of Europe on any great question, like that of the Italian War, the Polish Insurrection, or the European Congress, Mocquard presently put forth a tentative pamphlet on the subject, not always avowing the emperor's determinations, but stating the arguments which would justify a given course of action. With all these duties, he still found time for literary labor in the region of imagination and fancy. He wrote several historic dramas for the stage, between 1857 and 1862, all of which had a remarkable popularity. The most celebrated of them were "*Tireuse de Cartes*," 1859; "*Massacres de Syrie*," 1860; "*Prise de Peking*," 1861. He also published in the "*Revue Européenne*," and afterwards in book form, a novel entitled "*Jessie*," of great merit, and which was very successful.

MORRIS, GEORGE P., an American poet and journalist, born in Philadelphia, October 10th, 1802, died in New York, July 6th, 1864. He commenced his literary career in New York, where, at 15 years of age, he wrote verses for several of the newspapers. In 1823 he associated himself with Samuel Woodworth in the publication of the "New York Mirror," a weekly journal of great merit, which, after a successful career of 19 years, succumbed in 1842 to the commercial disasters of the times. It was the first periodical of its kind which relied in any considerable degree upon native talent, and through its columns Bryant, Hoffman, Paulding, Leggett, Halleck, Fay, Willis, and other authors, gave to the world some of their most characteristic productions. In 1843 Mr. Morris started the "New Mirror," which did not live beyond its third volume; and in 1844 he established in New York the "Evening Mirror," in which he was assisted by Mr. N. P. Willis. This was succeeded in 1845 by the "National Press," the title of which in 1846 was changed to the well-known one of the "Home Journal." In conjunction with Mr. Willis he edited this paper until a short time previous to his death, when, on account of failing health, he desisted from literary labors and retired. As a journalist he

was sprightly and entertaining, though of late years his contributions in that capacity were few. As a poet, however, and more particularly as a song-writer, Mr. Morris acquired his chief reputation; and many of his lyrical efforts have had a prodigious popularity. The familiar lines "Woodman spare that Tree" have circulated, it is said, by millions of copies, and are enjoyed wherever the English language is spoken. Others, as "We were Boys Together," "Land-Ho!" "Long Time Ago," "My Mother's Bible," and "Whip-Poor-Will," were universal favorites in the concert room while it was still fashionable to sing English songs, and are identified with pleasing melodies written for them by Stephenson, Bishop, Balfe, and other English composers. His remaining writings comprise "The Deserted Bride and other Poems," a Revolutionary drama entitled "Briercliff," and a variety of miscellanies in prose and verse. The last complete edition of his poems appeared in 1860. He also edited a volume of "American Melodies," containing songs by upwards of 250 native authors, and, in conjunction with Willis, the "Prose and Poetry of Europe and America." He resided for many years at Undercliff, a beautifully situated country seat among the Hudson River Highlands, and was customarily addressed as General Morris, deriving the title from his commission of brigadier-general in the New York State Militia.

MORTON, MARCUS, an American statesman and jurist, born in Freetown, Mass., February 19th, 1784, died in Taunton, Mass., February 6th, 1864. He was graduated at Brown University with high honors in 1804, and after pursuing his legal studies at the law-school in Litchfield, Conn., where John C. Calhoun was his fellow-student, commenced practice in Taunton in 1807. He soon became a prominent leader of the Democratic party in Massachusetts, and from 1817 to 1821 represented his district in Congress, where he cast his vote against the Missouri Compromise bill. He was Lieutenant-Governor of Massachusetts in 1824-'25, discharging for a part of the time the duties of Acting Governor, and in the latter year was appointed by Gov. Lincoln a Justice of the Supreme Court. In this position he won very high distinction for sagacity and juridical learning, his reputation being in nowise affected by the fact that during the fifteen years he occupied a seat upon the bench he continued to be annually nominated candidate for Governor by the Democratic party, then in a hopeless minority in the State. In 1839, after an animated canvass, he was elected Governor by a majority of one in the popular vote over Edward Everett, and filled the office until January, 1841. At the annual election in November, 1842, there was no choice by the people, and he was elected Governor by the Legislature, holding office until January 1844. In 1845 he was appointed collector of the port of Boston, but resigned that position upon participating in 1848 in the Free Soil movement which nominated Van Buren for Pres-

ident in opposition to the regular Democratic candidate. He remained true to his anti-slavery predilections until his death, advocating the restriction of slavery to its existing limits, and deprecating any tendency of the Democratic party toward the support of that institution. Upon the breaking out of the rebellion of the Southern States he gave his whole influence in support of the Government and Administration. Gov. Morton held various other offices of trust and honor besides those enumerated, and died universally respected and esteemed.

MULLIGAN, COL. JAMES A., an officer of U. S. volunteers, born at Utica, N. Y., June 25, 1830; died July 26, 1864, from wounds received at the battle of Winchester, Va. He was of Irish descent, his parents having emigrated to this country a few years previous to his birth. In the autumn of 1836 his parents removed to Chicago, and after a few years' residence placed him in the University of St. Mary's of the Lake. He graduated in 1850, being the first graduate from the university, and in the same year commenced the study of the law. In 1851 he accompanied John Lloyd Stephens, the American author, on his expedition to the Isthmus of Panama. After remaining at Panama about a year, the deceased returned to Chicago, and in 1855 he was admitted to the bar, and immediately commenced practice in that city. During the winter of 1857 he was appointed to a clerkship in the office of the Interior at Washington. When the war broke out he obtained the requisite authority, and in a few weeks raised a fine regiment of Irishmen,

the 23d Illinois infantry, afterwards known as "Mulligan's Brigade," was made colonel, and in July, 1861, left for the front. During the first month or two of service the regiment was actively engaged in Virginia and Missouri until September, when it was ordered to the defence of Lexington. For nine days Col. Mulligan held the town against heavy odds, praying for reinforcements; but reinforcements came not; Lexington fell into the hands of the rebels, and Col. Mulligan and his command were also captured. He was exchanged on the 25th of Nov., and returned to Chicago as the hero of Lexington. On his return he reorganized his regiment. In January, 1862, he was ordered with his regiment to proceed to New Creek, Va., and hold that post. From that date till the time of his reënlistment (in June, 1864), Col. Mulligan participated in several hard-fought battles.

In the battle of Winchester during a charge on the rebel lines he was mortally wounded; a squad of his men seeing him fall, attempted to carry him off the field, but seeing that the colors of his brigade were endangered, he turned to his bearers and exclaimed, "Lay me down and save the flag," repeating the order upon their hesitation. They obeyed him, and ere their return, he was borne off by the enemy, and soon after died in their hands. Col. Mulligan was at one time offered a commission of brigadier-general, but declined, preferring to remain with his old regiment. He was a peculiarly gifted writer, strictly temperate in all his habits, and an earnest, devoted Catholic.

N

NAVY, CONFEDERATE. Under this title is embraced all the classes of armed vessels fitted out at the expense of the Government at Richmond. These consisted of rams for sea service, others for harbor service, cruisers, and gunboats.

The rams built in England for sea service, and which excited much anxiety near the close of the previous year, under a conviction that they were intended for the Confederates, were detained and bought by the English Government. None of this class of vessels were therefore built in English ports and suffered to enter the service of the Richmond Government. The efforts of the Confederates in England, however, called forth the following protest and remonstrance from the Government:

HER BRITISH MAJESTY'S LEGATION, }
WASHINGTON, D. C., April 1, 1864. }

Mr. Jefferson Davis, &c., &c., Richmond, Va.

SIR: I have been instructed by Earl Russell, her Britannic Majesty's Secretary of State for Foreign Affairs, to convey to you the following extract of a despatch which has been forwarded to me by his Lordship. I have chosen the method which appeared to me the only available one, under the present unhappy circumstances in which the country is involved,

and I trust that the absence of all recognized or consular residents or other agents of her Majesty near Richmond, will be recognized as a sufficient reason for its not being sent through usual channels. I need scarcely say that the bearer of this despatch, whom you have consented to allow to visit Richmond, has been authorized by the Government of the United States to pass into your lines on the flag-of-truce boat for the purpose of delivering it, and will desire your permission to return for Washington by the same mode of conveyance.

I have the honor to be, with high respect, your obedient, humble servant,
LYONS.

[COPY.]

You will also convey to Mr. Davis, at Richmond, through such channels as shall be available, and as you may in your discretion deem proper, the formal protest and remonstrance of her Majesty's Government against the efforts of the authorities of the so-called Confederate States to build war vessels within her Majesty's dominions to be employed against the Government of the United States. Perhaps your Lordship might best accomplish this object by obtaining permission from the authorities of both belligerents to send a special messenger to Richmond with the necessary despatch, in which you will transmit this paragraph, or the substance of it, together with all that follows, to the close of this communication.

Her Majesty's Government, in taking this course,

desires Mr. Davis to rest assured that it is adopted entirely in that spirit of neutrality which has been declared the policy of this country with regard to the two belligerents now so lamentably desolating America, and which will continue to be pursued, with a careful and earnest desire to make it conducive to the most rigid impartiality and justice.

After consulting with the law officers of the Crown her Majesty's Government have come to the decision that agents of the authorities of the so-called Confederate States have been engaged in building vessels which would be at least partially equipped for war purposes on leaving the ports of this country; that these war vessels would undoubtedly be used against the United States, a country with which this Government is at peace; that this would be a violation of the neutrality laws of the realm, and that the Government of the United States would have just ground for serious complaint against her Majesty's Government, should they permit such an infraction of the amicable relations now subsisting between the two countries.

Her Majesty's Government confidently rely on the frankness, courtesy, and discernment which Mr. Davis has displayed in the difficult circumstances in which he has been placed during the past three years, for a recognition of the correctness of the position which her Majesty's Government have taken upon this subject. No matter what might be the difficulty of proving in a court of law that the parties procuring the building of these vessels are agents of the so-called Confederate States, it is universally understood throughout the world that they are so, and her Majesty's Government are satisfied that Mr. Davis would not deny that they are so. Constructed as "rams," as these vessels are, they would certainly be in a condition on leaving port to inflict the most serious damage on vessels belonging to the United States, as was shown by the destruction of the Cumberland, United States sloop-of-war, by the "ram" Merrimac, merely by the latter being run into collision with the Cumberland.

Such vessels are to all intents and purposes equipped as war vessels of a certain power, although they be without a gun or any ammunition on board; nor can the frequent use of the word "equip" in the sense of "to furnish with every thing necessary for a voyage," be held for a moment to limit its significance to the furnishing of a war vessel with every thing which it might be possible to put upon her, or the ultimately putting of which on her might be contemplated. Such a construction cannot be entertained for an instant. It is clear that a hundred and twenty gun ship might be equipped for war purposes with any fraction of her armament on board, although she might not be so powerful or so efficient as she would be if she had the whole of it. A ram would be also equipped for war purposes, although the absence of her ordnance and ammunition might render her less effective than she would be with them. This, it is presumed by her Majesty's Government, will be conceded by Mr. Davis without further argument or illustration in support of it.

This much being established to the perfect conviction of her Majesty's Government and the law officers of the Crown, and admitted, as they are convinced it must be, by Mr. Davis, and by every other person of sound and impartial judgment, there is not the slightest room to doubt that it is purposed to use the vessels in question against the United States, a country with which this nation is at peace and on terms of amity, and that the permitting them to leave the ports of her Majesty's dominions would be a violation of the neutrality laws of the kingdom, and such an injurious act toward the United States as would justify the Government of that country in seriously complaining of it as unfriendly and offensive in the highest degree, even to the imminent peril of rupturing the peaceful relations now existing between the two countries.

Under these circumstances her Majesty's Government protest and remonstrate against any further efforts being made on the part of the so-called Confederate States, or the authorities or agents thereof, to build or cause to be built, or to purchase or cause to be purchased, any such vessels as those styled rams, or any other vessels to be used for war purposes against the United States, or against any country with which the United Kingdom is at peace and on terms of amity; and her Majesty's Government further protest and remonstrate against all acts in violation of the neutrality laws of the realm.

I have the honor to be, your Lordship's obedient servant,
RUSSELL.

To this despatch a reply was made on April 6th to Lord Lyons, by the Private Secretary of Mr. Davis, in which the informality of the mode of communication was waived, but a protest was made at the use of the term "so-called" Confederate States; the plea of neutrality is regarded as a cover for hostility. He says:

Were, indeed, her Majesty's Government sincere in a desire and determination to maintain neutrality, the President could not but feel that they would neither be just nor gallant to allow the subjugation of a nation like the Confederate States by such a barbarous, despotic race as are now attempting it.

And concludes as follows:

As for the specious arguments on the subject of the rams, advanced by Earl Russell, the President desires me to state that he is content to leave the world and history to pronounce judgment upon this attempt to heap injury upon insult, by declaring that her Majesty's Government and law officers are satisfied of the questions involved, while those questions are still before the highest legal tribunal of the kingdom, composed of members of the Government and the highest law officers of the Crown, for their decision. The President himself will not condescend to notice them.

I have the honor to be your Lordship's obedient, humble servant,

BURTON N. HARRISON, Private Sec'y.

During the hostilities in which Denmark was involved, a ram was built in a port of France for that Government. On the return of peace this ram was transferred to agents of the Government at Richmond, and placed under the command of Capt. T. J. Page, formerly of the U. S. Navy, and called the Stonewall. She made for the port of Ferrol, in Spain, and was there blockaded by the U. S. frigates Niagara and Sacramento.

The cruisers were more numerous and exceedingly destructive. Previous to January 30, 1864, the number of merchant vessels of the United States destroyed by them was 193; tonnage, 89,704; value of vessels at \$50 per ton, \$4,485,200; value of cargo at \$100 per ton, \$8,970,400. Total, \$13,455,600. The number captured by the different vessels and by the enemy up to the above date, was as follows:

By steamer	Sumter....	27	By privateer	Calhoun...	3
"	"		"	Savannah..	1
"	"		"	Lapwing...	1
"	"		"	St. Nicholas	3
" privateer	Tacony....	16	"	Echo.....	2
" steamer	Georgia....	10	"	Conrad....	1
" privateer	Jeff. Davis.	7	"	Coquette...	1
"	Retribution	2			
"	Sallie.....	1			
" steamer	Winslow..	5			
"	Nashville..	2			
					164

The other merchant vessels (twenty-nine) were captured in Southern harbors and rivers. Of the vessels captured by the cruisers, seventeen were bonded, and all the others burned.

During 1864 a few captures were made by the Alabama before she was sunk by the Kearsarge. (*See NAVAL OPERATIONS.*) The Florida, Captain Morris, appeared off the coast of Virginia in July and captured six vessels, and destroyed afterwards a number, and was finally captured in the harbor of Bahia by a U. S. steamer. (*See DIPLOMATIC CORRESPONDENCE.*)

Three more cruisers also made their appearance during 1864, viz.: the Tallahassee, Olustee, and Chickamauga. The steamer Tallahassee in August visited the entire length of the coast of the Northern States, and destroyed thirty-three vessels in ten days, one of which was a New York pilot-boat. The steamer Olustee was an iron vessel of 1,100 tons burthen, schooner rigged, with two screws and very fast. Several vessels were captured by her off the coast and bound to New York in the month of November. The steamer Chickamauga also captured several vessels, which were valued at \$500,000.

The most important rams for harbor service were the Tennessee and Albemarle. For the details respecting these and also the Confederate gunboats, *see NAVAL OPERATIONS.*

On September 29th the steamer Roanoke, a passenger and freight vessel running between New York and Havana, was captured by Lieutenant Braine and some companions, who had come on board as passengers as the vessel was leaving Havana in the afternoon. The officers and crew were overpowered, made prisoners, and the vessel headed for Bermuda, where a pilot was called on board. Braine went ashore and brought on board a party, and the vessel put to sea, soon overhauling a brig with coal and provisions.

These were taken aboard, and on the next day a vessel was sent to take off the passengers. The transfer was made together with a quantity of cotton, and the steamer set on fire. The passengers and crew were taken into Five Fathom Hole, and the purser and first mate went ashore to have the Confederates as pirates arrested, which was done, but after a trial by the British authorities they were discharged. The Roanoke had on board \$17,000 in greenbacks, and \$4,000 in gold.

A correspondence relative to this affair ensued between the Governor of Bermuda and the Home Government, and with Mr. Adams, the American Minister at London. The reasons on which Lieutenant Braine was discharged are stated in the following letter of Earl Russell to Mr. Adams:

FOREIGN OFFICE, January 21.

SIR: I have had the honor to receive your letter of the 21st ult. protesting against the proceedings of her Majesty's colonial authorities at Bermuda in the case of the steamer Roanoke, and enclosing copies of various documents relating thereto.

These papers refer to two different complaints.

The one complaint is, that persons were enlisted at Bermuda with a view to make war on a State in amity with her Majesty. The other complaint is, that certain passengers proceeding from Havana in the United States vessel Roanoke, when five hours from Havana on their voyage, rose on the captain, made themselves masters of the vessel, destroyed her, and were afterwards permitted to land on the island of Bermuda. The answer to the first complaint is, that sufficient evidence to convict the persons accused was not produced, and consequently they could not be convicted. The answer to the second complaint is, that the person arrested for a supposed piratical act produced a commission authorizing that act as an operation of war, from the Government of the so-called Confederate States, which are acknowledged by her Majesty's Government to possess all belligerent rights.

(Signed,)

I am, &c.,

RUSSELL

NAVY, UNITED STATES. Of all the systems adopted by the Navy Department to accomplish the various and arduous objects rendered necessary by the outbreak of the war, not the least interesting is the manner in which an effective blockade of the Southern coast was secured. The length of coast to be blockaded was three thousand five hundred and forty-nine (3,549) miles. This is a greater extent than the whole coast of Europe from Cape Trafalgar to Cape North. The most serious attempts heretofore made by the great maritime powers of Europe consisted in endeavors to interdict trade at a few of the principal ports of a belligerent. The first steps of the department consisted in making every naval vessel available, recalling the foreign squadrons, increasing the force by building new vessels, and procuring for naval purposes from the merchant service every steamer which could be made a fighting vessel, and in enlarging the capacity of the navy yards, putting in requisition the foundries and workshops of the country for supplies of ordnance and steam machinery, augmenting the number of seamen, and supplying the deficiency of officers by selecting experienced and able shipmasters and others from the commercial marine. The next efforts of the department were directed toward securing several harbors, at comparatively equidistant points, as bases of operations for the several squadrons, where our naval vessels could receive their supplies, and maintain themselves at their stations and on their cruising ground without returning to northern ports for repairs and to refit. For this purpose various naval expeditions were organized. The first sailed from Hampton Roads in August, 1861, and captured the forts at Hatteras Inlet. This was followed, a few weeks later, by the capture of Port Royal, which secured a commodious harbor for the ships of the South Atlantic squadron. Early in the spring of 1862 New Orleans was captured. Other harbors and places were from time to time seized and occupied. From the outset, the blockade has been so effective as to be respected by the nations of Europe, and to cause a constant complaint by the enemy of its exhausting severity. Wilmington was the last

port captured, and here blockade running was more successful than at any other. For various causes Cape Fear River is more difficult to blockade than any port on the coast of the United States. The two main entrances are forty miles apart, and these two are subdivided into several others, each of which affords an entrance to vessels. The water shoals gradually and regularly to the shore-line, and numerous isolated batteries are erected along the coast; so that a blockade runner of light draft is not under the necessity of making directly for the entrance, but can, by the lead, run close under the land protected by the batteries, and pass in over the bar at leisure. When coming out a steamer will select her own time, thus securing every advantage; and she can pass either up or down the coast before making an offing, or she may proceed straight out to sea, trusting for her escape to the night and favoring darkness and mists, and the fact that she is under full speed, whilst the steamers blockading must have low steam. Almost every vessel employed in violating the blockade was constructed in England with great skill, regardless of cost and with sole reference to this object. They derived great advantages by having depots of supplies at Halifax, Bermuda, and Nassau.

At Wilmington alone, however, sixty-five steamers, the aggregate value of which, with their cargoes, scarcely falls short of thirteen millions of dollars, were captured or destroyed in endeavoring to enter or escape.

On the interior rivers of the country the department also early commenced to put afloat a large fleet. It comprised more than one hundred vessels. They were to a great extent boats that had been employed in the carrying trade, but which were purchased, strengthened, and fitted for war purposes. They were necessarily inferior to naval built vessels in strength, lightly armed, and more liable to disaster. To insure a systematic and vigorous execution of the duties devolving upon this squadron, the waters traversed by it were divided into ten naval districts, each under the command of an experienced naval officer. The vessels in each district had their appropriate field of duty, but at the same time they were held ready to support each other when occasion required, and could be readily concentrated upon any emergency. The principal rivers thus traversed were the Mississippi, lower Ohio, Cumberland, and Tennessee. The effect of their operations on the Mississippi has been to break up the combinations of the enemy, and sever their organizations. On the other rivers, peaceful citizens have been protected and partisan bands dispersed.

The tabular statement on p. 560 exhibits the number and description of vessels that have been constructed, or put in the course of construction, for the navy since the institution of active measures for the suppression of the rebellion. Some of them have been built by

contract; others by the Government, in the several navy yards. If there is added to the number those constructed under similar circumstances, and within the same period, that have been lost by shipwreck, in battle, &c., viz.: the sloops Housatonic and Adirondack, and the iron-clads Monitor, Weehawken, Keokuk, Indianola, and Tecumseh, the aggregate would be 210 vessels, 1,675 guns, and 256,755 tons.

Picket-boats, and small craft built for especial purposes, are not embraced in this statement.

Various classes of vessels have been constructed to meet the peculiar exigencies of the service. A class of small heavily-armed propellers was needed at the outset, and twenty-three were constructed as gunboats, after the type of the Unadilla, Penola, and Wissahickon. They maintained a good reputation to the close of the war. They were well adapted for guarding the coast. A larger description was needed for ocean service, and four vessels of the class of the Ossipee, mounting each two guns of eleven inch, were built. There were also four vessels of slightly less tonnage constructed, carrying the same armament of which the Kearsarge is a type. The Shenandoah is a type of six vessels mounting each three eleven-inch guns, all of which sustain a high reputation. The heavy guns mentioned constitute the principal armament of the several classes named, but they each have in addition from two to six guns of less calibre. All of these vessels are screw steamers, suitable for sea cruising; but the shallow sounds and bays, the rivers and bayous, often narrow and tortuous, required a different class drawing less water. To turn in these frequently restricted channels is difficult, and sometimes impossible; the necessities of the case, therefore, suggested the principle of a fighting vessel with a double bow and a rudder at each end. Twelve paddle-wheel steamers of this class, of which the Port Royal and Sonoma are types, were constructed. Others of the same class were the Sassacus, distinguished in the attack on the ram in Albemarle Sound, and the Metacomet, conspicuous in Mobile Bay. One of this class was sent round Cape Horn to San Francisco, where she is on duty.

Of the monitor class of vessels only two, the Dictator and Puritan, are proposed for sea-service. Four turreted vessels have been built of wood and cased with iron, thus differing from the original monitors, which are exclusively of iron. One of them, the Monadnock, has performed her trips from Boston to Hampton Roads with entire satisfaction. Her draught of water is twelve feet, and with two independent screws she has a speed of ten knots. Four other similar vessels of a still more formidable and invulnerable character are building. The only other sea-going iron-clad ships besides the two turreted vessels above mentioned, are the New Ironsides and the Dunderberg, a casemate vessel.

COMPARATIVE STATEMENT OF THE NAVY, DECEMBER, 1863 AND 1864.

No. of vessels.	DESCRIPTION.	No. of guns.	No. of tons.
671	Total navy, December, 1864.....	4,610	510,396
588	Total navy, December, 1863.....	4,443	467,967
83	Actual increase for the year.....	167	42,429
26	Total losses by shipwreck, in battle, capture, &c., during the year.....	146	13,084
109	Actual addition to the navy from December, 1863, to December, 1864.....	312	55,513

VESSELS CONSTRUCTED FOR THE NAVY SINCE MARCH 4TH, 1861.

No. of vessels.	DESCRIPTION.	Guns.	Tonnage.
7	Screw sloops, Ammonoosuc class, 17 to 19 guns, 3,213 to 3,713 tons each.....	121	23,637
1	Screw sloop Idaho, 8 guns, and 2,638 tons.....	8	2,638
8	Screw sloops, spar deck, Java class, 25 guns, and 3,177 tons each.....	200	25,416
2	Screw sloops, spar deck, Hassalo class, 55 guns, and 3,365 tons each.....	50	6,730
10	Screw sloops, clippers, single deck, Contocook class, 13 guns, and 2,348 tons each.....	130	23,480
4	Screw sloops, Kearsarge class, 8 to 12 guns, and averaging 1,023 tons each.....	40	4,092
6	Screw sloops, Shenandoah class, 8 to 16 guns, and 1,367 to 1,533 tons each.....	74	8,554
2	Screw sloops, Ossipee class, 10 to 13 guns, and 1,240 guns each.....	23	2,480
8	Screw sloops, Serapis class, 12 guns, and 1,380 tons each.....	96	11,040
4	Screw sloops, Resaca class, 8 guns, and 831 to 900 tons each.....	32	3,462
8	Screw sloops, Nipsic class, 7 to 12 guns, and 593 tons each.....	71	4,744
23	Screw gunboats, Unadilla class, 4 to 7 guns, and 507 tons each.....	123	11,661
9	Screw tugs, Pinta class, 2 guns, and 350 tons each.....	18	3,150
2	Screw tugs, Pilgrim class, 2 guns, and 170 tons each.....	4	840
13	Paddle-wheel steamers, double-enders, Octorara class, 7 to 11 guns, and 730 to 955 tons each.....	93	11,024
26	Paddle-wheel steamers, double-enders, Sassacus class, 10 to 14 guns, and 974 tons each.....	272	25,324
7	Paddle-wheel steamers, of iron, double-enders, Mohongo class, 10 guns, and 1,030 tons each.....	70	7,210
1	Paddle-wheel steamer, of iron, double-ender, Wateree, 12 guns, and 974 tons.....	12	974
141		1,442	175,986
IRON-CLAD VESSELS.			
2	Sea-going casemated vessels, Dunderberg and New Ironsides.....	28	8,576
3	Sea-going turret vessels, Puritan, Dictator, and Roanoke.....	12	9,733
4	Double turret vessels, Kalamazoo class, 4 guns, and 3,200 tons each.....	16	12,800
4	Double turret vessels, Monadnock class, 4 guns, and 1,564 tons each.....	16	6,256
1	Double turret vessel, Onondaga, 4 guns, and 1,250 tons.....	4	1,250
4	Double turret vessels, Winnebago class, 4 guns, and 970 tons each.....	16	3,880
8	Single turret vessels, Canonicus class, 2 guns, and 1,034 tons each.....	16	8,272
9	Single turret vessels, Passaic class, 2 to 4 guns, and 844 tons each.....	21	7,596
20	Single turret vessels, Yazoo class, 1 to 2 guns, and 614 tons each.....	35	12,280
2	Single turret vessels, Sandusky and Marietta, 2 guns each.....	4	953
3	Single turret vessels, Ozark, Neosho, and Osage, 2 to 7 guns each.....	13	1,624
2	Casemated vessels, Tuscumbia and Chillicothe, 5 and 3 guns respectively.....	8	763
62		189	73,988
203	Total.....	1,631	249,974

In its iron-clads the department has experimented by the construction of different classes and sizes, both in wood and iron, propelled by one screw and by two screws working independently of each other. In its most recent constructions of the Miantonomah class, a wooden vessel with Ericsson turrets, a high rate of speed, perfect ventilation, impregnability, and the enormous battery of four 15-inch guns, have been combined in a vessel of 1,564 tons, and drawing only twelve feet of water. These vessels are free from the disadvantage of fouling, which so greatly reduces the speed of iron ones.

In the steam vessels nearly every variety and type of engine, of valve gear, of rate of expansion, of surface condenser, of screw propeller, and of boilers, have been thoroughly tested.

A very extensive series of important experiments has been instituted by the department. Nearly all the kinds of coal of the seaboard States have been the subject of careful experiment, with a view to ascertain their compara-

tive value for naval purposes. Petroleum has also been tested as a substitute for coal in naval steamers. As opinion appears to have settled upon the horizontal and the vertical tubular boilers as the only ones proper for naval service, the department has had one of each kind manufactured for the purpose of accurate experiments, to determine their respective merits. These are now in progress. A commission of nine persons eminent in physical science has been appointed to devise the proper apparatus, and make the necessary experiments therewith, to ascertain by practical results the economy of using steam with different degrees of expansion.

A school for boys has been established on board the old frigate Sabine. It is, with some modifications, a revival of the apprentice system in existence some years ago. Measures have also been taken to carry into effect an act of Congress of 1863-'4, which authorizes the education at the Naval Academy of cadet en-

gineers, to be selected from youths not over eighteen years of age, who shall have been engaged at least two years in the fabrication of steam machinery.

The number of vessels captured by the squadrons during the year ending November 1st, 1864, was 324, as follows: schooners, 105; steamers, 88; sloops, 40; brigs, 3; barks, 3; small boats, 88. The total number of captures since the commencement of the war is 1,379, as follows: schooners, 652; steamers, 267; sloops, 171; brigs, 33; barks, 29; ships, 15; yachts and small boats, 117.

The gross proceeds from the sale of condemned prize property amounts to \$14,396,250; expenses, \$1,237,153. One-half is distributed to the captors and the other goes to the United States Treasury.

The expenses and estimates for the navy during the last fiscal year and during the war have been as follows:

On the 1st of July, 1863, there was an unexpended balance of.....	\$39,101,970 34
The appropriations for the fiscal year ending June 30th, 1864, were.....	76,663,567 36
Total available means.....	\$115,765,537 70
The expenditures during the same time, were.....	85,733,292 77
Leaving a balance at the commencement of the fiscal year 1865.....	30,032,244 93
The appropriations for that year were.....	109,256,814 54
Making the total available resources for the fiscal year ending June 30th, 1865.....	\$139,289,059 47

The estimates submitted for the fiscal year ending June 30th, 1866, were as follows:

Pay of the navy.....	\$23,327,722 50
Construction and repair of steam machinery.....	17,145,000 00
Construction and repair of vessels.....	24,530,000 00
Ordnance and magazines.....	9,187,615 00
Fuel, hemp, and equipment of vessels.....	14,050,000 00
Provisions and clothing.....	13,923,280 75
Navy yards and superintendents.....	4,577,813 00
Navigation and Naval Academy.....	562,626 00
Surgeons' necessities and hospitals.....	315,000 00
Marine corps.....	1,599,087 70
Contingent and miscellaneous.....	2,970,018 33
Total.....	\$112,187,663 28

The expenditures since the 4th of March, 1861, have been as follows:

From 4th of March to close of fiscal year, June 30th, 1861.....	\$6,244,357 63
For fiscal year ending June 30th, 1862.....	42,200,529 06
For fiscal year ending June 30th, 1863.....	63,211,105 27
For fiscal year ending June 30th, 1864.....	85,733,292 77
From July 1st, 1864, to November 1st, 1864..	41,257,976 72
Estimated expenditures from November 1st, 1864, to March 4th, 1865.....	42,000,000 00
Total for four years.....	\$280,647,261 45

This exhibits an average annual expenditure, through four years of expensive war, prosecuted under many and great disadvantages, of \$70,161,813. Could the transactions of the department have been conducted on the true standard of value, that of gold and silver, or of paper convertible into money at the will of the holder, the naval war expenses would scarcely exceed, perhaps not equal, the current

expenses of either of the great maritime powers during the same period. There is also this great difference: Those powers had a navy already constructed and in commission. We have had to create and pay for one, in addition to our annual current war expenses. Were the cost of our vessels deducted from the amount above stated, the expenses of the navy would fall millions below those of other governments.

The number in the naval service is about 6,000 officers and 45,000 men. Two hundred and fifty boys are on the school-ship *Sabine*. The consumption of coal has been about five hundred thousand tons.

The number of casualties during the year was 171 killed and 351 wounded. The number of cases of sickness under treatment was 61,229, of which number 1,048 died; 58,070 were returned to duty or discharged, leaving 2,111 under treatment at the close of the year.

NAVY, U. S., OPERATIONS OF. As in previous years of the war the seacoast and inland waters of the United States were, in 1864, in charge of six different squadrons, viz.: 1. The North Atlantic Squadron, Acting Rear Admiral S. P. Lee, relieved October 12th by Rear Admiral D. D. Porter; 2. The South Atlantic Squadron, Rear Admiral J. A. Dahlgren, temporarily relieved between February and May by Commodore S. C. Rowan; 3. The East Gulf Squadron, Acting Rear Admiral T. Bailey, relieved in October by Acting Rear Admiral O. K. Stribling; 4. The West Gulf Squadron, Rear Admiral Farragut, relieved toward the close of the year by Acting Rear Admiral H. K. Thatcher; 5. The Mississippi Flotilla, Rear Admiral D. D. Porter, relieved November 1st by Acting Rear Admiral S. P. Lee; and 6. The Potomac Flotilla, Commander Foxhall A. Parker. The usual squadron in the Pacific was also maintained during the year, under the command successively of Acting Rear Admirals C. H. Bell and G. F. Pearson; while that in the West India waters was, as an organization, discontinued. A number of vessels were actively employed from time to time in cruising after rebel privateers and in special service; and small squadrons were also maintained in the Mediterranean and the East Indies.

1. *North Atlantic Squadron*.—The operations of this squadron, which in the previous year were almost wholly confined to blockade duties, were sufficiently various and important in 1864 to call forth all the resources at the command of the Naval Department. Besides the blockade of Wilmington, which alone required a fleet double in size and effectiveness to the entire naval force in commission previous to the war, the inland waters of Albemarle and Pamlico Sounds had to be guarded against the formidable iron-clads which the rebels had for a long time been constructing in the Neuse and Roanoke Rivers; operations on an extensive scale, in concert with the army, were conducted in the James River; and in the latter part of the year occurred the terrific bombardment of Fort

Fisher by the most powerful naval armament which ever attacked a fortification. In fact, so multiform were the duties required of this squadron, that in order to ensure their proper fulfilment, it was in the spring divided into four separate squadrons, one of which was stationed in the James River, one in the Sounds of North Carolina, and two off Cape Fear River and the adjacent inlets. Each of these squadrons was placed under an efficient officer, and the general headquarters were established at Beaufort, North Carolina. The almost total closing of Charleston harbor, and the vigilant watch kept over Mobile, caused Wilmington to be the only port east of the Mississippi River accessible to blockade-runners; and so daring, and in many cases so successful, were the latter in evading the Federal cruisers, that complaints were freely uttered against the naval department for permitting the rebels to enter and depart from this port at their pleasure. "Many who have failed to make themselves acquainted," observed Secretary Welles in his annual report, "with the facts connected with the Wilmington blockade, have been free and severe in their censures of the manner in which it has been conducted. The intelligent officers of the naval and merchant service who have labored with untiring zeal and assiduity, and watched with sleepless vigilance through weary months of winter and summer, and in all weathers, stimulated by the hope of benefiting their country and receiving its thanks, as well as by every inducement of fame and pecuniary reward, if successful, do not concur in the opinion that the port of Wilmington can be entirely closed by blockade."

To one familiar, however, with the configuration of the land at the mouth, or rather mouths of the Cape Fear River, through which a vessel must pass in order to reach Wilmington, the injustice of condemning the navy for not more effectually blockading the place will be sufficiently apparent. For about thirty-five miles before reaching the ocean the Cape Fear River flows in a direction nearly due south, and directly in front of its mouth lies Smith's Island, on either side of which are the two principal entrances to the river. The southwest, or main channel, is about two and a half miles in width, has a depth of from ten to fourteen feet over the bar, and is protected by Fort Caswell, a casemated stone work on Oak Island, adjoining the mainland, and by the Light House battery on Smith's Island. The northeast entrance, known as New Inlet, is less than two miles wide, and shallower than the other, and is protected by Fort Fisher, a first-class casemated earthwork near Federal Point on the mainland, and by a series of batteries extending thence about six miles in a northerly direction along the seacoast. Owing to an extensive shoal, called the Frying Pan, extending around the southern and western sides of Smith's Island, the distance by sea between the two entrances is forty miles, while inside the island it is not

above eight. To the natural advantages of the locality, greatly enhanced by the artificial defences, on which the best engineering skill of the Confederacy had been expended since the commencement of the war, must be added the shallowness of the water, which decreases in depth gradually and regularly to the shore line, so that none of the blockade-runners of light draught were under the necessity of making directly for either entrance, but could, by the lead, run close under the land, and protected by the batteries, pass in at their leisure. In escaping from the river such vessels found still less difficulty in eluding the Federal cruisers, as they could pass for some distance up or down the coast before making an offing, or proceed straight out to sea, trusting to darkness, fog, or a full head of steam to make their escape. For running the blockade of this port a peculiar class of steamers, of great speed and light draught, was constructed in England, and the enormous profits arising from a successful voyage, a single trip often paying many times the cost of the vessel, tempted the merchants of that country to embark largely in this illicit commerce. Nassau, Bermuda, and Halifax became their chief places of rendezvous, and from one or the other of these ports there was almost a daily departure for Wilmington.

On the other hand, the Federal cruisers were for the most part too deep a draught to run near the shore, or enter the several lesser channels through which the blockade-runners could pass; still less to approach the numerous shallow inlets extending up and down the coast, into which the latter could take refuge. Such, also, was the nature of the coast, and the liability at some seasons of constant stormy weather, that it was almost impossible to station light-draught blockaders there on permanent duty. These facts will explain why, with fifty cruisers stationed at the two main entrances of the Cape Fear River, some of them the fastest in the service, and officered by men who had not their superiors in any service in intrepidity, energy, and professional skill, blockade-runners were nevertheless enabled to pass in and out with seeming impunity. When it is considered, also, that the latter have always a full head of steam on at the critical moment, and that their adversaries cannot be equally prepared, the chances in favor of the blockade-runners are greatly increased. Thus it happened that the blockade of Wilmington was repeatedly broken, and that the port itself became the central depot of the Confederacy for the reception of supplies from abroad. This result, however, was not accomplished without considerable sacrifice, and the steamers captured or destroyed off the mouth of the Cape Fear River averaged one a week subsequent to the closing of Charleston harbor by the monitor fleet under Admiral Dahlgren.

From an official statement of the results of blockade-running at Wilmington from January, 1863, to December, 1864, published in

the "Manchester Guardian," it appears that the total ventures made by English capitalists and speculators, counting the values of ships and cargoes, amounted to more than sixty-six millions of dollars (£13,241,000). The quantity of cotton exported in twenty-two months (January 1st, 1863, to October 31st, 1864) was 137,937 bales, or 62,860,463 pounds, of which the larger part was Sea Island. The value of the export and import trade in one year (July 1st, 1863, to June 30th, 1864) was \$65,185,000; the rebel government rating exchange at five for one. The total number of vessels which ran the blockade in fifteen months (October 1st, 1863, to December 31st, 1864) was 397. The average amount of capital invested by Englishmen in trading ventures with Wilmington during a period of fifteen months (October 1st, 1863, to December 31st, 1864), is stated in detail as follows:

	Entrances. 203.	Clearances. 194.	Total ventures. 397.
Ships at £15,000 each.....	£3,045,000	£2,910,000	£5,955,000
Cargoes—Inw'd (£12,000)			
Outward (£25,000).....	2,436,000	4,850,000	7,286,000
Total.....	£5,481,000	£7,760,000	£13,241,000

The operations in the Sounds of North Carolina, with the exception of some unimportant reconnoissances and boat expeditions, commenced in April with the engagement between the gunboats Miami and Southfield and the rebel ram Albemarle, at Plymouth, near the mouth of the Roanoke River, of which an account is given under the head of Army Operations. The advantages gained by the Albemarle on this occasion, taken in connection with the reverses sustained at Plymouth by the land forces in garrison there, called for vigorous measures to prevent further disaster, including possibly the overthrow of the Federal naval supremacy in Albemarle Sound. Captain Melancton Smith was accordingly sent to assume command in the Sounds with several vessels of the double-ender class, and was directed to attack the ram at all hazards, and use every means to disable or destroy her. On the afternoon of the 5th of May, the Federal fleet being collected near the mouth of the Roanoke River, the Albemarle came out, followed by the Bombshell, a small armed tender, and at 4:40 proceeded to engage the gunboats. In accordance with instructions, the larger gunboats manœuvred to get alongside of their antagonist, and fire upon her ports or roof, which were her most vulnerable parts; but, owing to the neglect of the smaller vessels to obey the signals from the flag-ship, and to their rapid and indiscriminate fire, it became impossible for the larger ones to take a desirable position without risk of being riddled by their own friends. The contest was, consequently, for the first half hour of a somewhat desultory character. The gunboats eluded the efforts of the Albemarle to ram them, but their guns seemed to make no perceptible impression upon

her. Soon after 5 o'clock the Sassacus, watching her opportunity, struck the enemy fairly abaft her starboard beam, causing her to careen until the water washed over her deck and casemate. In this position the two vessels remained for about ten minutes, the crew of the Sassacus throwing hand-grenades down the deck-hatch of the Albemarle, and trying in vain to get powder into her smoke-stack. Could another of the gunboats at this juncture have got up on the other side of the ram, she might have been seriously disabled, and perhaps compelled to surrender; but before this could be effected she swung clear of the Sassacus, and in parting sent a 100-pounder rifle shot clean through the starboard boiler of her antagonist, who, enveloped in blinding clouds of steam, was compelled to withdraw for a short time from action. About this time the colors of the Albemarle came down, whether by accident or design is not known; but she nevertheless maintained a general engagement with the gunboats until 7:30 P. M., when she retired up the Roanoke River. With the exception of the Sassacus, the gunboats sustained comparatively little injury, although several of them were struck by the rifle shots of the Albemarle. The latter had her boats knocked to pieces, her smoke-stock riddled, and one of her guns partially disabled, but in other respects seemed in as good condition as upon going into action. Her motive power was entirely uninjured, and the rifled projectiles of the gunboats, even when discharged at short range, rebounded harmlessly from her armored sides. Her tender, the Bombshell, was captured early in the fight.

The action, though without any definite results, reflected no little credit on the bravery and skill of the small Federal squadron, and showed that, with a proper effort, even by the class of vessels engaged, the Albemarle might be compelled to remain within the waters of the Roanoke. She showed herself again on May 24th at the mouth of the river, but retired rapidly up the stream toward Plymouth upon being approached by the gunboats. From reports of refugees and deserters, it also appeared that she suffered considerably in the action of the 5th, both in her outer plating and from the concussion caused by the fire of the gunboats. On the 25th a daring but unsuccessful attempt was made by five volunteers from the gunboat Wyalusing to destroy her by a torpedo, while lying at the wharf at Plymouth.

But though manifesting no disposition to re-assume the offensive, the Albemarle was of sufficient importance to induce the naval department to take measures during the summer for her destruction. Lieut. W. B. Cushing, who had on previous occasions shown equal coolness and daring in conducting hazardous reconnoissances, was selected for the undertaking, and a small steam launch was equipped as a torpedo vessel and put under his charge. On the night of Oct. 27th he started up the Roanoke with a crew of thirteen officers and men who chiefly

volunteered for the service, and passing several miles of the enemy's pickets unobserved, arrived within twenty yards of the Albemarle before being hailed by her lookouts. The torpedo boat was then steered under a full head of steam direct for the ram, which lay at her wharf at Plymouth, protected by a raft of logs extending outwards about thirty feet. Upon the alarm being given by the lookout, a confused fire of musketry was opened by the rebels, which had little effect. "Passing her closely," says Lieut. Cushing, "we made a complete circle, so as to strike her fairly, and went into her bows on. By this time the enemy's fire was very severe, but a dose of canister at short range served to moderate their zeal and disturb their aim. In a moment we had struck the logs, just abreast of the quarter-port, breasting them in some feet, and our bows resting on them. The torpedo boom was then lowered, and by a vigorous pull I succeeded in driving the torpedo under the overhang, and exploded it at the same time the Albemarle's gun was fired. A shot seemed to go crashing through my boat, and a dense mass of water rushed in from the torpedo, filling the launch and completely disabling her. The enemy then continued to fire at fifteen feet range and demanded our surrender, which I twice refused, ordering the men to save themselves, and removing my own coat and shoes. Springing into the river, I swam with others into the middle of the stream, the rebels failing to hit us." Lieut. Cushing succeeded in reaching the opposite shore, and during the next day made his way by stealth through the surrounding swamps to a creek some distance below Plymouth, where he found a skiff belonging to a rebel picket, in which he effected his escape to the fleet. Only one other of his party succeeded in escaping, the rest being either captured, killed, or drowned. The Albemarle was completely submerged by the explosion of the torpedo, and so remained long subsequent to the evacuation of Plymouth by the rebels. This daring feat excited the admiration of the rebel no less than of the Federal authorities, and obtained for Lieut. Cushing the thanks of Congress, and promotion to the next highest grade in the service. The main rebel defence of Plymouth being thus removed, Commander Maccomb, the senior naval officer in the Sounds, availed himself of Lieut. Cushing's success to reestablish the Federal supremacy of the lower Roanoke. With the vessels under his command he immediately pushed up the river to Plymouth, drove the rebels from their rifle-pits and batteries, and on Oct. 31st retook the town, capturing a few prisoners, beside cannon, small arms, and ammunition. Thenceforth during the year the Federal forces held undisturbed possession of the Sounds.

For some time previous to May, 1864, the James River had been left almost exclusively to the enemy, who availed themselves of this circumstance to place torpedoes in the channel and otherwise obstruct its navigation. With

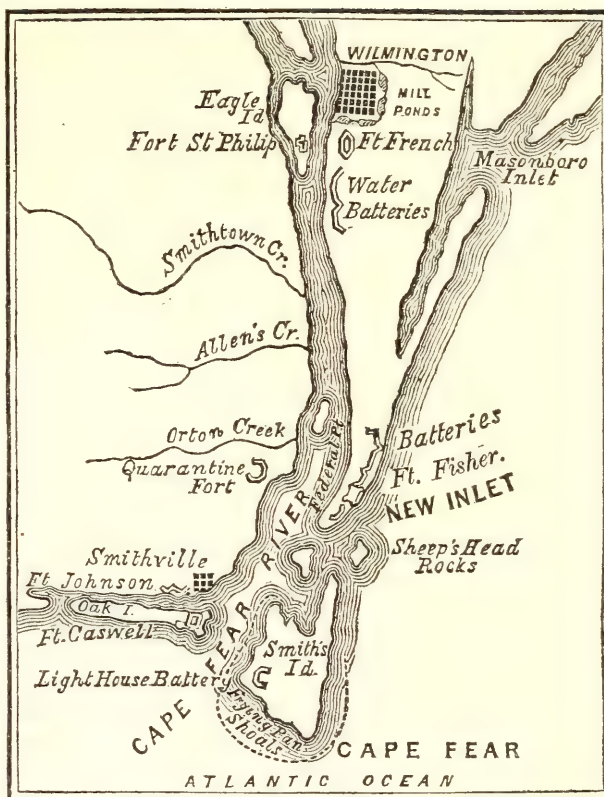
the movement of Gen. Butler's forces up the river on May 5th, for the purpose of coöperating in the grand campaign of Gen. Grant against Richmond, commenced a long series of naval operations, which, though of considerable importance, are so intimately connected with the military campaign in that quarter, as to form a subordinate part of the operations of the army. Hence a very brief outline of what was accomplished by this division of the North Atlantic squadron is all that it is necessary to give here. The land forces were safely convoyed up the river to their landing places at City Point and Bermuda Hundred, with no disaster to the fleet beyond the destruction by torpedoes of two small paddle-wheel gunboats, the Commodore Jones and the Shawsheen. Military operations having commenced near Petersburg, five iron-clads, including the captured vessel Atlanta, were stationed some distance above City Point to watch the rebel iron-clads and rams in the upper James, and if possible engage them in action, while the smaller vessels of the fleet were busily occupied in dragging the river for torpedoes, in assailing moving batteries or bodies of the enemy along the shore, or in minor expeditions. During the attack upon the colored garrison at Wilson's wharf, a portion of the fleet rendered good service in repelling the enemy. In June, much to the disappointment of Admiral Lee, who earnestly desired a brush with the enemy, obstructions were sunk in the channel at Trent's Reach, for the purpose of protecting, from any sudden attack by the rebel fleet, the numerous transports collected at City Point; the security of which was deemed of too great importance to the army to permit their defence to be intrusted to the navy alone. During most of the summer and autumn, the iron-clads had frequent combats with the enemy's vessels and the powerful batteries at Howlett's, the advantages from which, owing to the difficult navigation of the river, could never be pushed to any definite result.

The complex yet comprehensive plan which the Government adopted in the spring of 1864, for the overthrow of the rebel power, provided for the capture of the remaining seaports, through which munitions of war and pecuniary aid were received by the Confederacy. Wilmington, from the facility which it afforded for blockade-running, and its easy communication with Richmond, became early in the summer a prominent object of attack; and to guard against any doubtful issue in such an undertaking, preparations commenced early in the summer to equip a squadron, which, while amply able to overcome all resistance, should also represent the commanding position assumed within three years by the United States among the great naval powers of the world. The naval department had on several previous occasions offered to close the port of Wilmington, with the aid of a coöperating land force; but, in view of the failure at Charleston in 1863,

declined, without such coöperation, to assume the responsibility of reducing the strong forts at the mouth of the Cape Fear River. In previous years the exigencies of the service had prevented the employment of land forces for this specific purpose; now it was determined to furnish troops enough to crown the expedition with success. The stubborn fighting between the Rapidan and the James entailed, however, such serious losses upon Gen. Grant, that all the surplus troops at the disposal of the Government were needed during the summer, to replenish the wasted ranks of the Armies of the Potomac and the James, and for months the contemplated expedition remained unorganized. The naval part of it alone, in consequence of the constantly-increasing number of vessels at the disposal of the naval department, seemed to make progress. As early as August, iron-clads and wooden steamers began to rendezvous at Hampton Roads, until in October a formidable fleet, numbering over fifty war vessels, and including the iron-clad New Ironsides and four monitors, was collected, of which Admiral Porter assumed command.

Long before December the squadron was at its rendezvous in readiness to sail; but it was not until the winter had fairly commenced that the necessary quota of troops could be furnished. The signal successes of Thomas and Sherman having disarmed all apprehensions with respect to the result of military operations in the South and Southwest, and the Armies of the Potomac and the James having been recently largely recruited, the Government early in December issued orders for the troops designated for the service to repair to Hampton Roads. These consisted of Gen. Ames's division of the 24th corps, and of Gen. Paine's colored division of the 25th corps, numbering together 6,500 effective men, both of which belonged to the Army of the James. Gen. Weitzel was designated as commander-in-chief of the military part of the expedition, but Gen. Butler subsequently accompanied it in that capacity, and on the 9th notified Admiral Porter that he was in readiness to move. Owing to stormy weather none of the vessels sailed until the 12th, when the transports and smaller war vessels, about 75 in number, took their departure, followed on the succeeding day by the New Ironsides and the heavy steam frigates.

After careful consideration it was determined that of the two entrances to the Cape Fear River, New Inlet could be the more successfully attacked. The narrow strip of land forming part of the east bank of the Cape Fear River, and terminating in Federal Point, offered, on the whole, better facilities for landing troops than any other part of the coast; and the capture of the works which protected it would not only give to the fleet the command of the river; and thus virtually close the port of Wilmington, but by cutting off Fort Caswell, which commands the other mouth of the river, would render the possession of that



strong work of no further importance to the rebels. For the immediate defence of the inlet the rebels relied chiefly upon Fort Fisher, and a series of batteries, connected by rifle-pits, running thence in a southwest direction along the coast, at an average distance of two hundred yards from the beach, to what was called the "Mound Battery," situated near the extreme end of Federal Point. The fort and its connecting batteries, forming practically a single work, consisted of two fronts: the first, or land front, being four hundred and eighty yards in length and extending nearly across the narrow peninsula, while the sea front has a length of about thirteen hundred yards. The former was intended to resist any attack from troops approaching the fort from the north, and the sea front to prevent vessels from running through New Inlet or landing troops on Federal Point. The following more particular description of both fronts is given by Colonel Comstock, chief engineer of the military part of the expedition: "The land front consists of a half bastion on the left or Cape Fear River side, connected by a curtain with a bastion on the ocean side. The parapet is 25 feet thick, averages 20 feet in height, with traverses rising 10 feet above it and running back on their tops, which are from 8 to 12 feet in thickness, to a distance of from 30 to 40 feet from the interior crest. The traverses on the left half bastion are about 25 feet in length on top. The earth for this heavy parapet and the enormous traverses at their inner ends, more than 30 feet in height, was obtained partly from a shallow exterior ditch, but mainly from the interior of the work. Between each pair of traverses

there was one or two guns. The traverses on the right of this front were only partially completed. A palisade, which is loopholed and has a banquette, runs in front of this face, at a distance of 50 feet in front of the exterior slope, from the Cape Fear River to the ocean, with a position for a gun between the left of the front and the river, and another between the right of the front and the ocean. Through the middle traverse on the curtain is a bomb-proof postern whose exterior opening is covered by a small redan for two field-pieces, to give flank fire along the curtain. The traverses are generally bomb-proofed for men or magazines. The slopes of the work appear to have been revetted with marsh sod or covered with grass, and have an inclination of 45 degrees or a little less. * * * There were originally on this front 21 guns and 3 mortars. * * * The sea front consists of a series of batteries, mounting in all 24 guns, the different batteries being connected by a strong infantry parapet so as to form a continuous line. The same system of heavy traverses for the protection of the guns is used as on the land front, and these traverses are also generally bomb-proofed." There was also a rebel battery, commanding the channel, on Zecke's Island, two miles southeast of Fort Fisher, and several miles north of the latter were the Flag Pond Hill and Half Moon batteries, serving as outworks to it.

On December 15th the transports arrived off New Inlet, where, on the 18th and 19th, they were joined by the iron-clads, which, being obliged to put into Beaufort, N. C., for coal and ammunition, could not reach the rendezvous sooner. The heavy-armed frigates, on account of their slow sailing, arrived also a day or two after the transports. Scarcely was the whole fleet assembled than the weather, which had previously been fair, became threatening, and on the 19th the sea was too rough to admit of landing troops. On the 20th a gale set in from the northeast, and the transports, being now deficient in coal and water, and liable to disaster if they should attempt to remain at their anchorage, were directed to make for Beaufort. The war vessels rode out the gale, which lasted three days, in safety, the monitors acting unexpectedly well; and on the 23d, the wind having veered round to the west, Admiral Porter determined to improve what he considered a favorable opportunity, by commencing operations on his own account without waiting for the return of the transports. An important agent in the destruction or reduction of Fort Fisher was a vessel filled with powder, which it was designed to run ashore as near as possible to the fort and explode. The idea originated with General Butler, and was suggested by the accidental explosion at Erith, on the Thames, in England, on October 1st, of two barges and two adjoining magazines loaded with barrels of powder, by which eight or nine lives were lost, and much surrounding property was destroyed. It was supposed that a similar

explosion of a vast mass of powder near the fort, the fleet meanwhile keeping at a respectful distance, would cause its walls to fall down, or some other serious disaster to occur, of which the attacking party might take advantage. The vessel selected for the purpose was the small gunboat *Louisiana*, purchased for operations on the North Carolina Sounds, and which, with a view of deceiving the rebels as to her true character, was disguised for the occasion as a blockade runner. She was then stored with two hundred and fifteen tons of powder, arranged as follows: Upon the berth deck was stowed a tier of barrels of powder with their heads taken out; over this sixty-pound bags of powder were piled in layers up to the top of the deck, and a house was constructed on the after deck, filled in the same manner. All were connected together by Gomez fuses, penetrating the mass, and uniting it at many points, every precaution being taken to insure, if possible, the instantaneous ignition of the whole mass. A simple method of firing these fuses by clock-work, timed as desired, was provided, three being provided in case one should fail. As a further precaution, in case the clock fuses should miscarry, the ends of the fuses were united at another point, and brought beneath a perforated framework of wood, in which were set lighted tapers, the lower end of the wicks penetrating the quick of the fuses. Five of these tapers were provided to insure success if other means failed; and, as a last precaution, it was arranged to fire the ship at a point remote from the powder at the moment of leaving it.

The vessel thus equipped was put in charge of Commander A. C. Rhind, who had associated with him Lieutenant G. W. Preston, Second Assistant Engineer Mullen, Acting Master's Mate Boyden, and seven men. The weather seeming auspicious for the enterprise on the 23d, Commander Rhind was directed, under cover of the darkness, to run his vessel aground directly opposite the fort, and proceed to explode her. Mr. Bradford, of the coast survey, had, the night previous, ascertained that a vessel of seven feet draught could be placed on the edge of the beach. The result of the undertaking is thus described by Admiral Porter:

At half-past ten P. M. the powder vessel started in toward the bar, and was towed by the *Wilderness* until the embrasures of Fort Fisher were plainly in sight. The *Wilderness* then cast off, and the *Louisiana* proceeded under steam until within two hundred yards of the beach, and about four hundred from the fort. Commander Rhind anchored her securely there, and coolly went to work to make all his arrangements to blow her up. This he was enabled to do, owing to a blockade-runner going in right ahead of him, the forts making the blockade-runner signals, which they also did to the *Louisiana*. The gallant party, after coolly making all their arrangements for the explosion, left the vessel, the last thing they did being to set her on fire under the cabin. Then taking to their boats, they made their escape off to the *Wilderness*, lying close by. The *Wilderness* then put off shore with good speed, to avoid any ill effects that might happen from the explosion. At forty-five minutes past one on the morning of the 24th the ex-

plosion took place, and the shock was nothing like so severe as was expected. It shook the vessel some, and broke one or two glasses, but nothing more.

To those watching the explosion from the fleet at several miles distance from the shore, it seemed scarcely louder than the discharge of a battery of light artillery; but at Newbern it was distinctly heard, and was supposed to be an earthquake. Not the slightest damage, so far as could be ascertained, was inflicted upon the fort, whose immensely thick walls of sand could probably have withstood the explosion of a dozen or more powder-ships.

Although the explosion had proved a failure and the transports were not yet in sight, Admiral Porter determined to proceed at once with the attack, hoping to damage the fort to such a degree that the troops, upon their arrival, would find comparatively little difficulty in carrying it by storm. Accordingly, at daylight of the 24th, the fleet stood in, in line of battle, toward the shore, and shortly before noon took up the positions previously assigned to them by the Admiral. The first line comprised the iron-clads, Ironsides, Monadnock, Canonicus, and Mahopac, which were anchored in line, about a length apart, at a distance of three-quarters of a mile from the fort, each having in its rear, within easy supporting distance, a gunboat to serve as a tender. A quarter of a mile behind the iron-clads was a line of heavy frigates, comprising the Minnesota, Colorado, Wabash, and vessels of similar calibre; and behind these another line, each vessel of which was anchored intermediate between those of the first line. Another division, consisting chiefly of gunboats, took position to the south and southeast of the forts, and to the left of the frigates, and still another was posted to the northward and eastward of the iron-clads, for the purpose of enfilading the works. The attacking squadron numbered thirty-three vessels of all kinds, mounting upward of four hundred guns, and was supported by a reserve of seventeen small gunboats with about one hundred guns.

Shortly before one o'clock the Ironsides opened upon the fort, followed by the monitors, and within half an hour afterwards the Minnesota, holding the left of the second line, succeeded in obtaining the range. The rebels kept up an active fire while the squadron was getting into position, but the terrific broadsides of the Ironsides almost immediately silenced all their guns on the northeast face of the fort; and by the time the last of the large vessels anchored and got its batteries into play, but one or two guns were discharged from any part of the fort, the incessant and tremendous fire of the fleet, surpassing any thing previously known in naval warfare, having driven the gunners within the shelter of their bomb-proofs. "In one hour and fifteen minutes after the first shot was fired," says Admiral Porter, "not a shot came from the fort. Two magazines had been blown up by our shells, and the fort set on fire in several places, and such a torrent of missiles

were falling into and bursting over it, that it was impossible for any human being to stand it. Finding that the batteries were silenced completely, I directed the ships to keep up a moderate fire, in hopes of attracting the attention of the transports and bringing them in." In the latter part of the afternoon Gen. Butler arrived with a portion of his transports, and the fleet was signalled to retire for the night for safe anchorage. During the four or five hours that the engagement lasted, only one vessel, the gunboat Yantic, left the line to report damages, although several others were struck once or twice. The most serious disasters to the fleet were caused by the bursting of some of its own guns. Accidents of this kind occurred on the Ticonderoga, Yantic, Juniata, Mackinaw, Quaker City, and Susquehanna, resulting in the killing and wounding of between forty and fifty officers and men. The pieces which exploded were 100-pounder Parrott guns, and the effect was to cause a great distrust in this species of ordnance, as unfit for service, and, to use the language of Admiral Porter, "calculated to kill more of our own men than those of the enemy."

On the 25th the remaining transports arrived, and, in accordance with plans matured between the naval and military commanders on the previous evening, another attack upon the fort by the fleet was determined on, in coöperation with an assault by the troops upon the land face. Under cover of a detachment of gunboats, the disembarkation of the troops commenced, shortly after noon, on the beach about three miles above the fort. A portion of Curtis's brigade of Ames's division landed first, and pushed forward to reconnoitre the immediate approaches to the fort, the fleet meanwhile keeping up a slow and deliberate fire of just sufficient force to occupy the enemy's attention and prevent them from opening upon the troops. The reconnoitring column, accompanied by Gen. Weitzel in person, approached so near to Fort Fisher that several men in the skirmish line were wounded by fragments of shells from the fleet. From a point eight hundred yards distant Gen. Weitzel made a survey of the work, and the results of his personal observation, together with information previously received from trustworthy sources, induced him to report to Gen. Butler, upon his return to the transport fleet, that, under the circumstances, it would be "butchery to order an assault." This opinion coincided with that already formed by Gen. Butler, and orders were at once given to reëmbark the troops, all of whom, however, were not taken off until the next evening. During the advance of the reconnoitring column toward the fort, the garrisons of the Flag Pond and Half Moon batteries, numbering nearly three hundred officers and men, were captured.

The following correspondence subsequently passed between Gen. Butler and Admiral Porter:

HEADQ'RS DEP'T VIRGINIA AND NORTH CAROLINA, }
December 25, 1864.

ADMIRAL: Upon landing the troops and making a thorough reconnoissance of Fort Fisher, both Gen. Weitzel and myself are fully of the opinion that the place could not be carried by assault, as it was left substantially uninjured as a defensive work by the navy fire. We found seventeen guns protected by traverses, two only of which were dismounted, bearing up the beach and covering a strip of land, the only practicable route, not more than wide enough for a thousand men in line of battle.

Having captured Flag Pond Hill battery, the garrison of which, sixty-five men and two commissioned officers, were taken off by the navy, we also captured Half Moon battery and seven officers and two hundred and eighteen men of the 3d North Carolina Junior Reserves, including its commander, from whom I learned that a portion of Hoke's division, consisting of Kirkland's and Haywood's brigades, had been sent from the lines before Richmond on Tuesday last, arriving at Wilmington Friday night.

Gen. Weitzel advanced his skirmish line within fifty yards of the fort, while the garrison was kept in their bomb-proofs by the fire of the navy, and so closely that three or four men of the picket line ventured upon the parapet, and through the sally-port of the work, capturing a horse, which they brought off, killing the orderly, who was the bearer of a despatch from the chief of artillery of Gen. Whiting to bring a light battery within the fort, and also brought away from the parapet the flag of the fort. This was done while the shells of the navy were falling about the heads of the daring men who entered the work, and it was evident, as soon as the fire of the navy ceased because of the darkness, that the fort was fully manned again, and opened with grape and canister upon our picket line.

Finding that nothing but the operations of a regular siege, which did not come within my instructions, would reduce the fort, and in view of the threatening aspect of the weather, wind arising from the south-east, rendering it impossible to make further landing through the surf, I caused the troops, with their prisoners, to reëmbark, and see nothing further that can be done by the land forces. I shall therefore sail for Hampton Roads as soon as the transport fleet can be got in order.

The engineers and officers report Fort Fisher to me as substantially uninjured as a defensive work.

I have the honor to be, very respectfully, your obedient servant,

BENJ. F. BUTLER.

Maj.-Gen. Comm'g.

To Rear Adm. PORTER, Commanding N. A. Blockading Squadron.

NORTH ATLANTIC SQUAD'N, U. S. FLAGSHIP MALVERN, }
OFF NEW INLET, December 26, 1864.

GENERAL: I beg leave to acknowledge the receipt of your letter of this date, the substance of which was communicated to me by Gen. Weitzel last night.

I have ordered the largest vessels to proceed off Beaufort, and fill up with ammunition, to be ready for another attack in case it is decided to proceed with this matter by making other arrangements. We have not commenced firing rapidly yet, and could keep any rebels inside from showing their heads until an assaulting column was within twenty yards of the works.

I wish some more of your gallant fellows had followed the officer who took the flag from the parapet and the brave fellow who brought the horse from the fort. I think they would have found it an easier conquest than is supposed. I do not desire, however, to place my opinion in opposition to Gen. Weitzel, whom I know to be an accomplished soldier and engineer, and whose opinion has great weight with me.

I will look out that the troops are all off in safety. We will have a west wind presently, and a smooth beach about three o'clock, when sufficient boats will be sent for them.

The prisoners now on board the Santiago de Cuba will be delivered to the Provost Marshal at Fortress Monroe, unless you wish to take them on board one of the transports, which would be inconvenient just now.

I remain, General, respectfully, your obedient servant,

DAVID D PORTER, Rear Admiral.

To Maj.-Gen. B. F. BUTLER, Commanding, &c., &c.

For various reasons Admiral Porter was strongly opposed to abandoning the attack, and so expressed himself in his subsequent report to the Naval Department. "I don't pretend," he said, "to put my opinion in opposition to that of Gen. Weitzel, who is a thorough soldier and an able engineer, and whose business it is to know more of assaulting than I do, but I can't help thinking that it was worth while to make the attempt after coming so far." This was the view generally entertained by the public, who, accustomed of late to uninterrupted successes, chafed under this temporary check; and to the general dissatisfaction caused by the abandonment of the enterprise and the return of the troops to Fortress Monroe is doubtless partly to be attributed the order issued early in 1865, relieving Gen. Butler from the command of the Army of the James. The enemy, with some degree of reason, claimed that the result of the expedition was a triumph for their arms, notwithstanding that during two whole days Fort Fisher had been silenced by the guns of the fleet; and a congratulatory order was issued by Gen. Bragg, in which a high compliment was paid to Gen. Whiting, Col. Lamb, and the officers and men of the garrison. According to the rebel accounts the fort fired 662 shots on the first day of the attack and 600 on the second, and had 2 guns burst and 4 disabled. The garrison lost 3 killed and 55 wounded.

Admiral Porter remained off New Inlet a day or two after the departure of the transports, but finding it hopeless to attempt the reduction of the fort without the assistance of a land force, he withdrew his fleet to Beaufort, in the confident expectation that the troops would soon be ordered back again from Fortress Monroe. In this he was not deceived, for scarcely had the news of the abandonment of the expedition been received at headquarters, than orders were issued for a renewal of the attempt. On January 2d, Gen. Terry, commanding the 1st division of the 24th corps, Army of the James, was ordered to take command of the two divisions which had participated in the first expedition, to which was added a brigade under Col. Abbott from his own division, and two batteries, the whole numbering somewhat more than 8,000 men. With these he proceeded on the 5th to Fortress Monroe, and thence to Beaufort, where on the 8th he arranged with Admiral Porter a plan of operations against Fort Fisher. Owing to unfavorable weather the transports were unable to arrive off New Inlet until late on the night of the 12th. Next morning commenced the disembarkation of the troops at a point

about five miles above the fort, the fleet, with the exception of the iron-clads, divided into three columns, covering the operation. One column moved a little to the northward of the landing place, to guard against any attack from the direction of Masonboro Inlet, and shelled the woods, which approach within about 300 yards of the shore, without, however, provoking any reply. With the aid of 200 boats from the fleet, besides steam tugs, nearly the whole of the troops were landed between 8 A. M. and 3 P. M., each man carrying three days' rations, and forty rounds of ammunition. A sufficient quantity of intrenching tools was also carried. The iron-clads, increased to five by the arrival of the monitor Saugus, meanwhile, from their old positions in front of Fort Fisher, had maintained a steady fire upon the work, in which, after the disembarkation of the troops was concluded, they received the coöperation of columns 1 and 2 of the fleet, comprising all the large vessels, which were posted very nearly as at the first attack. Column 3 remained to cover the landing and help get the field artillery, munitions, and commissary stores on shore.

The bombardment of the iron-clads was very effective, and that of the combined iron-clads and wooden ships, lasting from 4.30 P. M. to 6 P. M., the most tremendous, perhaps, in the annals of this or of any war, considering the weight of metal thrown, and the force with which it struck the fort. The iron-clads alone, with thirty guns, fired in the course of the day upward of 2,000 shells, or about four per minute; and during the grand bombardment it was reckoned that four shots were fired from the fleet each second, or about 20,000 in all. The rebels were pretty effectually kept within the shelter of their bomb-proofs while this *feu d'infer* continued, and could inflict but a trifling amount of damage upon the fleet. "Indeed," says Admiral Porter, "I do not see how they could fire at all after lines one and two got fairly anchored in position." At dark the wooden vessels drew off for the night, but the iron-clads remained at their anchorage, firing an occasional shell.

As soon as the troops were landed pickets were thrown out, who encountered the enemy's outposts; and from a few prisoners taken shortly afterward, it was ascertained that Hoke's division, stationed at Fort Fisher on the former attack, and which it was supposed had been sent south, was still in the neighborhood. Gen. Terry's first object after landing was to throw a defensive line across the peninsula from Cape Fear River to the sea, to protect his rear from an attack from the direction of Wilmington while he was operating against Fort Fisher. After two impracticable surveys, occupying many hours, a line was finally selected at 2 A. M. on the 14th, having an average distance of about two miles from the fort. Entrenchments were at once commenced, and by 8 o'clock on the morning of the 14th, a good breastwork, reaching from the river to the sea

and partially covered by abatis, had been constructed. During the day this work was considerably strengthened, and the artillery, as fast as it was landed, was placed in position on the line. A careful reconnoissance satisfied Gen. Terry that, in view of the difficulty of conducting a regular siege on the narrow and exposed peninsula in such an inclement season of the year, the better policy would be to attempt an immediate assault. This decision coincided with Admiral Porter's views, and both commanders went heartily to work to arrange a plan of attack, the main feature of which, on the part of the navy, was to be a severe bombardment of the fort by the fleet, to cover the assaulting column, and to be continued against other parts of the work, after the assault had been commenced. It was also decided that the attack should be made at 3 P. M. of the 15th, and that the army should assault the western half of the land face, while a coöperating body of sailors and marines attacked the northeast bastion. A slow and deliberate fire was maintained against the fort during the day, with the object mainly of dismounting or disabling the guns on that part of the work where the assault was to be made, and also of demolishing the palisade sufficiently to admit the passage of troops.

At 11 A. M. of the 15th all the vessels of the fleet were in position and commenced a fire, "magnificent alike for its power and accuracy," which, as on previous occasions, silenced nearly every gun in the fort. Under its cover 1,600 sailors, armed with cutlasses, revolvers, and carbines, and 400 marines, and the whole commanded by Fleet Captain K. R. Breese, were landed on the beach, and by digging rifle-pits worked their way up within 200 yards of the fort. The troops selected for the assault were Ames's division, comprising the brigades of Curtis, Pennybacker, and Bell, while Paine's division of colored troops and Abbott's brigade held the intrenchments facing Wilmington, against which Hoke's troops, estimated at 5,000 strong, had begun to demonstrate. At 3.30 P. M. signal was made from the shore to the fleet to change the direction of the fire, in order that the troops might assault; and soon afterwards the sailors rushed with reckless energy toward the parapet of the fort, which at once swarmed with rebel soldiers, who poured in upon them a murderous fire of musketry. The marines, who were to have covered the assaulting party, for some unexplained reason failed to fire upon the rebels on the parapet, all of whom, in the opinion of Admiral Porter, an eye-witness of the fight, might have been killed. "I saw," he said, "how recklessly the rebels exposed themselves, and what an advantage they gave our sharpshooters, whose guns were scarcely fired, or fired with no precision. Notwithstanding the hot fire, officers and sailors in the lead rushed on, and some even reached the parapet, a large number having reached the ditch. The advance was swept from the parapet like chaff, and, notwithstanding all the efforts made by

the commanders of companies to stay them, the men in the rear, seeing the slaughter in front, and that they were not covered by the marines, commenced to retreat; and, as there is no stopping a sailor if he fails on such an occasion on the first rush, I saw the whole thing had to be given up." The attack on this part of the fort, though a failure, diverted a part of the enemy's attention, and rendered the work laid out for the main storming column of troops much easier.

At the word of command, the division of General Ames, which had been gradually drawn forward under the shelter of hastily-formed breastworks, rushed toward the fort, the brigade of Curtis taking the lead. The palisades had been so much injured by the fire of the fleet that a few vigorous strokes from the axemen sufficed to clear gaps for the passage of the troops, and in the face of a severe enfilading fire a lodgment was soon effected on the west end of the land front. Pennybacker's and Bell's brigades followed in rapid succession, the latter moving between the work and the river. "On this side," says General Terry, "there was no regular parapet, but there was an abundance of cover afforded to the enemy by cavities, from which sand had been taken for the parapet, the ruins of barracks and storehouses, the large magazine, and by traverses behind which they stubbornly resisted our advance. Hand to hand fighting of the most desperate character ensued, the huge traverses of the land face being used successively by the enemy as breastworks, over the tops of which the contending parties fired in each other's faces. Nine of these were carried, one after the other, by our men." At five o'clock, when about half of the land front of the fort had been thus captured, it became apparent that more troops were needed to support the assaulting column, and Abbott's brigade was ordered up, its place in the defensive line facing Wilmington being supplied by the sailors and marines. The attack then went on with redoubled fury, the fire of the navy meanwhile continuing upon that part of the work not occupied by the Federal troops, and upon the beach on Cape Fear River, under the apprehension that reinforcements might be thrown over there by the rebels from the right bank of the river. All this time signals between the land and naval forces were exchanged with great exactness, and the coöperation between the two services was in the highest degree harmonious and useful. By 9 p. m. two more traverses were carried, and an hour later Abbott's brigade drove the enemy from their remaining stronghold, and the occupation of the work was complete. The enemy fell gradually back to Federal Point, where, being cut off from further retreat, they surrendered unconditionally about midnight. About 4 p. m. Hoke had advanced against Paine's division, as if intending a general assault, but retired after a slight skirmish with the outposts. The garrison originally numbered over

2,300 men, of whom 1,971, with 112 officers, were captured. The rest were killed and wounded. Their commanders, General Whiting and Colonel Lamb, were captured, badly wounded. Of the three brigade commanders of Ames's division, Curtis and Pennybacker were severely, and Bell was mortally wounded, and the total Federal loss, according to official accounts, footed up as follows:

	<i>Killed.</i>		<i>Wounded.</i>		<i>Miss'g.</i>
	Officers.	Men.	Officers.	Men.	Men.
Curtis's brigade.....	2	35	18	166	9
Pennypacker's brig'de	7	24	15	183	72
Bell's brigade.....	2	15	4	105	—
Abbott's brigade.....	—	3	2	18	11
Total.....	11	77	29	472	92
Aggregate					691

The fleet suffered a loss of between two and three hundred in killed and wounded, principally in the assaulting column of sailors and marines, and two 15-inch guns were exploded on board the monitors. In other respects the ships experienced little damage.

The greater part of the guns of the fort were dismounted, or otherwise injured by the fire of the fleet, but the work itself received no damage which was not susceptible of immediate repair, its strength being about the same as before the bombardment. According to Admiral Porter, who had visited the Malakoff during the siege of Sebastopol, it was a much more formidable work than that celebrated stronghold, and its capture caused an almost unprecedented rejoicing throughout the United States. The capture of the fort having sealed the fate of the rebel supremacy in Cape Fear River, their remaining works covering the mouth of the river, including Fort Caswell and the forts at Smith's Island, Smithville, and Reeves' Point, together with the gunboats Chickamauga and Tallahassee, were destroyed or evacuated, whereby 169 guns and large amounts of ammunition and commissary stores fell into the hands of the Federals. Among the guns were some English ones of Sir William Armstrong's make. Admiral Porter immediately sent some of his light draught gunboats into the river, and by a skilful ruse decoyed several blockade-runners under the shelter of Fort Caswell, where they were of course speedily captured.

2. *South Atlantic Squadron.*—The operations of this squadron, which in 1863 were of the first importance, were much curtailed in the succeeding year by a variety of circumstances, the chief of which was the withdrawal of the greater part of the troops of the Department of the South, under Gen. Gillmore, to reinforce the Army of the James. Deprived of this necessary coöperative branch, Admiral Dahlgren found it impossible to make any serious demonstration against Charleston, and the fleet in that quarter was principally employed in blockade duties. A detachment of vessels coöperated in the St. John's River with

the army movements in Florida in the spring, and subsequently in demonstrations against James's Island, Bull's Bay, and other places. On Feb. 17th the gunboat *Housatonic* was destroyed by a torpedo off Charleston, and two small armed steamers, the *Columbine* and *Water Witch*, fell into the enemy's hands in the course of the year.

3. *East Gulf Squadron*.—With the exception of a few boat expeditions and armed incursions for the destruction of salt manufactories on the Florida coast, nothing occurred during the year in this department to interrupt the routine of blockading duties, which were effectually performed. In the summer months the squadron was temporarily reduced by the withdrawal of a number of vessels infected with yellow fever.

4. *West Gulf Squadron*.—The chief events in the history of this squadron were those connected with the capture of the fortifications guarding the entrance to the bay of Mobile, and the consequent closing of that port against the blockade-runners. Although in many respects it was desirable to obtain possession of these works, the exigencies of the service in other quarters had not previously permitted the coöperation of so large a body of troops as was needed for the undertaking. The rebels availed themselves of this circumstance to construct several iron-clads and armed vessels, and threatened to raise the blockade of Mobile. Early in the year Admiral Farragut reconnoitred the approaches to the city, and offered, with the assistance of an iron-clad or two and a few thousand troops, to gain full possession of the bay; but as neither of these could at once be obtained, he was forced to confine himself to threatening demonstrations, although, as he privately informed the Naval Department, should the rebel iron-clads come out to attack his wooden fleet, the issue would necessarily be a doubtful one. He, however, expressed himself in readiness to measure his strength with Admiral Buchanan, whenever the latter should venture to offer battle, and kept his fleet in constant readiness for such a contingency.

At length, in the latter part of July, Admiral Farragut received an addition of four monitors to his squadron, the *Tecumseh*, *Winnebago*, *Manhattan*, and *Chickasaw*, and a co-operative land force under Gen. Granger was promised by Gen. Canby, commanding the military division of the Southwest. The entrance to Mobile Bay is divided by Dauphin Island into two passages, the easterly of which is about four miles wide and twenty feet deep, and the other a shallow strait of not above five feet depth. On either side of the main channel stand Forts Gaines and Morgan, the former occupying the east end of Dauphin Island, and the latter the end of a long, sandy point which makes out into the bay directly opposite. The channel runs close under the guns of Fort Morgan, and a large part of it had been obstructed with piles and torpedoes. Fort Morgan was a

powerful stone, casemated work, mounting forty-eight guns, including some of very heavy calibre, and the armament of Fort Gaines consisted of twenty-one guns. About a mile distant from Fort Gaines, on Dauphin Island, was Fort Powell, a lesser work, adjoining which were a water battery and some earthworks. On the evening of Aug. 4th the monitors and wooden vessels were all assembled off the bar of Mobile Bay, and at 5.40 A. M. of the 5th the whole fleet moved up the bay in the following order, two abreast and lashed together: the *Brooklyn* with the *Octorara* on the port side, the *Hartford* and *Metacomet*, the *Richmond* and *Port Royal*, the *Lackawanna* and *Seminole*, the *Monongahela* and *Kennebec*, the *Ossipee* and *Itasca*, and the *Oneida* and *Galena*. Between the four first couples and Fort Morgan, at a distance of about two hundred yards from the latter, moved the monitors, headed by the *Tecumseh*, for the double purpose of keeping down the fire of the water-battery and parapet guns of the fort, and attacking the rebel iron-clads when the fort was passed. The object of coupling the wooden ships, an expedient as novel as it was ingenious, was to insure mutual protection by enabling each to tow along its consort, in case the latter should be crippled. The Admiral was on board his flag-ship the *Hartford*, and in order to get an unobstructed view of operations, and to give his orders with clearness, caused himself to be lashed to the main top.

At about seven o'clock, as the head of the column came abreast of the fort, the latter opened fire, and the action soon became general. The enemy confidently expected, from the close quarters at which the fighting was to take place, to be able to sink or disable several of the attacking vessels. But here, as at the passage of the forts in Mississippi, in 1862, Farragut converted what might well have seemed a disadvantage into a positive advantage to himself, by pouring such continuous broadsides into the fort as to drive the gunners from their guns, and enable the ships to pass with comparatively slight damage. At 7:40, while the firing was at its height, and the fleet making rapid progress in spite of the obstructions in its path, the monitor *Tecumseh* struck a torpedo, which blew a large hole through her bottom, just under the turret, and almost immediately she filled with water and sank. At this moment the *Brooklyn*, by backing her engines to avoid torpedoes, temporarily arrested the progress of the fleet, and the Admiral, regardless of torpedoes, at once dashed to the head of the column, first despatching a boat from the *Metacomet* to pick up the survivors of the *Tecumseh*. Of these only four officers and seventeen men were found; four swam ashore, and were made prisoners, and the rest, with her commander, T. A. M. Craven, were drowned.

Soon after eight o'clock the whole column had passed the forts, with no serious disaster beyond the loss of the *Tecumseh*. The *Oneida*,

which brought up the rear, and was consequently more exposed to the fire of the fort than the rest of the fleet, had her boiler penetrated by a 7-inch rifle-shell, and was deprived of motive power; but she was towed safely along by her consort, the Galena, and made good use of her guns until the fort was passed. Meanwhile the rebel fleet, consisting of the iron-clad ram Tennessee and the gunboats Selma, Gaines, and Morgan, had held a position inside the bay, a little north of Fort Morgan, whence they poured a galling fire upon the fleet. The Tennessee, under the immediate command of Admiral Buchanan, made a dash at the Hartford and several other ships, during the passage of the fort, but subsequently sought shelter under its guns; and under the supposition that she had retired from the fight, Admiral Farragut ordered the fleet to cast off their couplings and come to anchor, with the exception of the light-draught gunboats, which were directed to pursue and destroy the Selma, Morgan, and Gaines. The Metacomet captured the Selma after a brisk engagement, but the Morgan and Gaines succeeded in getting under the protection of Fort Morgan. The former subsequently crept along the shore during the night into Mobile, but the latter was so seriously injured that she had to be destroyed. Several of the large ships were already at anchor, when, shortly before nine o'clock, the Tennessee was seen standing toward the Hartford, with the desperate intention apparently of fighting single-handed the whole fleet. Of the singular combat that followed, the following description is given by Admiral Farragut:

I was not long in comprehending his intentions to be the destruction of the flag-ship. The monitors, and such of the wooden vessels as I thought best adapted for the purpose, were immediately ordered to attack the ram, not only with their guns, but bows on at full speed, and then began one of the fiercest naval combats on record. The Monongahela, Commander Strong, was the first vessel that struck her, and in doing so carried away his own iron prow, together with the cutwater, without apparently doing her adversary much injury. The Lackawanna, Captain Marchand, was the next vessel to strike her, which she did at full speed; but though her stem was cut and crushed to the plank ends for the distance of three feet above the water's edge to five feet below, the only perceptible effect on the ram was to give her a heavy list. The Hartford was the third vessel which struck her, but, as the Tennessee quickly shifted her helm, the blow was a glancing one, and as she rasped along our side, we poured our whole port broadside of 9-inch solid shot within ten feet of her casement. The monitors worked slowly, but delivered their fire as opportunity offered. The Chickasaw succeeded in getting under her stern, and a 15-inch shot from the Manhattan broke through her iron plating and heavy wooden backing, though the missile itself did not enter the vessel. Immediately after the collision with the flag-ship, I directed Captain Drayton to bear down for the ram again. He was doing so at full speed when, unfortunately, the Lackawanna run into the Hartford just forward of the mizzen-mast, cutting her down to within two feet of the water's edge. We soon got clear again, however, and were fast approaching our adversary, when she struck her colors and run up the white flag.

She was at this time sore beset; the Chickasaw was pounding away at her stern, the Ossipee was approaching her at full speed, and the Monongahela, Lackawanna, and this ship were bearing down upon her, determined upon her destruction. Her smoke-stack had been shot away, her steering chains were gone, compelling a resort to her relieving tackles, and several of her port-shutters were jammed. Indeed, from the time the Hartford struck her until her surrender, she never fired a gun. As the Ossipee, Commander Le Roy, was about to strike her, she hoisted the white flag, and that vessel immediately stopped her engine, though not in time to avoid a glancing blow. During this contest with the rebel gunboats and the ram Tennessee, and which terminated by her surrender at 10 o'clock, we lost many more men than from the fire of the batteries of Fort Morgan.

The Tennessee, as was effectually shown by the determined resistance which she made, was perhaps the strongest vessel ever constructed by the enemy. She was 209 feet in length, with a breadth of beam of 48 feet, had in the centre an external casemate, with sloping sides, about 80 feet in length by 30 feet in breadth, and drew about 14 feet of water. Her deck was plated with 2 inches of wrought-iron, her sides with 4 inches, and her casemate with from 5 to 6 inches. Her armament consisted of 4 6-inch broadside rifles, and 2 7-inch pivot rifles, all of the Brooks pattern. But one shot, a 15-inch one from the Manhattan, penetrated her armor, and, in view of the hard pounding which she received, her injuries were on the whole inconsiderable. Admiral Buchanan lost a leg in the action, and ten or twelve of the crew were killed and wounded. The prisoners surrendered numbered 20 officers and about 170 men; and those on the Selma, 90 officers and men. The casualties in the fleet, exclusive of those on board the Tecumseh, were 52 killed and 170 wounded.

Meanwhile, on the 4th, a coöperative body of troops under Gen. Granger had landed on Dauphin Island, in accordance with an arrangement between Admiral Farragut and Gen. Canby, and commenced the siege of Fort Gaines. The rebel commander, Colonel Anderson, seeing that the Federal fleet held uninterrupted possession of Mobile Bay, concluded that further resistance was hopeless, and on the 7th surrendered his garrison of 818 men unconditionally. Fort Powell had been blown up by the rebels on the evening of the 5th. These obstructions being removed and Grant's Pass secured, the fleet was relieved from any apprehensions with regard to obtaining supplies; but it was nevertheless determined to complete the work originally undertaken by the capture of Fort Morgan, which still held out. The troops were accordingly transferred to the rear of the fort, and lines of investment drawn across the sandy spit on which it is situated. On the 22d, fire was opened from the shore batteries and the fleet, and on the next day Gen. Page, the rebel commander, surrendered unconditionally. When possession was taken of the work it was found that, with what Admiral Farragut called "childish spitefulness," he had destroyed many

of the guns and other property which had been surrendered. Thenceforth during the year Mobile was effectually cut off from external commerce.

5. *Mississippi Flotilla.* The most important operations of this squadron during the year were undertaken in connection with Gen. Banks' Red River campaign in the spring, and will be found described at length in the history of the Army Operations. The vessels composing the squadron were widely scattered over the vast network of waters embraced by the Mississippi and its main affluents, and performed much important patrol and convoy service, besides undertaking minor expeditions on Washita, Arkansas, Black, and Yazoo Rivers.

6. *Potomac Flotilla.* The duties assigned to this department were chiefly in the nature of police service, and included the arrest of the contraband trade carried on across the Potomac between Virginia and the lower counties of Maryland, and an occasional coöperation with military movements.

Miscellaneous.—In the course of the year, says the Secretary of the Navy, "the three English-built piratical cruisers which, under the rebel flag, have, during the last two years, roamed the seas, robbing and destroying our merchantmen, shunning all armed antagonists, and have found refuge and protection, and too often supplies and other assistance in neutral ports, have terminated their predatory career." These were the Alabama, the Florida, and the Georgia—the first sunk off Cherbourg by the Kearsarge, the second captured in Bahia harbor by the Wachusett, and the third captured at sea, off the coast of Portugal, by the Niagara. Early in June the Alabama, after a prosperous career among the American merchantmen in the Southern Atlantic and Indian Oceans, returned to northern waters and put into Cherbourg. The Kearsarge, Captain John A. Winslow, then lying at Flushing, immediately sailed for Cherbourg to watch the movements of the Alabama; and on June 15th her commander received a note from Captain Semmes of the privateer, announcing his intention to fight the Kearsarge, and begging Capt. Winslow not to depart until the two vessels could have an opportunity to measure their strength. As this was precisely what the Federal commander desired, he willingly awaited the movements of his adversary. The relative proportions and armaments of the two antagonists were as follows:

	Alabama.	Kearsarge.
Length over all.....	220 feet	214½ feet.
Length on water line.....	210 "	198½ "
Beam.....	32 "	33 "
Depth.....	17 "	16 "
Horse-power, two engines of.	300 each.	400 h. power
Tonnage.....	1,150	1,030

Armament of the Alabama.—One 7-inch Blakely rifle; one 8-inch smooth-bore 63-pounder; six 32-pounders.

Armament of the Kearsarge.—Two 11-inch smooth bore guns; one 30-pounder rifle; four 32-pounders.

The Kearsarge had twenty-two officers and one hundred and forty men, and the Alabama, so far as can be ascertained, about one hundred

and forty officers and men, the greater part of the ship's company consisting of British subjects. Her gunners were trained artillerists from the British practice-ship Excellent. Availing himself of an ingenious expedient for the protection of his machinery, first adopted by Admiral Farragut in running past the rebel forts on the Mississippi in 1862, Capt. Winslow had hung all his spare anchor-cable over the midship section of the Kearsarge on either side; and in order to make the addition less unsightly, the chains were boxed over with inch deal boards, forming a sort of case, which stood out at right angles to the side of the vessel.

At twenty minutes past ten on Sunday morning, June 19th, the Alabama was seen standing out from Cherbourg harbor, accompanied by the French iron-clad Couronne, and followed by the steam yacht Deerhound, whose owner, an Englishman named Lancaster, was on board with his family, ostensibly to witness the engagement, but really, as it subsequently appeared, to act as a tender to the Alabama. Upon seeing the Alabama approach, Capt. Winslow kept out to sea a few miles, in order "that the positions of the ships should be so far off shore that no questions could be advanced about the line of jurisdiction." Upon reaching a point about seven miles from the land the Kearsarge put about, and steered directly for the Alabama, which first opened fire at a range of about a mile. The following account of the fight that ensued is given by Capt. Winslow:

Immediately I ordered more speed; but in two minutes the Alabama had again loaded, and fired another broadside, and following it with a third, without damaging us except in rigging. We had now arrived within nine hundred yards of her, and I was apprehensive that another broadside nearly raking as it was, would prove disastrous. Accordingly I ordered the Kearsarge sheered and opened on the Alabama.

The positions of the vessels were now broadside to broadside, but it was soon apparent that Capt. Semmes did not seek close action. I became then fearful lest, after some fighting, that he would again make for the shore. To defeat this I determined to keep full speed on, and with a port helm to run under the stern of the Alabama, and rake, if he did not prevent it by sheering and keeping his broadside to us. He adopted this mode as a preventive, and, as a consequence, the Alabama was forced, with a full head of steam, into a circular track during the engagement.

The effect of this manœuvre was such that, at the last of the action, when the Alabama would have made off, she was near five miles from the shore; and had the action continued from the first in parallel lines, with her head in shore, the line of jurisdiction would no doubt have been reached.

The firing of the Alabama from the first was rapid and wild; toward the close of the action her firing became better. Our men, who had been cautioned against rapid firing without direct aim, were much more deliberate; and the instructions given to point the heavy guns below rather than above the water line, and clear the deck with the lighter ones, were fully observed. I had endeavored with a port helm to close in with the Alabama, but it was not until just before the close of the action that we were in a position to use grape; this was avoided, however, by her surrender. The effect of the training of our men was evident; nearly every shot from our guns was

telling fearfully on the Alabama, and on the seventh rotation on the circular track she winded, setting fore trysail and two jibs, with head in shore.

Her speed was now retarded, and by winding her port broadside was presented to us with only two guns bearing, not having been able, as I learned afterward, to shift over but one. I saw now that she was at our mercy, and a few more guns, well directed, brought down her flag. I was unable to ascertain whether they had been hauled down or shot away, but a white flag having been displayed over the stern, followed by two guns fired to leeward, our fire was reserved. Two minutes had not more than elapsed before she again opened on us with the two guns on the port side. This drew our fire again, and the Kearsarge was immediately steamed ahead and lay across her bows for raking.

The white flag was still flying, and our fire was again reserved. Shortly after this her boats were seen to be lowering, and an officer in one of them came alongside and informed us the ship had surrendered and was fast sinking. In twenty minutes from this time the Alabama went down, her mainmast, which had received a shot, breaking near the head as she sunk, and her bow rising high out of the water as her stern rapidly settled. The fire of the Alabama, although it is stated she discharged three hundred and seventy or more shell and shot, was not of serious damage to the Kearsarge. Some thirteen or fourteen of these had taken effect in and about the hull, and sixteen or seventeen about the waste and rigging.

The boats of the Kearsarge were at once sent to receive the officers and crew of the Alabama, but so rapidly did she go down that it was impossible to save them all without assistance. Capt. Winslow accordingly requested the Deerhound, which had meanwhile come alongside, to assist in the rescue of his prisoners. The crew of the privateer were by this time struggling for their lives in the water, and many of the wounded men went down. In the confusion of the moment the Deerhound, after picking up forty-one persons, including Semmes, who was wounded, steamed off toward the English coast, and when observed had got too much the start to be overhauled. The total number brought on board the Kearsarge was sixty-nine, of whom seventeen were wounded; and twelve were picked up and carried into Cherbourg, by two French pilot boats. Several of the wounded died soon after, and the total number of officers and men belonging to the Alabama who were landed in France or England, amounted to one hundred and fifteen. The casualties of the Kearsarge amounted to only three wounded. This most remarkable sea fight between single ships that has occurred within the century was witnessed by thousands of spectators on the French shore, and the result produced a profound impression in Europe and America. The conduct of Semmes in throwing his sword into the sea after surrendering, and also in allowing himself to be carried into a neutral fort by the Deerhound, formed the subject of severe strictures in the United States.

The Florida, while lying in the neutral fort of Bahia, Brazil, was captured by Capt. N. Collins of the Wachusett, as appears by the following brief report:

ST. THOMAS, W. I. ISLANDS, Oct. 31.

Hon. GIDEON WELLES. *Sir*: I have the honor to report the arrival here of this ship, with the rebel steamer Florida in company. The Florida, with 58 men and 12 officers, was captured about 3 o'clock on the morning of the 7th of October, in the bay of San Salvador, Brazil, by the officers and crew of this vessel, without loss of life. We also captured five of the officers, including her commander. The remainder of her crew were on shore.

The Florida had her mizen-mast and main-yard carried away and her bulwarks cut down. This vessel sustained no injury. A detailed report will be handed to you by Paymaster W. W. Williams.

Very respectfully your obd't serv't,

N. COLLINS,

Commander U. S. Steam-sloop Wachusett.

On November the Florida was brought into Hampton Roads, and while lying there to await the decision of the delicate international questions which her capture evolved, was accidentally run into by a steam transport and sunk.

The Georgia was captured by the Niagara, on August 15th. Although having no armament on board at the time, she was seized as a lawful prize, and sent to the United States for adjudication.

NEVADA. This territory having formed a State Constitution under an enabling act previously passed by Congress, was admitted as a member of the Federal Union, "on an equal footing with the original States." The State Convention was held at so late a period of the year, that it was necessary to telegraph the Constitution to Washington, in order that it might be received there in time to secure the admission of the State previous to the Presidential election. Immediately on its reception the President issued the following proclamation:

Whereas the Congress of the United States passed an act, which was approved on the 21st day of March last, entitled "An act to enable the people of Nevada to form a Constitution and State Government and for the admission of such State into the Union on an equal footing with the original States:"

And whereas the said Constitution and State Government have been formed pursuant to the conditions prescribed by the fifth section of the act of Congress aforesaid, and the certificate required by the said act and also a copy of the Constitution and ordinances have been submitted to the President of the United States:

Now, therefore, be it known, that I, ABRAHAM LINCOLN, President of the United States, in accordance with the duty imposed upon me by the act of Congress aforesaid, do hereby declare and proclaim that the said State of Nevada is admitted into the Union on an equal footing with the original States.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this thirty-first day of October, in the year of our Lord one [L. s.] thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth. ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, Secretary of State.

The vote of the State at the Presidential election was 16,420; of which Mr. Lincoln received 9,826, and Gen. McClellan 6,594; majority for Mr. Lincoln 3,232. At the same election H. G. Blasdell was chosen Governor by 9,834 votes; in opposition to David E. Buell,

who received 6,590 votes; majority for Blasdell 3,244. A Republican member of Congress was also chosen.

The Legislature is entirely Republican.

The boundaries of the new State, as defined by Congress, are as follows: Commencing at a point formed by the intersection of the thirty-eighth degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the eastern boundary line of the State of California; thence in a northwesterly direction along the said eastern boundary line of the State of California to the forty-third degree of longitude west from Washington; thence north along said forty-third degree of west longitude and said eastern boundary line of the State of California to the forty-second degree of north latitude; thence due east along the said forty-second degree of north latitude to a point formed by its intersection with the aforesaid thirty-eighth degree of longitude west from Washington; thence due south down said thirty-eighth degree of west longitude to the place of beginning.

The enabling act passed by Congress, contained the following proviso.

And provided, further, That said convention shall provide, by an ordinance irrevocable, without the consent of the United States and the people of said State:

1. That there shall be neither slavery nor involuntary servitude in the said State, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted.

2. That perfect toleration of religious sentiment shall be secured, and no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

3. That the people inhabiting said Territory do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within said Territory, and that the same shall be and remain at the sole and entire disposition of the United States; and that the lands belonging to the citizens of the United States residing without the said State shall never be taxed higher than the land belonging to the residents thereof; and that no taxes shall be imposed by said State on lands or property therein belonging to, or which may hereafter be purchased by, the United States.

The conditions of this enabling act were a limitation on the powers of the Government of the new State. That is, all power was withheld from the new Government to organize an institution of slavery within the State, etc. The President, in his proclamation, states the title of the enabling act of Congress passed for such and such purposes, and "for the admission of such State into the Union on an equal footing with the original States." The original States have not yet limited themselves by a surrender of the power to create or to abolish slavery within their limits. This inconsistency between the title and the contents of the act were evidently overlooked by its authors.

Five per centum of the net proceeds of all public lands sold within the State, is appropriated to the State for the purpose of making and improving public roads, constructing ditches or

canals, to effect a general system of irrigation of the agricultural land.

Nevada is probably the richest State in the Union in respect to mineral resources. No region in the world is richer in argentiferous leads. These are found scattered over the entire Washoe country, the richest of which is that known as the Comstock lead, of Virginia City. The localities of the other principal mines in the region east of the Sierra Nevada are the Esmeralda mines, one hundred miles south-southeast of Virginia City; the Humboldt, one hundred and sixty miles northeast; the Silver Mountain, sixty miles south; Peavine, thirty miles north, and the Reese River country, one hundred and seventy miles east-northeast, embracing many districts, and flanked by two of more than ordinary promise—the Cortez, seventy miles north, and the San Antonio, one hundred miles south of Austin, now the principal town on the Reese River.

During the year, another deposit of mineral wealth was brought to light, which has proved of incalculable value to the silver miners. This was an immense basin of salt, five miles square, near the sink of the Carson River. This basin appears once to have been the bottom of a lake, and the salt is found good even on the surface. A covering of about three inches is loose and indifferent; but beneath this, for a depth of fourteen feet, pure rock salt is found as clear as ice, and white "as the riven snow." Beneath there is water, which seems to be filtered through salt for an unknown depth. The whole of the fourteen feet in thickness does not contain a single streak of any deleterious matter or rubbish, and is ready for quarrying and sending to market. The locality is one hundred miles west of the Reese River, and seventy miles east of Virginia City, on the overland road.

At the close of the year there were one hundred and twenty-five quartz mills in operation in Nevada, which were erected at a cost ranging from \$10,000 to \$100,000. About three-fourths of the mills of Nevada are driven by steam, and the balance by water power. Of the entire number, four-fifths are in the vicinity of Virginia City. There is an average of one hundred mills in constant operation.

NEWCASTLE, HENRY PELHAM FIENNES PELHAM CLINTON, Duke of, an English statesman, born in London, May 22, 1811, died October 18, 1864. He was the eldest son of Henry Pelham, 4th duke, and was educated at Eton and Christ Church College, Oxford. Upon coming of age he entered the House of Commons under his courtesy title of Lord Lincoln, as a Conservative, for the family borough of Newark, and during the short-lived administration of Sir Robert Peel, in 1834, held the office of a junior Lord of the Treasury. From 1834 to 1841 he was an active member of the opposition, and upon the return of Peel to power in the latter year, he was appointed Commissioner of Woods and Forests, which position he held with credit until 1846, when, adhering to the premier in

his advocacy of the repeal of the Corn Laws, he became obnoxious to the Conservatives. He immediately exchanged his office for that of Chief Secretary of Ireland, and in a new election again appealed to the constituency of South Notts, which he had for some years represented. The canvass was a most animated one, the old Duke of Newcastle, a large landholder in the county, and an uncompromising Tory of the old school, using his powerful influence against his son, and resulted in the defeat of Lord Lincoln, who soon after accepted a seat for the Falkirk district of burghs, which was in the gift of his father-in-law, the Duke of Hamilton. He retired from the cabinet with Peel in the autumn of 1846, but retained his seat in the House of Commons until 1851, when he succeeded to his title and became a leading member of the Upper House. In 1852 he entered the Aberdeen ministry as Colonial and War Secretary, and upon the division of the office in 1854, retained the War Department. In this capacity he was obliged to share the odium falling upon the ministry in consequence of the gross mismanagement for which the first months of the Crimean war were noticeable. He retired from office with his colleagues in January, 1855, having first vindicated himself in an able speech, and in 1859 reentered the cabinet as Colonial Secretary. In 1860 he accompanied the Prince of Wales in his tour through the United States and Canada, and in both countries won many friends by his intelligence and unassuming manners. He was married in 1832 to the only daughter of the Duke of Hamilton, from whom, in 1850, he was divorced; and subsequent to his return to England from America, ill health, caused in a measure, it is said, by domestic unhappiness, prevented him from appearing often prominently before the public. He was a judicious, if not a brilliant statesman, of late years a decided liberal in politics, and is said to have been the model of Disraeli's "Coningsby."

NEW HAMPSHIRE. The annual election for Governor and other State officers took place on March 8th, with the following result:

Joseph A. Gilmore, Republican.....	37,006
Edward W. Harrington, Democrat.....	31,340
Republican majority.....	5,666

In 1863, when three candidates for Governor were in the field, Gilmore was 3,798 votes behind his Democratic competitor; and there being no choice by the people, he was elected by the Legislature. It was charged by the Democrats that the large Republican majority of 1864 was caused by the return of New Hampshire soldiers to vote at the State election, those only being furloughed who were Republicans. Their opponents admitted that many soldiers had returned on furlough to vote, but denied in positive terms that any discrimination, suggested by the political opinions of the soldiers, had been exercised in granting the furloughs. The Legislature chosen at the election of 1864 stood as follows:

	Senate.	House.	Joint Ballot.
Republicans	9	210	219
Democrats.....	3	123	126
Republican majority..	6	87	93

There was no election in 1864 for members of Congress.

The Legislature assembled on June 1st, and on the same day Governor Gilmore was inaugurated and delivered his annual message. He stated that the State debt, including \$600,000 paid to the families of volunteers, amounted to about \$1,900,000, an increase of \$600,000 since the last annual message, and recommended the funding of this by the issue of six per cent. bonds, payable in fifteen or twenty years. Except in financial matters, the condition of the State was represented as prosperous. The action of the Legislature appearing to the Governor incomplete on financial and military matters, he summoned an extra session on August 9th, and in his message showed that it was exceedingly difficult to raise money to supply the immediate wants of the State, and suggested a forced loan from the banks for that purpose. On the merits of the military bill passed at the previous session, to provide means to fill the New Hampshire quotas under the various calls for troops, he expressed himself in strong terms of disapprobation, characterizing it as incomprehensible, cumbrous, and inefficient. He showed that at the date of his message the quota of New Hampshire lacked 5,000 men of being full, that but twenty-three working days remained to raise that number by voluntary enlistments, and that unless the Legislature authorized larger bounties, and put a stop to the extravagant competition between cities and towns, some of which were offering as much as \$1,000 for a one-year recruit, the State would be subjected to the rigors of the draft.

The Legislature and the Executive failed to agree in their views of the course to be pursued to place the credit of the State on a healthy footing. A resolution was adopted recommending the Governor to apply to the banks and other moneyed institutions of the State for a temporary loan; and in case this project was unsuccessful, to apply "elsewhere." To this the Governor replied, "that he regarded the scheme of obtaining so large a sum of money as the State immediately requires by the payment of exorbitant rates of interest, regulated only by the option of the lender, as wholly impracticable; and he recommended the appointment by the Legislature of a Committee of Finance to raise the amount of money necessary and sufficient to save the credit of the State from disgrace."

In response to this, the Special Committee on Finance reported that the appointment of such a commission would involve a radical change in the financial system of the State, which it would be inexpedient to inaugurate at this late day of the session. The committee were also of opinion that proper effort under the existing laws would readily obtain the ne

cessary temporary loan and at a reasonable rate of interest. The report was adopted.

A new military bill was adopted at this session fixing bounties for recruits enlisted in insurgent States, and compensation for agents employed in that service. State bounties were also provided, ranging from one hundred to three hundred dollars, according to the number of years for which the recruit was offered. Town bounties were similarly limited, except where enrolled citizens should enlist and be credited to the localities in which they reside, in which case no limit was to be affixed to the town bounties. Under the impulse given by this latter provision, volunteering from among the enrolled citizens soon went on with such rapidity, that in the last week of August, just before adjourning, the Legislature by resolution requested the Governor to notify the War Department that, with the allowance of a few days' grace, the whole quota could probably be filled without a draft.

The Governor and the Legislature were brought into somewhat sharp collision in reference to the "Soldiers' Voting Bill." This having passed both Houses, was on August 17th sent to the Governor for his approval, and by him kept for more than five days after the date of presentation. On the 26th he sent a message to the House of Representatives, vetoing the bill, on the ground that, in order to enable soldiers in the national service outside the limits of the State, to vote for electors of President and Vice-President and for members of Congress, it was first necessary to amend the Constitution in that behalf. The Legislature, on the other hand, claimed that as the bill had not been returned within five days, as required by the Constitution of the State, it became a law in spite of the Governor's veto, and resolutions to that effect passed both Houses after a scene of considerable excitement. Decisions of the Supreme Court in favor both of the constitutionality of the act and of its validity, in spite of the veto, having been obtained, it became a law, and the New Hampshire soldiers voted in accordance with its provisions at the ensuing election.

The political parties conducted the Presidential canvass during the autumn months with great animation, and the vote was more evenly balanced than in almost any other State. The result of the vote for Presidential electors was as follows :

	Lincoln.	McClellan.
State vote.....	84,882	82,200
Soldiers' vote.....	2,018	671
	<hr/> 86,400	<hr/> 82,871

At the spring session of the Legislature, Aaron H. Cragin, Republican, was elected a United States Senator for six years from March 4th, 1865, to succeed John P. Hale, receiving a majority of ninety-three on joint ballot over John H. George, Democrat.

NEW JERSEY. This State appears to have made equal progress in prosperity with the

most successful States of the Union. At the close of 1864, for the first time in many years the public debt on State account had been paid. It was unnecessary to levy a tax in the ensuing year for State purposes. The receipts into the treasury from the usual sources in 1864 were \$431,028, and the balance on hand at the commencement of the last fiscal year \$104,654; total \$535,683. The disbursements for ordinary expenses and special appropriations were \$396,410. Making a balance on hand November 30, of \$139,273.

The receipts of the State on account of a war fund were \$1,765,608 during the year; and the disbursements for the same fund in the same time were \$1,723,037; balance \$42,570. The liabilities of this fund on November 30th, were \$2,774,600.

The amount claimed for advances to the United States up to the same period is \$2,494,196; on which the State has received \$1,554,159.

The State has a sinking fund to defray the interest and principal of the war debt, the balance in favor of which is \$323,958.

The State has contributed to the Federal service over 70,000 men. Until May, 1864, they were furnished by volunteering, principally through the State authorities. Since that time they have been raised chiefly through United States officials, by the operation of the conscription act. The Governor of the State thus speaks, in his address to the Legislature, of the operation of the draft:

The officers who have been intrusted with the execution of the draft in this State have generally performed their duty without undue severity, and yet the system is extremely obnoxious to the people, in many cases produces difficulty and distress, is expensive, does not obtain the men with expedition, and supplies an inferior class of troops. Some good men have been obtained by it, but usually they are unwilling soldiers, or strangers who go as substitutes for the bounty, and in many instances fail to reach the front. It is the opinion of officers most conversant with the subject, that the men raised in this way have not added materially in numbers or efficiency to the strength of the army. If the Government wants good troops, composed of residents of the State, who feel a pride in the service and an interest in the result, it should return to the system practised in the earlier stages of the war. The best way to raise troops is to authorize recruiting officers to work in conjunction with the local authorities in their respective neighborhoods and among their acquaintances, with the expectation of a commission. During the ten months immediately preceding the draft in this State, about fifteen thousand volunteers were recruited and mustered into the United States service.

In addition to the amounts sent by private hands, the soldiers of the State forwarded to their families, through an arrangement originally made, \$812,892. Like most of the other States, New Jersey has a special agency to provide for the sick and wounded of her soldiers. In conjunction with other States, measures have been adopted to secure a cemetery for the soldiers who fell at Gettysburg, and for the establishment of one at Antietam.

Measures have been taken to complete the organization of the reserve militia of the State, and she is now provided with arms sufficient to equip all the militia that would be required for actual service in any emergency within the State. Within the last two years the State has paid for ordnance and ordnance stores, including arms of all descriptions purchased for State use, \$277,408. From the militia, a limited number of companies are designated each year to compose a State guard. In case of actual or threatened invasion, riot or insurrection, this force is to be called out first for duty, in consideration of which certain privileges are granted to them. Under the act of Congress to raise troops which allowed recruiting in the insurrectionary States, application was made to Gov. Parker by individuals, to recruit for townships in the State. In reply, he stated that he had determined not to appoint any general agents for the State, and thus stated his objections, which were similar to the views of the Governor of New York:

When I appoint an agent to transact business for the State of New Jersey I expect to protect him while in the discharge of his duties. I cannot give protection to agents appointed to recruit in the rebel States. My letter of authority would not ensure their treatment as prisoners of war.

I think it will be found that but few recruits can be obtained in the rebel States. The New York "Times" of this morning alleges that men cannot now be had there, and gives this as the opinion of Gens. Grant and Sherman, and counsels that we should not rely upon filling our quota from that source, and thereby neglect recruiting elsewhere.

I am satisfied that the Union army would to-day be stronger, both in numbers and efficiency, if the Government had never recruited in the rebel States. The emancipation proclamation, and the consequent arming of the negroes, while adding to the desperation of the enemy, and building up an almost insurmountable barrier to the terms of pacification, quenched the spirit of volunteering among the people of the North. Soon after these measures were adopted it was thought necessary to pass a conscription act, although but a few weeks previous to this radical change of policy the chairman of the Military Committee in the United States Senate advised against the acceptance of volunteers then flocking in regiments to our standard.

The great change wrought by this policy is demonstrated by the present almost unanimous desire of the people to keep out of the army, and the running to and fro of nearly the whole population to seize upon any expedient to avoid personal military service, regarding not the fitness of the substitute, if the certificate of exemption can be procured. So long as the governmental policy disheartens to such an extent, a successful issue cannot be expected. To insure success the people should have a heart in the struggle, be willing to do their own fighting, and not place their reliance on a distinct and inferior race. There can never be a sufficient number of negro troops in the army to compensate for the injury done the Union cause by arming them.

Each sub-district is responsible for its own quota of men, and I recognize the right of the people of each district to raise their own men in their own way. I will not, therefore, interpose my individual opinion in opposition to the will of the people of any locality to prevent them from availing themselves of the law of Congress to fill their quota and avoid a draft. Without any knowledge, desire, or action on my part, I have been made the medium through

whom the people, who desire to recruit in this way, may attain the object; and I will, on petition of the proper authorities of any sub-district, give to such person as may be named credentials to procure recognition from the United States authorities. The power of such agents to recruit is derived from the law of Congress, and to the General Government they must look for protection. I hope that all the districts in this State will be able to fill the quota with volunteers, and that there may be no further drafting in New Jersey.

I am, very respectfully, your obedient servant,
JOEL PARKER.

The number of children who attended the public schools during the year is 149,672, being an increase of 6,146 over the number in 1863. The amount of money raised by tax for schools during the year was \$427,067; ditto from the State, \$80,000; total from all sources, \$637,079. The amount of available school fund belonging to the State is \$511,439. To this sum a certain amount is added annually to become a part of the permanent fund. The Normal School is no longer an experiment in the State; its beneficial influence on the cause of education has been fully demonstrated.

The grant of land made by Congress to each State, for the purpose of establishing a college for the benefit of agriculture and the mechanic arts, was accepted by the trustees of Rutgers College in New Brunswick, and preparations made to carry out the conditions and objects of the grant. The State geological survey is now progressing, after having been for a few years entirely suspended. In the Insane Asylum there are 326 patients; 158 were discharged during the year, of whom 62 had recovered, and 44 improved in their mental condition.

The measures taken in the Federal Congress to make a post road of the railroad extending from Raritan Bay to the Delaware River were, on March 24th, the subject of a special message by the Governor to the Legislature. After reciting the bill, two questions were considered by the Governor: 1st. Whether the proposed action of Congress would affect the pecuniary interest of the State; 2d. Whether it would infringe upon the sovereignty of the State. He then reviewed the history of the contract with the joint companies, Camden and Amboy Railroad and Delaware and Raritan Canal, which would not now be repudiated, and referred the subject to the Legislature in whose province it was to inquire whether the State interests would be affected. This, however, he regarded as of small importance compared with the principle of State sovereignty which was involved. Against any infringement of the rights of the State he protested, and insisted that if the Federal Government needed a road for the transportation of the mails or for war purposes, it must operate it for those purposes itself, and not through private parties for their own benefit as provided in the bill before Congress. The passage of such a law, he considered, would be an indignity to the State, although not binding. It would make parties now under judicial injunction from violating the State

laws, independent of the State. He concluded as follows:

Let it be distinctly understood, by those who would inflict this wrong and indignity upon our State, while New Jersey will comply with every legal obligation, and will respect and protect the rights of all, she will not permit any infringement of her rights, without resorting to every lawful means to prevent it.

The result of the Presidential election in New Jersey was as follows: Lincoln, 60,723; McClellan, 68,024. Majority for McClellan, 7,301. Of the members of Congress chosen at the same time, two were Republicans and three Democrats.

One-third of the Senate and all of the Assembly of the State Legislature were elected at the same time. That body was divided as follows:

	Senate.	House.
Republicans.....	8	30
Democrats.....	13	30
Total.....	21	60

NEW YORK. The vast military strength of the State of New York is strikingly shown by the number of men contributed by her to the Federal service. Since the commencement of the war on April 15th, 1861, to December 1st, 1864, the State furnished 437,701 men, including the credits under the draft of 1863. Of this number 409,426 entered the army, and 28,275 the navy. During the year 1864, 161,604 men were sent into the field. Three calls were made by the President for troops during that period, under which the quota of the State was 204,105. The credits to which the State was entitled for surplus men at earlier periods, secured to it an excess on credits on December 1st, of 5,301 men. A bureau of military statistics is kept by a suitable officer of the State, in which is preserved a record of every man in her forces, together with the battle-flags, trophies, and other evidences of the valor of her sons. To raise and maintain these troops has required immense contributions from towns, cities, and counties, to be applied as bounties to the volunteer, and as a monthly contribution toward the support of his family in his absence. In a few instances counties have by a single and vigorous effort of taxation paid up the debt thus contracted.

The enrolment of the militia so far as completed during the year, contained the names of 314,308 men. There is a National Guard organized out of this number, which upon the last inspection composed a force of 45,910 men, divided into 108 regiments and comprising 5 batteries. The Governor (Fenton), on alluding to the future condition of the military force of the State, expressed himself thus: "The importance of a thoroughly organized State Militia, in maintaining the nicely-adjusted distribution of power between the State and Federal Governments, so necessary to the well-being of our peculiar institutions, is not unworthy of consideration. This distribution, so satisfactory

in times of peace, has, in some degree, been disturbed by the accessions of authority and influence to the latter, growing out of the needs and operations of this war. I am not disposed to question the constitutionality or expediency of the action of the Federal Government in the pressing emergencies of the rebellion. But it may be questioned not only how far the feeble character of the military organizations of the Northern States compelled the national authorities to resort to the present method of raising forces, but encouraged and made possible the rebellion itself. It is certain, however, that a numerous, well-disciplined militia, ready and prompt to act in any exigency, will hasten the time when the National Government may relieve itself from the burden, and the State from the danger of large standing armies."

The deficiency in the receipts of the general fund of the State as compared with the disbursements, was less than in the previous year. The receipts were \$7,787,536; the disbursements, together with the deficiency of the previous year, were \$8,657,351; deficit on September 30th, \$863,814. The general fund debt was reduced during the year \$240,700, and amounted on September 30th to \$6,278,954. During the year a direct tax of $5\frac{1}{2}$ mills was levied for the following purposes: $\frac{2}{3}$ of a mill for schools; $1\frac{1}{4}$ mill for general purposes; 177-80 mill for bounties; 48-80 of a mill for canals, and 3-16 of a mill for the Albany and Susquehanna Railroad.

The gross earnings of the canals of the State for the four years from September 30, 1860, to 1864, were \$17,722,384. After paying the expense of superintendence, collection, and ordinary repairs for the same period, the net balance of surplus revenue was \$14,442,408. The surplus revenue for the year ending September 30, 1864, was \$3,317,356. The canal debt is \$22,327,810, on which annual interest is \$1,290,262.

The tonnage of produce going eastward on the Erie Canal, derived from the Western States and the Canadas, rose from 1,034,763 tons in 1859, to 2,594,837 in 1862. The freight, both through and way, carried eastward by the two great railroad lines from 1859 to 1864, inclusive, was as follows:

	CENTRAL RAILROAD.	ERIE RAILROAD.
Year.	Tons.	Tons.
1859.....	570,927	.....
1860.....	730,258	.....
1861.....	881,028	827,807
1862.....	1,064,128	972,332
1863.....	1,044,259	1,088,109
1864.....	1,557,148	1,332,954

On Sept. 30th there were 295 banks in the State conducting the usual business of banking, with an aggregate capital of \$107,306,948; at the same time 62 banks were closing their business voluntarily and through insolvency. The amount of outstanding circulation at the same date, was \$40,118,635. At the same period

the number of National Banks in operation in the State was 102; of these seventy-seven were organized subsequent to Jan. 1st, 1864. Their aggregate capital was \$21,113,800, and circulation \$13,134,200. The number of these banks which had changed from the State bank system was 24.

A bill was brought before the Assembly of the State Legislature to authorize the State banks to become banking associations under the laws of the United States. The majority of the Committee on Banks, in that body, reported against the measure. Their dissent was founded on several objections, both political and financial, against the entire system. They close their report by saying:

In the mean time, your committee can see no desirable end to be attained in furnishing facilities to the banking institutions of the State to withdraw themselves from legislative jurisdiction and State control. Their obligations to the public and from the public to them, have all been incurred under State sanction, and should be so continued until they are extinguished. Under existing law, every bank has the option to wind up its business and distribute its assets by the consent of its stockholders, and no present necessity would seem to demand a more rapid process of liquidation. Without assuming to judge for others in matters of business, your committee would yet express unhesitatingly the opinion, that when some of the madness of the present hour shall have been dissipated in the sober experience of coming events, there will be no cause for regret on the part of those who trusted their interests to the ægis of State protection.

The agriculture of the State continued in a flourishing condition. The recruiting of the armies did not seriously diminish its productions, as the labor-saving machinery which had been introduced compensated in a great degree for the lack of men engaged in manual labor.

The immigration at the port of New York was 182,766 persons during the year, being an increase of 25,000 over the previous year.

The number of children in the State between the ages of five and twenty years, is 1,307,822, and the number who attended school some portion of the year, is 881,144. The amount of money to be apportioned for the support of common schools for the ensuing year, is \$1,445,749.

The Legislature, at its session early in the year, adopted a resolution declaring that no distinction should be made between the foreign and domestic creditor in the payment of interest on the State debt. This action of that body led the Governor to address them in the following message:

EXECUTIVE DEPARTMENT, ALBANY, April 22, 1864.

To the Legislature:

My attention has been called to a concurrent resolution which has passed both branches of the Legislature, in the following words:

Whereas, All the stocks issued by this State were made payable and negotiable in this State; therefore,

Resolved, That no distinction should be made between the foreign and domestic holders of such bonds as to the currency in which the principal and interest thereon should be paid.

To the principle laid down in this resolution, in terms, there can be no objection offered. All the

creditors of the State, whether they be of our own people or foreign, should be alike paid; paid promptly and in full all that was promised them.

The Legislature, last year, adopted a concurrent resolution on this subject, in the following words:

Resolved, That the interest accruing on so much of the State debt on the first day of April as was, on the first day of March, eighteen hundred and sixty-three, held by persons residing out of the United States, and is still held by them, be paid in gold or its equivalent.

And an appropriation was made for the purchase of coin to an extent sufficient to enable the comptroller to pay in gold the interest on the stocks of New York held by persons residing abroad; and only to that extent. Although the resolution of last year did not in terms forbid the payment of the interest due to our creditors residing in this country, in coin, yet the absence of any appropriation for the purpose obliged the comptroller to forego such payment.

In practice, a distinction was thus made between the non-resident creditor and the resident creditor. We kept faith with the stranger who had trusted us; we broke faith only with those of our own household.

The effect of the resolution of this year, in the absence of any appropriation, will be, that no part of the interest will be paid, as it was promised to be paid, to wit, in coin or its equivalent.

When we sought the markets of the world with our securities, we pledged ourselves to redeem them in the currency of the world. The partial neglect of plighted faith last year is now to be followed by an open refusal to pay any of our promises according to their plain sense. The disgrace of last year was limited; it was kept within ourselves; now our shame and dishonor are to be borne in the face of the world.

I look upon this matter as of so much moment to the welfare and to the character of New York and of its people that I feel constrained to ask you to give the subject a reconsideration; and to urge you to pass a concurrent resolution that shall enable the comptroller to pay all the interest which may fall due before the next session of the Legislature, in coin. In this way your resolution of this year can be carried into effect consistently with the good credit of the State, and "no distinction" will "be made between foreign and domestic holders" of the bonds. If you do not do this, let me urge you to provide, at least, for the interest that is due residents of other countries being paid in coin.

The refusal to pay in coin to our own citizens may justify itself to some minds, although not to mine, as a measure of *quasi* taxation; special, discriminating, and unfair, but excused by our present extraordinary condition. In dealing with our creditors in other countries no such considerations can come in. We have over them no legitimate power of taxation; these creditors of ours have no voice nor part in our political action; we have no claim upon them that they should take a share in the misfortunes that befall us in our career. They are not of our household, nor bound to take part of our domestic calamities upon themselves. The burdens and the misfortunes of this war belong to us; it is ungenerous to shift any portion of them upon others who are not a part of us. These foreign creditors of ours are strangers who lent us their money when we wanted it; upon no security but our word of honor. If we do not pay them back their money to the strict letter of our bargain we incur a shame that can never be removed from us. We deprive New York of an element of strength which heretofore has been wisely used, and which its people have found profitable, to wit, its unquestioned credit.

Principle and policy unite to urge the action I recommend to you. It is the only way in which the State can, in truth, fulfil its contracts. It is the only way in which the State can keep itself in a position

to go into the market hereafter decently as a borrower.

The State is even now in the market for money to pay its bounties to volunteers. The whole amount of the appropriation I urge upon you will be more than repaid in the first negotiation the State may make, by the enhanced price of its securities. We shall lose more in our immediate transactions than the cost of providing the coin for this interest. Not only our future profit but our immediate gain will be served by adhering now to the strictest letter of our contracts.

The saving proposed by not paying in coin is small and temporary, while the dishonor is lasting, and the pecuniary loss consequent upon this dishonor, will be in the end enormous.

Bad faith on the part of New York, the leading member of our confederacy, must, inevitably, weaken very greatly, if it do not destroy the credit of our Government securities in foreign markets. Compared with the importance of this State action in its effect upon the credit of the Government, the cost of paying our interest in coin is insignificant.

Aside from the consideration of interest or policy, our duty, in my judgment, was plain. It is to pay the debts of the State; to pay them in precisely the mode in which they were promised to be paid; to keep the honor of the State unsullied; and to this plain duty we should be true, cost what it may.

HORATIO SEYMOUR.

The Governor on the same day made an appeal "to men of capital, the bankers, the merchants, and others of the people of the State who have its honor at heart, whereby at least so much of the interest as belongs to non-resident creditors, if not the whole," might be paid in gold or its equivalent. This appeal was successful.

Provision was also made at this session of the Legislature to secure the votes of soldiers in the field at elections. By the Constitution of the State, adopted in 1846, it was provided "that for the purpose of voting no person shall be deemed to have gained or lost a residence by reason of his presence or absence, while employed in the service of the United States." A soldier in the field, however, could not vote, because the Constitution at the same time required that each person should vote "in the election district of which he shall at the time be a resident, and not elsewhere." Governor Seymour suggested to the Legislature of 1863, by special message, an amendment of the Constitution by which the absent soldiers could be entitled to vote. The views of this body and the Governor being in conflict, they failed to concur in an act relative to the subject, and a constitutional amendment was prepared and passed by the same body. It was subsequently concurred in by the Legislature of 1864, and submitted to and adopted by the people at a special election in March, 1864. The vote given was 306,874, and the majority in favor of the amendment, 210,716.

The necessary power having been given to the Legislature, a law "to enable the qualified electors of the State, absent therefrom in the military service of the United States, in the army or navy thereof, to vote," was passed by the Legislature and approved by Gov. Seymour on the 21st of April.

It extends the right to vote, in time of war, to qualified electors "in the actual military service of the United States, in the army or navy thereof, who shall be absent from the State of New York on the day of election." This extension is expressly limited, by the language used, to commissioned officers and enlisted men. Sutlers, clerks, teamsters, officers' servants, and the rest of the crowd of non-combatants around every army, cannot vote except at the polls of their respective election districts. Nor can soldiers or sailors in the State on the day of election vote elsewhere than in the election districts in which they reside. Qualified electors of the State in the regiments of the regular army, or in such of the militia regiments as are in the service of the United States, have the same right to vote that volunteers have, if absent from the State on the day of the election.

An elector authorized to vote by the provisions of the law, can do so at any time within the sixty days next previous to the election. For that purpose he must execute a proxy, authorizing any elector of the town or city in which he resides, whom he may name in the proxy, to deliver his vote to the inspectors of the election district in which the voter resides, on the day of the election. The proxy must be signed by the person voting, and must also be attested by a subscribing witness and sworn to before any field officer, captain, adjutant, or commandant of any company or detachment on detached service, in the service of the United States, and commissioned as officers in the volunteer force of the State of New York; or, if the absent elector is in the navy, before "the captain or commandant of any vessel in the naval service of the United States to which the said absent elector may belong or be attached." The voter is also required to make and subscribe before any such officer an affidavit of his qualification as an elector.

The elector can vote "for all officers for whom he would have a right to vote if he were present" at the election. He must fold his ballots and inclose them with his proxy in an envelope, duly sealed, on the outside of which must be his affidavit of qualification as an elector. The envelope must be inclosed in another envelope, which must be sealed and directed to the person authorized by the proxy to cast the vote, and transmitted to him "by mail or otherwise."

The person to whom the proxy is directed may open the outer envelope, but not the inner one. On the day of the election he must deliver the inner envelope to the inspectors at the polls. If the name of the soldier making the affidavit of qualification as a voter, indorsed on the envelope, is on the list of registered electors, the inspectors will open the envelope and deposit the ballots in the appropriate boxes. If the name is not on the list, an affidavit must be made by a "householder of the district," that he knows the soldier to be "a resident of the district," or the envelope will not be

opened, and the soldier will lose his vote. The affidavit required is only to prove residence, and the law provides no separate affidavit of qualification of colored men, as required by the Constitution.

Conventions were held in September by the Republican and Democratic parties, and nominations made for State officers. The resolutions adopted by each convention were like in spirit and similar in views to those adopted by the Presidential conventions. The nominations of the Republicans were, for Governor, Reuben E. Fenton; Lieut.-Governor, Thomas G. Alvord. The nominations of the Democrats were, for Governor, Horatio Seymour; for Lieut.-Governor, David R. Floyd Jones.

On September 30th Gov. Seymour addressed the following circular with reference to the act to authorize soldiers to vote, to the commanders and surgeons of New York regiments in the field:

STATE OF NEW YORK, EXECUTIVE DEPARTMENT, }
ALBANY, Sept. 30, 1864. }

To——, —— of N. Y. S. Vols.

The Legislature of this State, at its last session, passed an act which received my signature and became a law, on the 21st of April, 1864, entitled "an act to enable the qualified electors of this State, absent therefrom in the military service of the United States, in the army or navy thereof, to vote."

This act inaugurates a new feature in our system of elective franchise, and I feel it incumbent upon me to call your attention to its provisions, and to ask that you see it faithfully and impartially carried out. The act provides for this in the following section:

SEC. 13. Any officer of this State or of the United States, or any other person, who shall directly or indirectly control or attempt to control any such enlisted elector in the exercise of any of his rights under this act, by menace, bribery, fear of punishment, hope of reward, or any other corrupt or arbitrary measure or resort whatever, to annoy, injure, or otherwise punish any such officer or man, for the manner in which he may have exercised any such right, shall be deemed guilty of an offence against the sovereignty of this State, which shall be punished as a misdemeanor, and for which he may be indicted and tried at any future time, when he may be found within the limits of the State; and upon conviction he shall be imprisoned for a term not exceeding one year, and fined in a sum not exceeding one thousand dollars, and he shall also thenceforth be ineligible, after conviction thereof, to hold any office in this State.

The twelfth section of the act herein referred to, provides for the preparation, by the Secretary of State, of blank forms and envelopes, which, together with copies of the soldiers' voting act, have been forwarded by express to the different regiments and battalions of New York State volunteers in the United States service, and to the sick and wounded New York soldiers in U. S. hospitals, under the following order:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, }
WASHINGTON, August 8, 1864. }

Special Orders No. 262.

19. All officers in the military service of the United States will render every facility to such Express Companies as may be charged by the Governor of New York with the delivery of the necessary forms and blanks required to secure the votes of soldiers of that State in the field, with a view to the blanks being delivered with the least practical delay.

By order of the Secretary of War,

E. D. TOWNSEND,
[Official.] Assistant Adjutant General.
E. D. TOWNSEND, Assistant Adjutant General.

I send you a set of ballots prepared by the friends of General McClellan, and have requested the Secretary of State to forward to you a set prepared by the friends of Mr. Lincoln.

The State and Local Committees of the two political parties will send you the necessary number of ballots.

You can do much toward securing to your officers and men a fair expression of their political preferences, if you will detail one or more officers of your command of each political party, to distribute the ballots and to aid soldiers and commissioners in filling up the requisite powers of attorney. You are also requested to use every effort to send forward the envelopes, containing the powers of attorney and ballots, to the electors in the several election districts of this State, named on the back thereof—either by express or mail, or through such reliable commissioners as may visit your command.

I feel confident that every officer from New York will feel an honorable pride in seeing that the laws of his State are carried out according to their letter and spirit, and that they will protect all under their care in the full and free exercise of their personal and political rights.

Truly yours, &c.

HORATIO SEYMOUR.

On October 28th, Major-Gen. Dix, commanding in the Department of the East, issued the following order relative to interference with the election:

HEADQUARTERS DEPARTMENT OF THE EAST, }
NEW YORK CITY, Oct. 28, 1864. }

General Orders No. 80.

Satisfactory information has been received by the Major-General commanding, that rebel agents in Canada design to send into the United States, and colonize, at different points, large numbers of refugees, deserters, and enemies of the Government, with a view to vote at the approaching Presidential election; and it is not unlikely, when this service to the rebel cause has been performed, that they may be organized for the purpose of shooting down peaceable citizens and plundering private property, as in the recent predatory incursions on the Detroit River and at St. Albans. Against these meditated outrages on the purity of the elective franchise and these nefarious acts of robbery, incendiarism, and murder, it is the determination of the Major-General commanding to guard by every possible precaution, and to visit on the perpetrators, if they shall be detected, the most signal and summary punishment. All the classes of persons enumerated, whether citizens of the insurgent States who have been in the rebel service or engaged in acts of hostility to the Government, deserters from the military service of the United States, or men drafted or subject to draft, who have fled to evade their duty to their country, are liable to punishment for the crimes they have already committed; and no effort will be spared to arrest them. For this purpose all provost marshals and their deputies within this department are commanded to exercise all possible vigilance, and to adopt such measures as may be necessary to detect persons coming into the United States for the purpose of voting or of committing depredations on private property and to prevent their escape; and it is earnestly recommended to the electors of the States in this department to take, within their respective election districts, such measures as may be required for their own security, and to aid the military authorities in frustrating the designs of rebel agents or emissaries, or in bringing the perpetrators to punishment.

Should any of these malefactors succeed in perpetrating their crimes, effective measures will be taken to prevent their return to Canada, and for this purpose special directions will be given, and suitable guards for the frontier will be provided before the day of election.

As a further precaution, all persons from the insurgent States now within the department, or who may come within it on or before the third of November proximo, are hereby required to report them-

selves for registry on or before that day ; and all such persons coming within the department after that day will report immediately on their arrival. Those who fail to comply with this requirement, will be regarded as spies or emissaries of the insurgent authorities at Richmond, and will be treated accordingly. The registry in this city will be at the headquarters of Major-Gen. John J. Peck, second in command in the department, at No. 37 Bleecker street; and in all other places out of this city at the offices of the nearest provost marshals. The registry will contain a complete description of the persons reporting, and also their places of residence, which must not be changed without notice at the place of registry.

By command of Major-General DIX.

D. T. VAN BUREN, Colonel and Ass't Adj.-General.

Several hundred persons from the Southern States appeared at the rooms designated in this order, and were registered. Each person was examined privately, and a record taken of his or her name, a description of his personal appearance, his former and present place of residence, his business or pursuit, and a general examination of his antecedents, intentions for the future, &c., was made. If the person subscribed to the oath, and his answers were considered satisfactory, he was allowed to depart ; but if he refused to take the oath of allegiance, or the officer (Major Haines) entertained any suspicions in regard to his character, he was sent to report to Gen. Dix.

On the next day, October 29th, Brig.-Gen. Green commanding the militia forces of the State, issued the following order :

HEADQUARTERS FRONTIER DEFENCES, }
SYRACUSE, October 29.

General Order No. 2.

Pursuant to an order of his excellency the Governor and commander-in-chief, issued on the 12th day of August last, the General commanding assumed command of the district lying along the Canadian frontier, extending from the east line of the county of Monroe to the boundary line of the State of Vermont, and embracing the counties of Wayne, Cayuga, Oswego, Onondaga, Jefferson, St. Lawrence, Franklin, and Clinton. The General commanding now again enjoins upon all subordinate officers within the said district to exercise a special vigilance in guarding against any hostile invasions of this State by persons in the Canadian provinces, to the end that the peace of the State may be preserved from violation or disturbance. A State election is to be held on the 8th day of November next, and it has been suggested that evil-disposed persons across the border may deem this a favorable occasion to pass the frontier for the purpose of depredation upon the property of our citizens. Officers of the National Guard, within the department, are therefore reminded that unusual vigilance to intercept all such attempts will be required. But persons peacefully coming to or attending the polls at the election are not to be interfered with under any pretext whatever. The election is to be held solely under the authority of the State, and is regulated by State laws, carefully framed and eminently adapted to prevent as well as punish all improper and fraudulent voting. The people in their sovereignty and by their Constitution have regulated their right of suffrage, and this right can only be challenged and tried before the inspectors and judges of election. No military interference can be permitted. The General commanding recognizes danger to the public peace in the proposed attempt of a major-general, holding his commission under the Federal Government, to take under his care and supervision within the said district the election to be held as aforesaid. For this contemplated interference there

is no necessity, authority, or excuse. The Federal Government is charged with no duty or responsibility whatever relating to an election to be held in the State of New York. Officers in the National Guard in this department, will therefore vigilantly repress all attempts to disturb the peace, will do their utmost to preserve order and quiet on the day of the election, and, if necessary, will prevent all interference with the right of any person or persons peacefully to attend at the places where the polls shall be held.

By order of

JOHN A. GREEN, Brig.-Gen. Commanding.

MILTON H. NORTROP, Captain and A. A. G.

On Nov. 2d Maj.-Gen. Dix issued the following instructions to the provost marshals and their deputies in his department :

HEADQUARTERS DEPARTMENT OF THE EAST, }
NEW YORK CITY, Nov. 2.

General Orders No. 85.

To Provost Marshals and their Deputies in the Several States in this Department.

In pursuance of the intimation contained in Department General Orders No. 80, you are hereby instructed to make such arrangements within your respective districts as may be practicable, for the detection of persons coming into the department for the purpose of voting, who have been in the service of the authorities in the insurgent States, who have deserted from the service of the United States, or who have fled to evade the draft. All such persons will be promptly arrested and sent to these headquarters. For this purpose detectives should be employed for two or three days before the election, and the aid of the inspectors is solicited in furnishing any information which may be obtained at the polls, and which may lead to the detection of the guilty parties. Through this information, and that obtained by detectives and challengers, it is believed that those who have the hardihood to attempt to add to their other crimes that of fraudulent voting, may be brought to punishment.

No military force will be embodied at or in the vicinity of any of the polls, and there must be no interference in any manner with the exercise of the right of suffrage, or with those who are charged with the performance of any duty connected with the election in any of the States in this department under their constitutions and laws. But if the civil authorities shall call on you to aid them in keeping the peace, you are authorized and required to do so, acting in strict subordination to them.

After the election the greatest vigilance will be exercised in regard to persons crossing the frontier into Canada ; and if, in any case, there is good reason to believe that they belong to any of the classes above enumerated, they will be detained and promptly reported to these headquarters for instructions.

By command of Major-General DIX.

D. T. VAN BUREN, Col. and Ass't Adj't-Gen.

On the same day Governor Seymour issued the following proclamation to the people of the State :

EXECUTIVE CHAMBER, ALBANY, November 2, 1864.

In a few days the citizens of this country are to exercise their constitutional duty of electing a President and Vice-President of the United States, at a time when the condition of our country excites the deepest interest.

The questions of the day not only affect the personal welfare of all, and the happiness of their homes, but also are of a character to arouse the passions and lead to angry controversies between parties.

The existence of a terrible civil war and the assertion of the right of military commanders in some sections of our country to interfere with elections, have caused painful and exciting doubts in the minds of many with regard to the free and untrammelled exercise of the elective franchise. I therefore appeal to

all men of all political parties to unite with those holding official positions, in their efforts to allay undue excitement, soften the harshness of party prejudices and passions, and to avoid all measures which tend to strife or disorder.

However we may differ in our views of public policy, we are alike interested in the maintaining of order, in the preservation of the rights and the promotion of the prosperity of our State.

While we do not agree as to the methods by which these ends are to be gained, they are earnestly sought by all.

It is certain they cannot be reached by angry controversies, unreasonable suspicions or disorderly actions.

There are no well-grounded fears that the rights of the citizens of New York will be trampled upon at the polls.

The power of this State is ample to protect all classes in the free exercise of their political duties. In doing this the public authorities will be upheld by good citizens of all parties.

There is no reason to doubt that the coming election will be conducted with the usual quiet and order.

Sheriffs of counties, and all other officers whose duty it is to keep the peace and protect our citizens, will take care that every voter shall have a free ballot in the manner secured to him by the Constitution and laws. It will be their duty to see that no military or other organized forces shall be allowed to show themselves in the vicinity of the places where elections are held, with any view of menacing or intimidating citizens in attendance thereon. Against any such interference they must exercise the full force of the law, and call forth, if need be, the power of their districts.

In witness whereof I have hereunto signed my name, and affixed the Privy Seal of the State,
[L. S.] at the city of Albany, this 2d day of Nov., in the year of our Lord 1864.

By the Governor: HORATIO SEYMOUR.

D. WILLIAMS, Jr., Private Secretary.

On the same day, Nov. 2, the Secretary of State, Mr. Seward, sent by telegraph the following despatch to the Mayors of New York, Albany, and other cities:

WASHINGTON, Nov. 2, 1864.

This department has received information from the British provinces, to the effect that there is a conspiracy on foot to set fire to the principal cities in the Northern States on the day of the Presidential election. It is my duty to communicate this information to you.

W. H. SEWARD.

The Mayor of New York replied as follows:

MAYOR'S OFFICE, NEW YORK, NOV. 3.

Hon. William H. Seward:

Your despatch is received. I have no fears of such threats being carried out, or even attempted. However, I shall take all precautionary measures, and am amply prepared. Should any Federal assistance be necessary, I shall invoke the same without delay.

C. GODFREY GUNTHER, Mayor.

On Nov. 4th, Maj.-Gen. Butler arrived at New York City, from Fortress Monroe, and took command in this city. On the Monday afternoon preceding the election, the 6th, 7th, and 10th Conn., under Maj. Hawley, and other regiments, making about 7,000 men, arrived at Fort Hamilton and Governor's Island, in New York Bay. On Tuesday morning, the day of election, they were placed on board of steamers, and the vessels were stationed at various points opposite the Battery, and in the North and East Rivers. They were within call on Tuesday, Wednesday, and Thursday, and could have been marched to any part of the city in half an hour.

For the order of Maj.-Gen. Butler, on assuming command, see UNITED STATES, p. 797.

On Nov. 7th Maj.-Gen. Peck, at Buffalo, issued the following order:

HEADQUARTERS DEFENCES OF THE FRONTIER, }
BUFFALO, NOV. 7. }

General Orders No. 12.

In pursuance of orders from the East, the undersigned assumes command of the forces on the frontier. The Government has not been unmindful of the exposed condition of this portion of the country now menaced by piratical invaders. The Government was slow to believe that any considerable force of the rebels would assemble in Canada for the sole purpose of murdering and pillaging undefended towns along the border. Such is, however, the fact, and rumor says plans have been matured for the commission of crimes of a blacker character than has marked any former civilization.

Maj.-Gen. Dix has made ample preparations for any emergency, and my mission is to insure full protection to the frontier and to any of the civil authorities in maintaining order. No interference in elections will be permitted. Communications of the civil authorities from localities along Central Railroad and Lake Ontario will receive attention. All orders from department headquarters will remain in force; reports will be made as heretofore.

JOHN J. PECK, Maj.-Gen.

Col. S. H. BURTON, Chief of Staff.

Lieut. J. S. McVEY, A. D. C.

On Oct. 27th Moses J. Ferry and Edward Donahue, jr., State agents to receive the votes of soldiers at Baltimore, were arrested by the provost marshal, and the State agency closed. At the same time the State agency at Washington was closed, and Col. North and other persons arrested and confined in prison. The charges alleged against the parties were the commission of frauds in connection with soldiers' votes. On the same day the military commission sitting in Washington, of which Gen. Doubleday was president, adjourned to assemble at Baltimore. Before this commission the persons arrested in Baltimore were arraigned on a charge of fraud and forgery in procuring soldiers' votes. Ferry made a confession to the Court:

I do not recollect the time when the first papers were forged, but it was in the presence of O. K. Wood, of Clifton County, N. Y. It was done in my office, No. 85 Fayette Street, Baltimore. I am and have been for the past two years agent for the State of New York, appointed by Gov. Seymour to look after the sick and wounded soldiers of New York.

I first saw Wood on Wednesday of last week, at my office. He came and represented himself as an agent of the Central Committee of his county to look after its local ticket. He talked about the way in which votes should be taken. It was agreed that we should sign the names of soldiers and officers, and then send them home to have local tickets filled in. I made out small papers. I signed the names of soldiers on quite a number of them. I cannot tell what names we signed. The names we signed to the papers are now in the bundle on the table. I did not sign the names of officers, but Donahue signed any quantity of them.

There was a large package of these papers left with me which I destroyed. That package contained over 200. Donahue signed them all. The idea of forging these was first suggested by a man named Stephen Maxon. He is from the western part of the State of New York. He is a State Agent. It was first pro-

posed almost two weeks ago. I do not know how many forged papers were sent off, but I heard them say they were sent from Washington by the dry-goods box full. I sent a package of forged papers to Gen. Farrell, with the following letter:

BALTIMORE, 22d.

If you are energetic you will be able to get the within votes all arranged for the 8th of November. I should have done more to them, but I have not time. They are all on the square, the same as the blacks got theirs; neither would bear close scrutiny. Ed. Donahue said send this to you, and I have done it. Yours truly, DEMOCRAT.

P. S. They are all soldiers—company and regiment all O. K. The rest I have nothing to say. If you have no use for them send them back. M. J. FERRY.

Mr. Ferry then entered a plea of guilty, which was accepted, and the Judge Advocate recommended him to the clemency of the Court.

On the 28th the trial of Donahue came up. The military commission consisted of the following members: Maj.-Gen. Doubleday, Brig.-Gen. Fessenden, Col. R. Butler Price, Lieut.-Col. T. A. Barker, Capt. J. H. Platt, and Capt. M. H. Ellis, with Judge-Advocate John A. Foster. The prisoner objected to the jurisdiction of the Court, on the ground that the offence charged was one which should be tried not by a military but a civil court, and pleaded guilty to having signed certain blanks with the name of C. G. Arthur, A. A. G., and that there was no such person in existence, therefore it did not constitute a crime. The Judge Advocate replied:

The offence is not one against the State of New York. To constitute a crime against the State of New York, the offence must be committed within the State. This crime was committed within the State of Maryland. If the State of New York were to attempt to punish it, it would not be known in what court to try the prisoner. The crime was not committed in that State, consequently the State of New York would have no jurisdiction. On the other hand, it is not a crime against the State of Maryland. It is neither a common law crime of forgery, which requires that it should be for the sake of gain—money; nor is it a statutory crime in Maryland. It is not a crime against the civil laws of the United States; it is not a common law forgery in the United States. Hence, if a military court have no power to try the case, it cannot be tried at all. The act of the State of New York, entitled "An Act to enable the qualified electors of this State, absent therefrom in the military service of the United States, in the army or navy, to vote," is only intended to be a law in time of actual war, when *quasi* military law is the law of the land.

This crime goes directly to the efficacy of the service. The deprivation of a soldier of his right to vote, the knowledge that he was defrauded of it, would have a demoralizing effect. If his false vote be received at the polls, his true vote, when presented afterward, will be rejected. The very foundation of the Government, which guards the rights of citizens as electors, is by that act attacked. And the only mode in which the offence can be punished is by the military authorities. The offence is to a great extent a violation of General Order No. 265, which commands officers to take measures to secure the freedom and fairness of the election, and to see that it shall be conducted with due regard to good order and military discipline. What greater attack on good order and military discipline than this?

The Court decided that it had jurisdiction in the case.

Witnesses swore that Donahue signed the names of soldiers, and he was found guilty and sentenced to the penitentiary for five years. Ferry was also sentenced for a term

of years. The Court then adjourned to meet at Washington on Nov. 3d for the trial of Col. Samuel North, Levi Cohen, and M. M. Jones. These persons, together with others by the names of Reeves and Schofield, were charged with conduct prejudicial to good order and military discipline, and with fraud toward the New York State electors, in that they forged the names of officers and soldiers to what purported to be ballots of said soldiers to be used at the election. They were also charged with falsely and fraudulently issuing divers and sundry blanks, which purported to be signed by officers and soldiers in the military service of the United States, authorizing certain parties to cast their votes at the ensuing State and national election with intent to defraud the true elector of his rights.

Meantime, on Oct. 30th, Gov. Seymour issued the following order:

ALBANY, October 30.

To Amasa J. Parker, William F. Allen, and William Kelly, greeting:

It being reported that Col. Samuel North, agent of the State of New York at Washington, together with certain other citizens of this State, not in the military or naval service of the United States, have been placed in arrest by the military authorities of the United States, and no reason for such arrest having been given to me, and being anxious to learn the fact of such arrest and the grounds therefor, to the end that no innocent persons may be imprisoned without a fair and speedy trial, and that no obstacle may be put in the way of soldiers of this State having a fair ballot, according to its laws;

Know you, that I, Horatio Seymour, Governor of the State of New York, do hereby appoint you, Amasa J. Parker, William F. Allen, and William Kelly, Commissioners for and in behalf of the State of New York, and do authorize and direct you and each of you forthwith to proceed to the city of Washington as such Commissioners, there to inquire into the facts and circumstances relating to such arrests and alleged causes thereof, and to take such action in the premises as will vindicate the laws of the State and the rights and liberties of its citizens, to the end that justice may be done, and that all attempts to prevent soldiers from this State, in the service of the United States, from voting, or to defraud them to coerce their action in voting, or to detain or alter the votes already cast by them in pursuance of the laws of this State, may be exposed and punished, and that you report your proceedings to me with all convenient speed.

(Signed) HORATIO SEYMOUR.

D. WILLIAMS, Jr., Private Secretary.

This Commission reported to the Governor on Nov. 3d. They arrived in Washington and entered upon the business committed to them on Monday, Oct. 31st. After a preliminary interview with the Secretary of War, the following written request was submitted to him:

WAR DEPARTMENT, }
WASHINGTON CITY, October 31, 1864. }

The undersigned request the Secretary of War that he will give them an order to receive the soldiers' votes which have been taken and are now in the custody of the provost marshal at the New York agency in this city, as further delay to forward the votes may make it too late to use them at the approaching election.

They also request that the blanks in the office of the New York agency in this city may be handed over to an agent of the State of New York, to be

used, and that the agents may be permitted to proceed and take further soldiers' ballots, to be forwarded to the State of New York; and that a military officer of the New York Volunteers may be designated by the Department to attend at the New York agency to administer oaths to voters.

The undersigned also request a copy of the charges against Col. North, and the others in custody.

Also, a permit for the undersigned to see Colonel North and the others in custody, and to make provision for furnishing counsel to defend them.

AMASA J. PARKER, }
W. F. ALLEN, } Commissioners.
WILLIAM KELLY, }

The Secretary assented to the request, and gave directions to his subordinates for their compliance. Several hundred ballots were obtained in different parcels through the Judge Advocate, which were all that had been seized. They had been detained five days on their way. They also visited Col. North in prison, which visit they thus report:

The undersigned availed themselves of the permit granted them to visit Col. North, M. M. Jones, and Levi Cohn. They found them in the "Carroll prison," in close confinement. They then learned that Messrs. North and Cohn had been confined together in one room, and had not been permitted to leave it for a moment during the four days they had been prisoners, even for the purpose of answering the calls of nature. They had been supplied with meagre and coarse prison rations, to be eaten in their room where they constantly breathed the foul atmosphere arising from the standing odor. They had no vessel out of which to drink water, except the one furnished them for the purpose of urination. They had but one chair, and had slept three of the nights of their confinement upon a sack of straw on the floor. They had not been permitted to see a newspaper, and were ignorant of the cause of their arrest. All communication between them and the outer world had been denied them, and no friend had been allowed to see them. The undersigned complained to the acting superintendent, who seemed humanely disposed, but justified his course by the prison rules and the instructions of his superiors. The undersigned afterwards complained of the treatment of these persons to the Judge Advocate, and also to the Secretary of War and the Assistant Secretary, and were happy to learn at subsequent visits to the prisoners that the severities were relaxed and their condition made more tolerable. But at neither of these visits made to the prisoners by the undersigned, were they permitted to see them without a special permit, and only in the presence of an officer of the prison.

Application was next made to the Judge Advocate for a copy of the charges against Col. North, without success. The Commissioners then say: "From the best investigation the undersigned have been able to make, though there may have been irregularities, they have found no evidence that any frauds, either against any elector or the elective franchise, have been committed by any person connected with the New York agency."

They then delivered to the Secretary of War the following communication as presenting their case, together with a copy of their commission, with the request that they might be filed in the office of the War Department:

WILLARD'S HOTEL, WASHINGTON, NOV. 1.
To Hon. Edwin M. Stanton, Secretary of War:

SIR: We beg leave to submit to and leave with

you a copy of the commission from his excellency the Governor of the State of New York, under which we act in behalf of that State. From it you will perceive the nature of the duties assigned us.

In accordance with the suggestion made by yourself at our first interview yesterday, we take the liberty of submitting in writing our claims in respect to the imprisonment of Col. Samuel North, Mr. Levi Cohn, and Mr. Morven M. Jones, now and since Thursday last in close confinement in the Old Capitol prison.

You are aware that they were, at the time of their arrest, in this city (Washington) as agents of the State under authority from the proper departments, to look after the interests and care for the soldiers from the State of New York in the service of the United States. They were not in the military or naval service of the United States, and by no law of which we are aware were they subject to the martial and military laws of the United States, or to the orders of the War Department.

Since our interview with yourself yesterday, we have seen Col. North in the presence of his keeper. By an inadvertent omission in our permit, we did not see the other prisoners.

We have also had interviews with Col. Foster, the Judge Advocate, having, as we understand, charge of the cases of the persons named, and have endeavored to learn the character of the offences charged against Col. North and the others named, and the nature of the charges made against them, and the character of the proofs. This was important to enable us to inquire into and prevent any attempt or anticipated frauds upon the election laws of our State, if any such were threatened. The proofs are withheld from us.

The charges, so far as we can learn, are not for the violation of any law of the United States, but relate to acts purporting to have been done under the law of the State of New York concerning elections, and making provisions for soldiers voting in that State, it being claimed that certain irregularities have intervened which give reason to suspect that frauds and forgeries are intended, and may be consummated.

These suspected and anticipated frauds have respect solely to the election laws of the State of New York, and the action of the Government in making the arrest is claimed to be justified upon the ground that unless thus prevented frauds will be perpetrated against the ballot-box at the approaching election in the State of New York.

We beg leave, in behalf of the State, respectfully to protest against this jurisdiction, assumed as well over the alleged offence as over the persons of the accused, who are citizens of the State, in its employ, and entitled to its protection.

The proper business of the State agency is greatly interfered with by the arrest and detention of the agents, and the State is deprived of its proper jurisdiction over its agents and citizens, over offences against its laws, and over its own ballot-box, and the exercise of the elective franchise within its limits.

We therefore most earnestly, and at the same time most respectfully, demand, as we think we may properly do in behalf of the State, the release of the persons named from arrest, that they may resume their business at the agency, if the Governor shall see fit to continue them.

We also ask and would urge a compliance with our request that all the proofs in possession of the Government of the United States tending to show any wrongful acts or irregularities on the part of these agents may be furnished us, that we may report them to the Governor or other proper authority, to the end that the unfaithful agents may be removed, and if guilty of any offence, that they may be properly punished.

We do not consider this a proper occasion to argue the question of jurisdiction; but it may be fit and

proper to suggest some grounds upon which we think the arrests are without jurisdiction, that you may have them before you when you pass upon our demands.

1st. We claim that the military authorities of the United States have no jurisdiction of the persons of the individuals named; that they are not in the military service of the United States, or in any way subject to the orders of the military authorities; that they are the servants of the State of New York, subject to its authority and amenable to its laws.

2d. We claim that the acts charged, if proved to have been committed, are not offences against any law of Congress or any rule or order of the War Department made by authority of law.

3d. We claim that the acts, if offences at all, are only offences against the laws of the State of New York, and punishable by those laws only.

4th. The papers, whether incomplete and irregular and simply giving evidence, as is claimed, of an intended violation of the laws of New York, or complete in form, although forgeries in fact (if it is claimed there are any such, of which we are not informed), are evidence of no crime against the United States, and are of no value anywhere except in New York, where alone they can be used in the perpetration of any fraud, and that fraud would be against the sovereignty, the laws, and the people of that State.

5th. It is not to be presumed that the laws of New York are insufficient to guard against fraud of the character anticipated, or that they would be so badly administered that the frauds can be successfully accomplished, or if accomplished that the guilty will go unpunished.

But if this were not so, and it were morally certain that the frauds could and would be accomplished with impunity, the General Government would have no jurisdiction in the premises.

6th. The alleged fraudulent act would not be an offence against the soldier in the field. He cannot be deprived of his proper vote by any number of forgeries, and the presentation and reception of fictitious votes affect the whole people of the State and not the soldier alone.

7th. If the acts alleged could deprive the soldier of any right, it would be a right pertaining to him as a citizen and not as a soldier. He votes, if he votes at all, as a citizen of the State, and not as a soldier of the United States. For protection in his rights as a citizen he looks to the State only.

We will add that the laws of the State provide that parties guilty of the acts of which the parties named are suspected, shall upon their return to the State be punished.

In this connection we would refer to the cases of Ferry and Donahue, who, we learn, have been recently tried at Baltimore for acts to some extent of the same character as those charged upon Messrs. North, Cohn, and Jones.

Ferry and Donahue were, at the time of their arrest, in Baltimore, in the capacity of State agents, under authority from Gov. Seymour, and if we are not entirely mistaken in our views of the case, their trial was a nullity, for want of jurisdiction in the court or commission by which they were tried.

We therefore ask that these men be surrendered by the United States Government to the State Government, that they may be tried, and if guilty of any offence against the laws, be suitably punished.

Permit us also respectfully to suggest, without desiring to reflect on any of the agents of the departments, that the haste with which such trials were pressed through, and their *ex parte* character, the accused being without counsel, especially in a time of intense partisan feeling like the present, and before a court of supposed party bias, without at all bringing in question the integrity of the court, may well lead the public to distrust the fairness of the trial. We submit that if jurisdiction of the alleged

offences is to be assumed and exercised by a military tribunal, it should not be the means of depriving the accused of the presumption of innocence, or the aid of counsel, or of ample time to prepare for the defence.

The undersigned beg leave to ask for an early reply, and are, respectfully,

Your obedient servants,
AMASA J. PARKER,
W. F. ALLEN,
WILLIAM KELLY.

This communication was referred to the Judge Advocate General, Holt. The Commissioners then requested that the trial might be postponed until after the election, and that the prisoners might be released, in case their request of Nov. 1st was refused, on parole, to which the following answer was given:

WAR DEPARTMENT, }
WASHINGTON CITY, November 1. }
Messrs. Amasa J. Parker, W. F. Allen, William Kelly,
Commissioners, &c.

GENTLEMEN: In reply to the request contained in your letter of this date, that the trials of Col. North, Mr. Cohn, and Mr. Jones, may be postponed until after the approaching election, I am directed by the Secretary of War to say that the Chief of the Bureau of Military Justice, Brig.-Gen. Holt, to whom the letter was referred, reports as follows: "The within paper is not regarded as presenting any legal grounds for postponing the trials referred to. It is believed that the cases should be allowed to take the ordinary course."

With regard to your request of this date for the release on their parole of the persons alluded to, General Holt further reports as follows: "It is expected that the trial of these parties will be proceeded with to-morrow. No reason is perceived, therefore, for paroling them."

Such being the view of the chief of the Bureau of Military Justice, the Secretary of War does not feel authorized to pursue a different course on the applications presented by you.

The Secretary regrets that it has not been in his power to make an earlier response to your application. I am, very respectfully, gentlemen,

Your obedient servant,
JAMES A. HARDIE,
Col. Inspector-Gen. U. S. A.

The Commissioners then addressed a letter to the President, enclosing a copy of their communication of Nov. 1st, and stating the other proceedings in the case. They also addressed a final note to the Secretary of War, saying:

Although no formal reply has been made to our demand of the 1st inst., for the discharge of the prisoners, we think we may regard the answer to the requests referred to as clearly indicative of the determination of the Government to hold the persons accused, and try them by a military commission.

In this view, our duties as Commissioners have been fully discharged, and we expect to leave during the day for New York.

The report to the Governor then closed with a summary of the results of their commission:

Under these circumstances, after having retained counsel for the persons accused, the labors of the undersigned are brought to a close, their power is exhausted, and nothing remains but to report their proceedings.

The demands made in behalf of the State of New York are thus refused. The persons arrested are to be summarily tried before a military commission, clearly, in our opinion, without jurisdiction, in viola-

tion of their personal rights, in usurpation of the just powers of our State, and in the midst of an exciting political contest; and, though up to this time, the morning of Thursday, the 3d of November, when we are leaving Washington, no charges have been served on the accused, and perhaps none have yet been framed, yet we are told the trial shall proceed immediately, and that the time asked for to procure witnesses for the defence shall not be afforded.

The trial of Col. North proceeded with numerous adjournments through several weeks, when he was acquitted and discharged.

At the election there were 730,821 votes polled, taking the highest elector on each ticket, of which Mr. Lincoln received 368,735, and Gen. McClellan 361,986; being a majority of 6,749 for Mr. Lincoln.

For Governor the total vote was 730,821, of which Mr. Fenton received 369,557, and Mr. Seymour 361,264, being a majority for Mr. Fenton of 8,293. By the vote for members of Congress, 20 Republicans and 12 Democrats were elected. The Legislature elected was divided as follows:

	Senate.	House.
Republicans.....	21	76
Democrats	11	52
Total.....	32	128

On Nov. 15 Maj.-Gen. Butler issued an order taking leave of his command in the State, and tendering his thanks to the provisional division under Brig.-Gen. Hawley, from the Army of the James, and the regiments of regulars from the Army of the Potomac detailed for special duty, for their promptness, efficiency, &c., and to other officers who had tendered their services.

Considerable correspondence took place between the War Department and the Governor, relative to the quota of the State under the calls for troops during the year.

On November 25th an attempt was made by incendiaries to set on fire a large number of hotels in New York City. The attempt was made during the evening. The Maj.-Gen. (Dix) commanding the department immediately commenced an investigation, and one of the culprits, Robert Kennedy, was arrested and subsequently hung. Previous to his execution he made the following statement:

After my escape from Johnson's Island I went to Canada, where I met a number of Confederates. They asked me if I was willing to go on an expedition. I replied, "Yes, if it is in the service of my country." They said, "It's all right," but gave me no intimation of its nature, nor did I ask for any. I was then sent to New York, where I stayed some time. There were eight men in our party, of whom two fled to Canada. After we had been in New York three weeks we were told that the object of the expedition was to retaliate on the North for the atrocities in the Shenandoah valley. It was designed to set fire to the city on the night of Presidential election, but the phosphorus was not ready, and it was put off until the 25th of November. I was stopping at the Belmont House, but moved into Prince street. I set fire to four places—Barnum's Museum, Lovejoy's Hotel, Tammany Hotel, and the New England House. The others only started fires where each was lodging, and then ran off. Had they all done as I did we would have had thirty-two fires and played a huge joke on the Fire Department. I know that I am to be hung

for setting fire to Barnum's Museum, but that was only a joke. I had no idea of doing it. I had been drinking and went in there with a friend, and, just to scare the people, I emptied a bottle of phosphorus on the floor. We knew it wouldn't set fire to the wood, for we had tried it before and at one time had concluded to give the whole thing up.

There was no fiendishness about it. After setting fire to my four places I walked the streets all night, and went to the Exchange Hotel early in the morning. We all met there that morning and the next night. My friend and I had rooms there, but we sat in the office nearly all the time, reading the papers, while we were watched by the detectives, of whom the hotel was full. I expected to die then, and if I had it would have been all right; but now it seems rather hard. I escaped to Canada, and was glad enough when I crossed the bridge in safety.

I desired, however, to return to my command, and started with my friend for the Confederacy via Detroit. Just before entering the city he received an intimation that the detectives were on the lookout for us, and, giving me a signal, he jumped from the cars. I didn't notice the signal, but kept on, and was arrested in the depot.

I wish to say that killing women and children was the last thing thought of. We wanted to let the people of the North understand that there are two sides to this war, and that they can't be rolling in wealth and comfort while we at the South are bearing all the hardships and privations.

In retaliation for Sheridan's atrocities in the Shenandoah valley, we desired to destroy property, not the lives of women and children, although that would of course have followed in its train.

Done in the presence of Lieut.-Col. Martin Burke.
MARCH 24—10.30 P.M.

For the commerce of New York, *see* COMMERCE.

NORTH CAROLINA. The dissatisfaction with the government at Richmond which existed in North Carolina at the close of 1863 and the first part of 1864, arose from the lack of efforts on the part of the Richmond government to seek by negotiations a peace with the United States. A large portion of the people of the State desired peace; but instead of witnessing efforts to obtain it by negotiation, they beheld the war pressed forward, the exactions of the government for men and money constantly increasing, and the loss and destruction of the war unsuspended. So far did this discontent proceed, that Gen. Vance found it to be necessary to address a letter to Mr. Davis on the subject. This letter, with the reply to it, will be found under the title "Confederate States." Mr. Davis says that all his efforts to open negotiations have been rejected by Mr. Lincoln, and that honor would not permit them to be renewed. This state of affairs led to various suggestions for reaching the object so much desired. In the Senate of the State Legislature, which was in session at this time, it was proposed to open negotiations through commissioners appointed by the States respectively. For this purpose the following resolutions were brought forward in that body:

Resolved, That five commissioners be elected by this General Assembly, to act with commissioners from the other States of the Confederacy, as a medium for negotiating a peace with the United States.

Resolved, That each of the other States of the Confederacy be respectfully requested to create a similar commission, with as little delay as practicable, and

to coöperate with North Carolina in requesting of President Davis, in the name of these sovereign States, that he tender to the United States a conference for negotiating a peace through the medium of these commissioners.

Resolved, That the Governor make known to each of the other States of the Confederacy this action of the General Assembly of North Carolina, and endeavor to secure their coöperation.

Resolved, That whenever any five of the States shall have responded by the appointment of commissioners, the Governor communicate the proceedings, officially, to President Davis, and request his prompt action upon the proposition.

This proposition failed to be adopted. In the Assembly it was proposed that the efforts to negotiate should be renewed by the regular appointment of Commissioners by Mr. Davis, with the approval of the Senate of the Confederate Congress, and that such appointment should be made known to the whole world; that it might be seen by all nations, whether Mr. Lincoln would refuse to treat with regular commissioners. For this purpose, the following resolutions were offered in the Assembly:

Resolved, That the President of the Confederate States, by and with the advice and consent of the Senate, being the constituted authority under the Constitution for the negotiation of peace, is hereby requested to appoint commissioners for the purpose of negotiating an honorable peace, and that publication thereof be made to the world.

Resolved, That a copy of these resolutions be furnished to the President of the Confederate States, our Representatives in Congress, and also to the Governors of the several States composing the Confederacy, with a request that they be laid before their respective Legislatures, to the end that their coöperation may be secured in the attainment of this object.

This proposition likewise failed to be adopted. It was well understood by those who comprehended the true state of affairs, that Mr. Lincoln could not receive any individuals or commissioners appointed or sent by the government at Richmond, without thereby recognizing the existence of that government. Doing thus much would change the issue in the contest between the hostile parties. The advocates of peace, therefore, took now the position that the State alone should attempt to negotiate a peace with the Federal Government. Those who opposed this view, took the position that the State should act in coöperation with the other States engaged with her in the war. This became the issue in the election for Governor in August. Governor Vance represented the latter view, and Mr. Holden the former. They thus were both in favor of peace, and became the opposing candidates. Holden was stigmatized as "the peace-at-any-price candidate;" in the same manner as the peace men in several of the northern States were designated. The arguments urged in the political campaign show the earnestness of the people. On the side of Mr. Holden it was said: "We went to war to protect the State sovereignty and to defend and perpetuate the institution of slavery; but if it should appear that we are likely to lose both, as rational beings we should pause and consider well the direction we are taking. If the war

should continue twelve months longer, with no greater success to our arms, there is great danger that the institution of slavery will be hopelessly destroyed."

Gov. Vance to support his views said: "Secession from the Confederacy will involve us in a new war—a bloodier conflict than that which we now deplore. So soon as you announce to the world that you are a sovereign and independent nation, as a matter of course the Confederate Government has a right to declare war against you, and President Davis will make the whole State a field of battle and blood. Old Abe would send his troops here also, because we would no longer be neutral, and so, if you will pardon the expression, we would catch the devil on all sides."

The friends of Holden proposed to carry out their plan by means of a State Convention. To this it was objected that the proposition for a State Convention so closely upon the heels of Mr. Lincoln's proposition to let one-tenth of the people form a State Government, had a very strong odor of disloyalty and treason. The "peace-at-any-price men" were also aided by the great number of deserters from the army within the State. In the mountain frontier on the western border, bands of them swarmed. Some of the interior counties were also infested by them. They represented nearly every State in the Confederacy, and lurked in the swamps and mountains, stealing, plundering, and in many instances murdering the inhabitants. They took possession of the town of Yadkin and released all the prisoners in the jail, who, doubtless, says the "Richmond Examiner," a radical secession print, "immediately joined them, and all became peace men together."

The election took place in August. The vote polled was 74,771; of which Gov. Vance received 54,323, and Mr. Holden, 20,448. The soldiers voted almost unanimously for Gov. Vance. The vote in the hospitals at Richmond was thus reported:

At the Camp Winder Hospital, where there are over thirteen hundred North Carolinians, the polls were opened late, but by 1 P. M. three hundred and fifty-four votes were recorded for Vance. One inmate, said to be crazy, got up and voted for Holden, and went back to bed. In all the hospitals of Richmond, where North Carolina soldiers were quartered, the aggregate vote was: For Vance, 867; Holden, 25.

The vote of the State in 1860 was 96,230. The result of the election decided that the State should seek to obtain peace only in coöperation with the other States of the Confederacy.

The blockade running operations of the State became nearly suspended toward the latter part of the year. The resort of the Tallahassee and other cruisers to the commercial port of Wilmington, tripled the stringency of the blockade, and caused the loss to the authorities and citizens of many valuable steamers. One steamer, the *Advance*, was stated by Gov. Vance to be worth more in solid benefits to the Confederate Government than all the cruisers it had ever put afloat. The State of North Carolina made

a profit by the blockade running. Her soldiers were thereby abundantly supplied with necessities, and many indispensable articles were furnished to the citizens at cost and expenses.

When the Legislature assembled near the close of the year, the Governor recommended that the State should assume the support of the families of the soldiers, instead of the counties, and asked for an appropriation of two millions in currency, and a tax of one-tenth in kind. He recommended the extension of the military age to fifty-five years, and opposed the arming of slaves as a policy entirely inadmissible. He urged that the common schools should be kept in operation at any cost. The crops of the year were fair, and in some places excellent.

At the loss of Plymouth, and its subsequent recapture, were the most important military operations during the year within the State. Several raids, however, were made from the posts held by the Federal troops. On June 19th a force left Newbern under command of Col. Jordan, which was out five days skirmishing with the enemy. On the 21st another force, under Col. Clason, advanced towards Kinston, meeting and driving back a small body of the enemy. A number of prisoners were taken on each expedition, with some horses and small arms. On June 30th a small force from Tennessee, under Capt. Booth, came into Western North Carolina, and captured Camp Vance at Morgantown, taking about three hundred junior reserves of the enemy prisoners. A raid was also made by Gen. Wild with his colored troops into Camden County, which resulted in bringing off about 2,501 slaves, 350 ox, horse, and mule teams, and 60 horses. Ten dwelling-houses and thousands of bushels of corn were burned, two distilleries and four camps, with a loss to the brigade of twelve killed and wounded, and one taken prisoner.

The Siamese twins, well known some years ago as two young men, natives of Siam, who were connected together by a short ligament from each breast, settled on a plantation in North Carolina. A physician who came within the Federal lines, being a resident in their neighborhood, stated as follows:

Since the war began they have continued to reside on their plantation, and lived in the same quiet and harmony as ever until within two years. No one ever thought of drafting *them*, and their negroes prospered, except that when out of temper from any cause, it was apt to work itself off in striking the first one that came to hand, from which the best escape was to keep out of the way. The brothers probably never would have had any difficulty, but that their wives, though sisters, turned away their hearts, and children were the cause of this estrangement.

Up to the period that each had five children all prospered, but one of them had a sixth, and this awoke envy and jealousy to such a degree, that the two sisters, not being bound together like the twin brothers, would no longer live under the same roof, though still in different houses on the same plantation. The brothers are now about fifty years of age, but one, the smaller and feebler of the two, looks now fully ten years older than the other. They can turn back to back or face to face, but that is as far as

the remarkable bond that unites them permits. A few years since they corresponded with some of the leading surgical operators in London, as to the possibility of the umbilicus which unites them being cut, so that in case of the death of one, the life of the other might be saved. At the request of the London Surgeon they visited that city, and many experiments were tried to determine the safety of such an operation. Among other things, a ligature was tied firmly for a few minutes round the connexion between them, so as to prevent the circulation of blood through the artery. But it seemed as if each would expire if this were longer persisted in.

The smaller of the two fainted away and lost all consciousness, and there were symptoms that the same effect would follow to the other, but that the process could not be continued long enough without endangering the life of him who was first to faint. Should the smaller and feebler die, it might be worth while making the experiment of operating, but the prospects of prolonging the life of the other would be very small. Should, however, the larger and more healthy of the twin brothers die, there would seem absolutely no hope of saving the feebler of the two.

NOYES, WILLIAM CURTIS, an American jurist, born at Schodack, Rensselaer County, N. Y., August 19, 1805, died in New York City, December 25, 1864. He early turned his attention to the study of law, and although deprived of a collegiate education, was a laborious student, and in 1827 was admitted to the Bar. After practicing his profession in Oneida County, and establishing for himself a reputation as a sound lawyer and discreet advocate, he removed in the year 1838 to New York City, where he at once took a position in the front ranks of the profession. Nor was this the result of good fortune; it was the natural growth of steady labor, undeviating rectitude, and elevated ambition. His experience was varied and extensive, his knowledge of the law and its history exact and comprehensive, and his apprehension of legal distinctions clear and precise. He had compared the codes of different States and nations more extensively, perhaps, than any American lawyer who has survived him. His political affiliations were with the Whig party, and upon its dissolution in 1856 he sought, and found a reunion with many of his old political friends in the Republican party. In 1861 Mr. Noyes was one of the delegates from New York to the Peace Convention. For many years he had been connected with the New England Society, in which he took a deep and active interest as one of the almoners of the Charity Committee, amid all the labors of his profession faithfully attending all the business meetings of the society with unflagging zeal. He had been repeatedly requested to accept the Presidency of the Society, but had as often declined, with the feeling that none but a native of New England should hold that post. He had finally given his consent, and upon the last anniversary was elected President. The next day he suffered an attack of paralysis, which he survived but a few hours. Mr. Noyes had for several years, in connection with other distinguished lawyers, been engaged in preparing a codification of the Laws of the State of New York, which volume is now in process of publication.

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OBITUARIES, AMERICAN.—The following names of persons deceased in 1863, but omitted in the last volume of the ANNUAL CYCLOPEDIA, in consequence of the pressure of other topics, are inserted here, and biographical sketches of them will be found under the titles referred to:

April 5, 1863.—REID, DAVID BOSWELL, LL. D. (See REID, DAVID B.)

May 12.—SCHMUCKER, SAMUEL MOSHEIM, LL. D. (See SCHMUCKER, S. M.)

Aug. 17.—ROGERS, Commander GEORGE W. (See ROGERS, G. W.)

Oct. 16.—WAYLAND, JOHN, D. D. (See WAYLAND, JOHN.)

Dec. 23.—TAPPAN, BENJAMIN, D. D. (See TAPPAN, B.)

Jan. 1, 1864.—HUBBARD, Hon. HENRY, died in Pittsfield, Mass., aged 80 years. He was for many years a prominent member of the Berkshire bar, for a time conducted a political paper, "The Berkshire County Whig," and was repeatedly a member of the Massachusetts legislature. At the time of his death he was one of the commissioners to New Orleans to inquire in regard to the protection of colored Massachusetts sailors while in that port.

Jan. 2.—BOWDEN, Hon. LEMUEL J., United States Senator from Virginia, died of small-pox at Washington, D. C. He was a native of East Virginia, where he occupied a prominent position as jurist and advocate, and was greatly esteemed for his private virtues.

Jan. 2.—HERRICK, JACOB B., died at his residence, Hunter's Point, Westchester County, N. Y., in the 64th year of his age. He was one of the oldest and most eminent of the produce merchants of New York, his house ranking with the first in that branch of trade. Upon the announcement of his death, the Directors of the Produce Exchange Association convened a special meeting, and adopted a series of resolutions of appreciation and sympathy.

Jan. 3.—HUGHES, JOHN, Archbishop of New York. (See HUGHES, JOHN, Archbishop.)

Jan. 3.—MAYER, CHARLES F., died in Baltimore, aged about 67 years. He was an eminent jurist, and held a high and honored position at the Baltimore bar, in the Court of Appeals at Annapolis, and in the United States Court at Washington.

Jan. 5.—CAMP, Rev. AMZI, died in New York City. He was for nearly thirty years in the employ of the American Tract Society as city missionary. His life was one of earnest, patient, self-denying labor among the neglected classes, in the performance of which he finally contracted the disease of which he died.

Jan. 7.—LOOMIS, Rev. WILBUR FISK, died of typhoid fever at Nashville, Tenn., aged 36 years. He was pastor of a congregational church in Shelburne Falls, Mass., but feeling a strong

desire to devote himself to the care of disabled soldiers in the hospitals, offered his resignation, which, however, his people refused to accept, but granted him a furlough. He at once entered the service of the Sanitary Commission, as hospital visitor and relief agent, laboring with the utmost faithfulness and devotion at Nashville, Murfreesboro', and Chattanooga, until prostrated by the disease which terminated his life.

Jan. 7.—SMITH, Hon. CALEB BLOOD. (See SMITH, CALEB B.)

Jan. 8.—STORER, GEORGE H., Rear-Admiral in the United States Navy, died at Portsmouth, N. H., in the 75th year of his age. He was born in Portsmouth, obtained a midshipman's warrant in 1809, and served more than twenty-one years at sea and twenty years on shore. He was Governor of the Naval Asylum in 1855, and since that time had performed no active duty afloat. He had been for many years out of health, though continuing an active member of various Boards until a few days previous to his death.

Jan. 9.—TOUSLEY, LORIN BAILEY, died in Canandaigua, N. Y. He was born in Sharon, Vt., in 1804, but removed in childhood to Aurora, N. Y., where he early entered upon an active Christian life. In 1834 he was employed as a city missionary in Buffalo, and in 1842 became the agent of the American Sunday-school Union for Western New York. Wholly devoted to his work, he became widely known as "The Children's Minister." In 1858, while superintending the removal of a building, he was crushed by the falling of a heavy beam; and, from that time, though laid aside from active duty, and a victim of unutterable bodily agonies, served the cause by his pen.

Jan. 12.—ROSE, Col. EDWIN, died at Jamaica, L. I. He was born in Bridgehampton L. I., Feb. 14, 1817, graduated at West Point, but resigned his position in the army in 1837, to enter the service of the State of Michigan as civil engineer. He reëntered the service in 1861, as Colonel of the 81st New York volunteers, and served with honor through the Peninsular campaign, when, his health becoming impaired, he accepted the appointment of Provost-marshal of the First Congressional district of New York. He twice represented Suffolk County in the Legislature.

Jan. 19.—FOSTER, STEPHEN C. (See FOSTER, STEPHEN C.)

Jan. 20.—SAUNDERS, T. M., a captain in the United States Army, died at St. Paul, Minn. He was a native of Virginia. During the Crimean war he obtained a furlough and joined a British regiment. He was twice wounded at the battle of Inkerman. At the breaking out of the Rebellion he continued firm in the sup-

port of the Government; and, upon receiving an autograph letter from Jefferson Davis, enclosing a commission as a brigadier-general in the Confederate Army, he returned it with the utmost indignation.

Jan. 20.—WILEY, FREDERICK S., a clergyman of the Protestant Episcopal Church, died in Florence, Italy. He was formerly assistant-pastor of St. Anne's Church, Brooklyn. Subsequently he went to Philadelphia, and from thence returned to New York, where he was one of the ministers of Grace Church for a number of years.

Jan. 21.—TARBELL, Dr. JOHN ADAMS, died in Boston, aged 53 years. He was a native of Boston; graduated at Harvard College, in the class of 1832; studied medicine with his uncle, Dr. Samuel Adams, of that city; and, in 1833, went to Paris, where he spent nearly two years in the study of his profession. He then returned to Boston, received his medical diploma from Bowdoin College in 1836, and entered at once into practice. In 1843 he turned his attention to the principles of Homœopathy, and soon after adopted that system of practice. In 1852 he became associate-editor of the "Quarterly Homœopathic Review," and also edited Epps's "Domestic Homœopathist." He published "The Pocket Homœopathist" (1849), and "Sources of Health" (1850).

Jan. 24.—MARCH, CHARLES W., died in Alexandria, Egypt. He was born in Portsmouth, N. H., Dec. 15th, 1815; graduated at Harvard College in 1837, studied law, and settled in Portsmouth in the practice of his profession. He was at one time a representative in the New Hampshire Legislature, and was nominated by one of the political parties for the speakership. Subsequently he removed to the city of New York, and was engaged for a time as an editorial writer on the New York "Tribune," contributed to the New York "Times," and also wrote for the Boston "Courier," under the signature of "Pequot." His published travels in Madeira and Spain, and "Reminiscences of Congress," as well as brilliant essays in literature contributed to magazines and journals, gave him a creditable place in American literature. He was appointed United States Vice-Consul for Cairo, and was making a visit to Alexandria when he was seized with typhoid fever, which in a few days terminated fatally.

Jan. 26.—CLAY, JAMES B., died in Montreal, Canada. He was a son of the distinguished statesman, Henry Clay. In 1849 he was appointed by President Taylor *Chargé d'Affaires* to Lisbon, and in 1857 was elected from his father's district in Kentucky to the Congress of the United States. Soon after the commencement of the Rebellion he espoused the Confederate cause.

Jan. 27.—HITZ, JOHN, Swiss Consul-General, died at his residence in Washington, D. C. He emigrated to this country in 1831, and had held the office of Consul-General since 1853. At one time he occupied an important position in

the United States Arsenal, where he made the composition for the United States standard of weights and measures. He was also from time to time in the employ of different mining companies throughout the country as mineralogist. As a member of the German Relief Association he spent much of his time in the hospitals.

Jan. 28.—MEAD, DARIUS, M. D., died in Greenwich, Conn., aged 77 years. He graduated from Yale College in 1807, studied medicine in Philadelphia under Dr. Rush, and received his diploma in 1809. He practiced his profession for a few months in New York, but removed to Greenwich in 1810. In 1845 and in 1846 he represented his district in the Senate of Connecticut. As a man, he was stern in his integrity; as a citizen, loyal and patriotic; and as a Christian physician, was ever ready to minister to the spiritual as well as physical needs of his patients.

Jan. 29.—CHAMPLIN, STEPHEN G., brigadier-general of United States volunteers, died at Grand Rapids, Mich. He entered the service as Major of the 3d Michigan, was severely wounded at Fair Oaks, participated in the battles of Bull Run, Antietam, and Fredericksburg, and received his commission of brigadier in 1862. He was in command of the Grand Rapids camp of conscripts at the time of his death.

Jan. 31.—BORLAND, SOLON, formerly a United States Senator from Arkansas, and brigadier-general in the Rebel Army, died in Texas. He was born in Virginia, educated in North Carolina, studied medicine, and settled in Little Rock, Ark., where he practiced his profession. He served in the Mexican War as major of volunteers and aide-de-camp, and was taken prisoner; was elected United States Senator 1849, and in 1853 appointed minister to Central America, where, in consequence of an altercation, he returned in 1854, and Greytown was bombarded by Com. Hollins in consequence of the insult offered him. He was afterwards appointed Governor of New Mexico, but declined. He was ardently in favor of Secession, and on the 24th of April, 1861, long before the secession of the State, raised a body of troops and captured Fort Smith, Ark., in the name of the Southern Confederacy.

Jan. 31.—GAMBLE, HAMILTON R., acting and provisional Governor of Missouri, died at Jefferson City, Mo. He had been an active member of the Constitutional Convention called in the winter of 1861, with the intent of carrying Missouri over to Secession, but which proved loyal and thwarted the designs of the Secessionists. When Claiborne F. Jackson, then Governor of the State, joined the Secession party and fled from Jefferson City before Gen. Lyon, the Convention was reassembled, and Mr. Gamble elected by it Provisional Governor, to serve out the remainder of Gov. Jackson's term. Though infirm in health, and naturally conservative in his views, Gov. Gam-

ble was heartily loyal; and, while his administration was not satisfactory to the ultra-radical party, he was very generally esteemed, and his death greatly lamented.

Jan. 31.—HOPPIN, HON. CHARLES A., died at Los Cruces, New Mexico. He was born in Providence, R. I., about 1820, and was a son of Gov. Hoppin of that city. For some time he had filled a Government appointment in New Mexico.

Jan. 31.—LAWSON, L. M., M. D., a physician, and medical professor and author, died at Leavenworth, Kansas. He had been successively professor in the medical school of the University of Louisville, in that of Transylvania University, in the Cincinnati Medical College, and in the New Orleans Medical College. Transylvania University sent him to Europe in 1849 to investigate the progress of medical science in England, France, and Germany. He edited, from 1842 to 1850, the "Western Lancet," a medical periodical of decided ability. He also edited an American edition of "Hope's Anatomy," and published a treatise on pulmonary diseases, of high reputation among the profession. He removed to Kansas on account of a tendency to pulmonic disease.

Feb. 1.—GODDARD, HON. CHARLES BACKUS, died in Zanesville, Ohio, aged 67 years. He was a native of Plainfield, Conn.; graduated at Yale College, in the class of 1814; studied law with his father, Hon. Calvin Goddard, in Norwich, and Judge Griswold, of Lyme; was admitted to the Connecticut bar, and in 1817 to the bar in Ohio, making his residence in Zanesville, where he continued in the practice of his profession until his death. He was twice elected to the House of Representatives of the State, and twice to the State Senate, and was Speaker of the latter during one term.

Feb. 1.—BIBB, LOUIS, died in Tippecanoe County, Indiana, at the advanced age of 107 years.

Feb. 1.—STARK, CALEB, died in Dunbarton, N. H., aged 59 years. He was a native of New Hampshire, and grandson of General John Stark, of Revolutionary memory; graduated at Harvard College in the class of 1823; studied law in Litchfield, Conn., and afterwards in New York City, and from thence removed to Cincinnati and entered upon the practice of his profession. The climate proving unfavorable to his health, he returned to his native State and opened an office in Concord, and subsequently retired from public life and removed to Dunbarton. He was the author of a history of Dunbarton, and Memoirs of General John Stark.

Feb. 2.—MEIER, DR. KARL THEODORE, died in New York City of congestion of the brain. He was born in Königsberg, Prussia, in 1810, and studied at the Universities of Greifswald, Jena, Göttingen, Halle, and Berlin. He was then for some years assistant physician to the renowned Dr. Dieffenbach, and published several essays on surgery. In 1848 he emigrated

to this country, on account of the unsatisfactory condition of Germany. In 1859 he was chosen surgeon of the Bellevue Hospital, and in the same year appointed a Professor of the New York Medical College.

Feb. 5.—STAPLES, REV. N. A., a Unitarian clergyman, died in Brooklyn, in the 34th year of his age. He was a native of Mendon, Mass.; studied theology at the Meadville Seminary, under Dr. Stebbins; was for a time pastor of a church in Lexington, Mass., and subsequently of a church in Milwaukie. At the beginning of the war he was appointed chaplain to one of the Wisconsin regiments, resigning his pastorate to accept the post. Here, as ever, he was earnest and faithful in the discharge of his duties, and contracted the disease which finally terminated in death. He succeeded the Rev. Mr. Longfellow in the Second Unitarian Church of Brooklyn, where he discharged his duties as a pastor as long as his failing strength allowed.

Feb. 6.—MORTON, HON. MARCUS, Sr. (*See* MORTON, MARCUS.)

Feb. 8.—ASCHWANDEN, REV. JOSEPH, died in Georgetown, D. C., aged 49 years. He was for many years pastor of Trinity Church, Georgetown, and alternately Professor of Theology, Philosophy, Scripture, and Hebrew in Georgetown College. He was doubtless one of the most erudite Greek and Hebrew scholars in the country.

Feb. 8.—WILCOX, HON. JOHN A., member of the Confederate Congress from Texas, died in Richmond.

Feb. 10.—EMBURY, DANIEL, President of the Atlantic Bank of Brooklyn, died in that city, in the 70th year of his age.

Feb. 11.—BUTLER, COL. ALBERT J., died in New York City, of consumption, aged 49 years. He was an only brother of Major-General Butler.

Feb. 11.—McCLUNEX, Commodore WM. J., of the U. S. Navy, died at his residence in Brooklyn, of dropsy of the heart, in the 69th year of his age. He had been in the service of his country over half a century, having entered the navy Jan. 1, 1812. He participated both in the war of 1812 and the Mexican war; was commissioned as a lieutenant in 1818, and attached to the United brig *Saranac*; was detached the same year and ordered upon duty at the New York Navy Yard. In 1821 he served upon the *Dolphin*, and returning to New York in 1825, was subsequently ordered to the *Constellation* frigate for a two years' cruise in the West Indies and Gulf of Mexico. In 1832 he was again stationed at the N. Y. Navy Yard as lieutenant on board the Receiving ship at that place. In 1839 he was commissioned as a commander, and was employed on shore duty until 1846, when he was ordered to command the *John Adams* sloop. In 1850 he was placed in command of the Naval Rendezvous at New York, until ordered a few months later to the Navy Yard at Washington. Receiving his commission as captain in 1851, he was de-

tached from that station, and in 1853 was ordered to command the *Powhatan*, of Commodore Perry's Japan Expedition. He returned to the United States in February, 1856, and after a brief respite was ordered to New York on duty as general supervisor of the construction of the war steamer known as the "Stevens' Battery." In 1858 he was placed in command of the Home Squadron, which position he held until May, 1860. He was commissioned a Commodore July 16th, 1862, and being too feeble for further service, was placed upon the retired list.

Feb. 12.—COOKE, REV. PARSONS, D. D. (*See* COOKE, PARSONS.)

Feb. 12.—CRANSTON, HON. HENRY Y., died at his residence in Newport, R. I., aged 74 years. He was a native of that city. After studying the profession of law, he held the office of Clerk of the Court of Common Pleas from 1818 to 1833. He took a part in the conventions called for framing a constitution for the State of Rhode Island; was a member of the House of Representatives of Rhode Island from 1827 to 1843, and was repeatedly elected Speaker. From 1843 to 1847 he was a representative in Congress.

Feb. 13.—BULLIONS, REV. PETER, D. D. (*See* BULLIONS, PETER.)

Feb. 15.—KELLEY, HANNAH, died at Cross Creek Township, Washington County, aged 103 years. She is believed to have been the last slave in Pennsylvania.

Feb. 15.—RAMSAY, CAPT. ALLAN, of the United States Marine Corps, died at the headquarters of the Marine Corps, of small-pox. He was a son of Commodore William Ramsay, U. S. N., and was on the *Richmond* during all her service on the Mississippi, before and after running past the batteries. He had been in fifteen engagements during the war.

Feb. 16.—DUNCAN, Brigadier-General WILLIAM, died in Philadelphia, at the advanced age of 92 years. He was born and educated in Adams County, Pa., and in early youth removed to Philadelphia, where he entered into mercantile pursuits. In the war of 1812 he was Superintendent of the United States Military Stores, and stationed at the Arsenal in Philadelphia. He was one of Governor Snyder's special aids, and commanded a brigade at Camp Dupont, near Wilmington, Del., when Philadelphia was threatened by the approach of the British, before their defeat under Lord Ross at Baltimore. General Duncan was for many years a member of the Legislature of his native State, and in 1829 was commissioned by President Jackson as Surveyor of the Customs for the port of Philadelphia, a post which he held during the two terms of that administration. He was throughout his long life conspicuous for his sterling integrity, purity of character, and energy of purpose.

Feb. 17.—PACKARD, REV. CHARLES, a clergyman of the Congregational denomination, died at Biddeford, Me. He was born in Chelms-

ford, Mass., April, 1801; graduated at Bowdoin College in the class of 1817, being but sixteen years of age, engaged in teaching, for a time, and subsequently studied law, finishing his course with Hon. Benjamin Orr, of Brunswick, Me., where he opened an office and practiced successfully for eleven years. Having been led to consecrate himself to a higher service, he abandoned the law and devoted himself to the ministry of the gospel. He pursued his theological studies at Andover, Mass., and at Lane Seminary, Ohio. In the ministry he labored successfully at Hamilton, Ohio, until the ill health of his family compelled removal; then at Lancaster, Mass., seventeen years; at Cambridge Parish, North Middleborough; and for the five years preceding his death, at Biddeford. He was an earnest and devoted minister of the gospel, and a fearless, uncompromising advocate of schemes and measures relating to popular education, public morals, and the welfare of mankind.

Feb. 18.—BARNARD, THEODORE, correspondent of the Associated Press with the Army of the Potomac, died at headquarters, Washington.

Feb. 18.—WARD, ANDREW HENSHAW, died in Newtonville, Mass., aged 79 years. He was born in Shrewsbury, Mass.; graduated at Harvard College in the class of 1808; studied law, and was admitted to the bar in Northampton, Mass., September, 1811. He then returned to his native town and entered upon the practice of his profession. In May, 1827, he received an appointment in the custom-house and removed to Boston. This position he filled for many years, and in May, 1853, accepted a seat in the Convention for revising the Constitution of Massachusetts, to which he had been elected a delegate from Newton. In 1837 he was appointed United States Commissioner of Insolvency for the district of Massachusetts, and held that office for nine years. He was an early member of the New England Historic-Genealogical Society, to which he rendered much valuable aid by his contributions in history and geology to the pages of its periodical. His principal publications were "A History of the town of Shrewsbury and of its People, from its first settlement in 1718," published in 1847; "A Genealogy of the Ward Family," and a "Genealogy of the Rice Family."

Feb. 19.—NEWELL, GEORGE W., died at Albany. He was Canal Auditor in 1851-'2, and at the time of his death was engaged in preparing a biography of Gov. Marcy.

Feb. 19.—WILLET, JAMES C., ex-Sheriff of New York, died at Tubby Hook, N. Y., aged 54 years.

Feb. 20.—BOULIGNY, HON. JOHN EDMOND, died in Washington of consumption. He was born in New Orleans, La., Feb. 5th, 1824. He occupied several important public positions in his native city, and represented the first Congressional district of Louisiana in the thirty-

sixth Congress of the United States. An opponent of the tenets of secession, he maintained from personal conviction, and as the advocate of his constituents, an unalterable loyalty to the oath he had taken to maintain the Union and preserve the Constitution. He was a happy example of that union of decision of opinion and firmness of purpose, in public station, with the amenity of disposition which constitutes one of the greatest charms of private life.

Feb. 20.—PHENIX, Commander DAWSON, U. S. N., died in Philadelphia, aged 36 years. He entered the naval service in 1841, having been appointed from Maryland, his native State. His first orders were to join the *Independence*, then attached to the Home Squadron. Subsequently he served on board the frigate *Savannah*, of the Pacific Squadron, and during a cruise of the *Brandywine*, also upon the steamer *Princeton*. In July, 1847, he was ordered to the naval school for promotion; was a passed midshipman in 1848, and the following year was ordered upon the Coast Survey, where he remained until July, 1850, when he was ordered to the *Raritan*, but was transferred to the sloop *St. Mary's*. In 1852 he was detached from that vessel and ordered to the Observatory at Washington, where he remained until October, 1853, when he was sent to the receiving ship *Philadelphia*, and again to Coast Survey duty. In Sept., 1855, he was promoted to a lieutenantancy, and afterwards served upon the *Fredonia* and the *Lancaster*. In 1861 he was promoted to be lieutenant commander, and ordered to ordnance duty at Old Point Comfort, Va. A few months previous to his death he was assigned to the command of the gunboat *Pocahontas*.

Feb. 21.—TRUE, GEORGE, U. S. Consul at Madeira, died at Funchal.

Feb. 21.—WHELPLEY, EDWARD W., Chief Justice of the Supreme Court of N. J., died at Morristown, aged 46 years. He commenced the practice of law in 1839, and soon rose to eminence in his profession. In 1858 he was appointed Associate Justice of the Supreme Court of the State, and in 1861 Chief Justice. In 1848 he was a member, and in 1849 Speaker of the Assembly.

Feb. 21.—WILLIAMS, AUSTIN B., died at the Hydropathic Institution, New York, aged 31 years. He was a native of Exeter, N. H., and had been for twelve years a printer upon the New York "Times." He was the heaviest man in the city, his weight being 420 pounds.

Feb. 22.—FRIBLEY, Col. of the 8th U. S. volunteers (colored), was killed at Olustee, Florida, aged 28 years. He enlisted at the commencement of the war as a private in the 84th Pennsylvania, and rose to his position through good conduct and courage alone.

Feb. 23.—DEWEY, Hon. JOSHUA, died at Watertown, Jefferson County, N. Y., aged 97 years. He was born in Lebanon, Conn., graduated at Yale College in 1787, and devoted his

attention to agricultural pursuits until 1798, when he was elected to the Legislature, where he served three consecutive terms. The following year he was commissioned by President John Adams as Inspector and Collector of the Internal Revenue. In 1809 he was sheriff of St. Lawrence. In the war of 1812 he enlisted as a volunteer to repel the British attack upon the frontier.

Feb. 24.—TOWN, SALEM, LL.D., died at Greencastle, Indiana, aged 85 years. He was a native of Belchertown, Mass., born March 5th, 1779, but soon after attaining manhood removed to the State of New York, where he resided during the remainder of his life. He early commenced teaching, a profession which he followed for about forty years. He was led by his experience as a teacher to prepare a series of text-books for the use of schools, which, with their various revisions, have had an immense sale in all parts of the United States. He was a member, at one time, of the State Senate, and, we believe, also of the Constitutional Convention. His residence was at Aurora, N. Y., but he was on a visit to Indiana at the time of his death.

Feb. 24.—TUDOR, FREDERICK, an enterprising merchant of New England, died at Boston, aged 80 years. He was the first exporter of ice to the tropics, commencing, in 1805, by the shipment of a cargo of 130 tons to the island of Martinique.

Feb. 25.—RANDALL, Maj.-Gen., New York State Militia, died in Buffalo, of disease of the brain.

Feb. 26.—HARRISON, MRS. WILLIAM HENRY, widow of President Harrison, died at North Bend, Ohio. She was a daughter of John Cleves Symmes, the original purchaser of the Miami Country, and was married to Capt. Harrison, who commanded Fort Washington, soon after the departure of Gen. Wayne for the Atlantic States, about the year 1796. She was with her husband as he passed through all the gradations of civil and military life, as Captain, General, Commander-in-Chief, Member of Congress, Senator, Governor, and President, but through all these changes quietly pursued the humble, discreet, self-denying offices of a Christian woman.

Feb. 26.—McLANE, Rev. JAMES W., D.D., a clergyman of the Presbyterian Church, died in Brooklyn (E. D.), N. Y. He was born in Charlotte, North Carolina, May 22, 1801, came north in 1819, entered Phillips Academy, Andover, Mass., and graduated from Yale College in 1827. He taught in New London and at Phillips Academy, Andover, and in 1835 graduated at the Theological Seminary at Andover. He was for eight years pastor of the Madison Street Presbyterian Church in New York City, and in 1845 accepted a call to the First Presbyterian Church in Williamsburgh, where he remained as pastor until December, 1863, when, at his own request, on account of failing health, he was relieved of his charge. He was long a di-

rector of the American Bible Society, and rendered valuable service in correcting and preparing the present standard edition of the Bible published by that society; was a director of the Union Theological Seminary of New York, and Secretary of the Church Erection Fund of the Presbyterian Church of the United States. Dr. McLane was a fine classical scholar, a well-read theologian, and an active, earnest, Christian man.

Feb. 27.—GEORGE, PAUL R., of New Hampshire, died in Boston. Under John Tyler's administration he was Navy Agent in New York. After his removal from office he returned to New Hampshire, and took an active part in politics there. At the commencement of the present war he took decided ground in favor of the South, and continued in a position of determined hostility to the administration till his death.

Feb. 27.—HITCHCOCK, EDWARD, D.D., LL.D. (See HITCHCOCK, EDWARD.)

Feb. 29.—TILESTON, THOMAS, a New York merchant, died in that city. He was born in Boston, Mass., April 13, 1796. At the age of 13 he apprenticed himself to a printer in his native city, and subsequently became a partner in the firm. In 1818 he formed a business relation with Mr. Spofford, then of Haverhill, for the sale of boots and shoes. In 1822 the firm became the agents of the Boston and New York line of packets, afterwards extending this enterprise to the South American and Cuba trade. In 1850 Mr. Tileston became the owner of a popular line of packet ships between New York and Liverpool. In 1840 he was elected President of the Phoenix Bank, New York, which position he held until his death. He was also chairman of the Clearing-House Association, and for many years was a leading spirit in the Atlantic Insurance Company. He was widely known and highly appreciated.

March 1.—KETCHUM JOSEPH, Sen., died at his residence in Brooklyn, aged 82 years. He was one of the oldest merchants in the produce trade in New York. On the organization of the old Corn Exchange, in 1853, he was chosen President, and was subsequently elected President of the Corn Exchange Insurance Company.

March 1.—RAY, WM. PORTER, Ph.D., died of malignant small-pox at the hospital at Portsmouth, Va., aged about 40 years. He was a native of Massachusetts, and a pupil of Maj.-Gen. Butler when the latter was a schoolmaster; graduated at Harvard College, and subsequently studied at the University of Heidelberg, Germany, from which he received the degree of Doctor of Philosophy. Upon the completion of his studies he undertook a journey over the various countries of Europe on foot, his travels in this way being perhaps more extensive than those of any other man living. He returned to his native country and studied for the ministry of the Episcopal Church, upon the

duties of which he entered in Indianapolis. He subsequently removed to New York City and devoted his attention to literature. After the capture of Norfolk he went thither and engaged in various journalistic enterprises, and latterly was a correspondent of the New York "Times" under the signature of "Tewksbury."

March 4.—APPLETON, JOHN JAMES, died at Rennes, France, aged 71 years. He was a son of Mr. John Appleton, who was for several years United States Consul at Calais; was a native of France, but came to this country when a youth; was fitted for college in Andover, Mass., and graduated at Harvard in the class of 1813. During the Administration of President Monroe he was appointed Secretary of Legation at Brazil. Subsequently he was appointed Chargé d'Affaires for the United States at Madrid and Stockholm, at which latter city he negotiated the treaty of commerce which still serves as the basis of the relations between North America and Sweden. He also held a similar situation at Naples. Coming into the possession of a valuable estate in France which required attention, he returned to that country, where, with the exception of two or three visits to the United States, he spent the remainder of his days.

March 4.—DAHLGREN, Col. ULRIC. (See DAHLGREN, Col. ULRIC.)

March 4.—KING, Rev. THOMAS STARR. (See KING, Rev. THOMAS STARR.)

March 6.—BUEL, Hon. NORTON J., died in New Haven, Conn., aged 51 years. He was a native of Salisbury, Conn., studied in the famous Litchfield Law School, and in the offices of Judge Seymour and Gen. Sedgwick, and commenced practice in 1835 in his native town. From thence he removed to Naugatuck, and afterwards to Waterbury, where most of his professional life was spent, and where he acquired his reputation as a leading lawyer of the State. While in Waterbury, he was on several occasions elected to the House of Representatives and the State Senate, and also held for several years the office of Judge of Probate. A few months previous to his death he removed to New Haven, where he was warmly welcomed as a valuable accession to the legal talent of the city.

March 7.—GILBERT, Hon. RALPH, died at Hebron, Conn., in the 74th year of his age. He was a native of Hebron, graduated at Brown University, and after the necessary course of study entered upon the practice of law. He was at one time a member of the State Senate.

March 7.—MARTIN, Rev. C. F., an American Congregational clergyman, died at Nashville, Tenn., aged 37 years. He was a native of Illinois, a graduate of Knox College, Galesburg, Ill., taught in an academy at Lisbon, Ill., for four years, entered Union Theological Seminary, N. Y., and after a three years' course there, was sent by the American Missionary Association as a missionary to the Copts in Egypt.

After three years' service he was compelled to return home on account of ill health. On recovering he became pastor of the Congregational Church in Peru, Ill., where he remained till the autumn of 1863, when he was appointed associate secretary of the western branch of the American Tract Society, and almost immediately went to Chattanooga to look after the religious interests of the soldiers. In January he was taken ill, and died after two months' sickness.

March 8.—PERIT, PELATIAH. (*See* PERIT, PELATIAH.)

March 9.—SCOTT, OTHO, died in Baltimore, Md. He was a native of Harford County, Md. As a lawyer and statesman he had no superior in Maryland. In the former capacity he was appointed one of the commissioners to codify the State laws, and in the latter, filled many important public trusts.

March 9.—STRONG, HON. MARSHALL M., died at Racine, Wis., aged 50 years. He was a native of Amherst, Mass., where he spent his early years at the academy and college of that place, but completed his collegiate course and graduated at Union College, Schenectady, N. Y. He then entered upon the study of law at Troy, and was there admitted to the bar. In June, 1836, he removed to Racine County, Wis., and in 1838 was elected a member of the Territorial Council, and was one of a committee of three from that body to revise the laws of the territory. In 1846 he was elected a member of the House of Representatives, and while in the discharge of his duties in that position was called to mourn over the loss of his family by fire. In 1848 he was again elected to the Legislature, took an active part in the revision of the present statutes of the State, and soon after retired from political life. He was a large contributor to the establishment of the Racine College, and was always forward in enterprises for the public good.

March 11.—MIHOLOTZI, Col. GEZA, died at Chattanooga from the effects of a wound received at Buzzard Roost. He was born in Pesth, Hungary, received a military education, and took part in the Hungarian revolution of 1848-'9; came to this country in 1850, settled in Chicago, and commenced the study of medicine under Dr. Valenta of that city. At the outbreak of the rebellion he raised a company for the three months' service, and was elected Captain. In November, 1861, he was elected Lieutenant-Colonel of the 24th Illinois volunteers (infantry), and on the resignation of Col. Hecker, became Colonel of that regiment. He served in several important battles, and as a regimental commander stood very high in the estimation of his military superiors.

March 13.—COZZENS, WM. B., died suddenly at West Point, N. Y., aged 77 years. He was a native of Newport, R. I., was for ten years proprietor of the American Hotel in New York City, and subsequently opened the hotel at West Point which is identified with his name.

He was particularly well known to the officers of our army and navy.

March 15.—CHAPMAN, HIRAM, died at Augusta, Me. He was at one time President of the State Senate, and for many years occupied a prominent position in his native State.

March 15.—KENNEDY, STEWART, M. D., surgeon in the United States Navy, died in Philadelphia, aged 31 years. He was born at Easton, Pa.; graduated at Jefferson College in 1854, and the following spring was appointed to the navy. Not being assigned immediately to duty he joined a merchant vessel, but hearing of the ravages of yellow fever at Norfolk and Portsmouth, he volunteered for service there, and was soon prostrated by the disease. On his recovery he joined the Preble, and participated in the battle between the rebel navy and the blockading squadron at the mouth of the Mississippi. At the capture of New Orleans he was on the Hartford, and was especially commended in the official report of that battle. In the summer of 1863 he was again ordered to the Gulf on board the Ticonderoga, and was with her until she returned to the Philadelphia navy yard for repairs.

March 15.—MOORE, GEORGE W., died in Portland, Me., aged about 40 years. He was a native of Searsmount, Me.; in early life was a practical printer, and subsequently editor and proprietor of "The Republican Journal," Belfast, and for a time Deputy Collector at Camden. At the time of his death he was chief editor of the Portland "Advertiser."

March 16.—BADEAU, PETER, died in New York City in the 89th year of his age. He was probably the oldest Sunday School teacher in the United States, if not in the world, and had been actively engaged in teaching since the first formation of Sunday Schools in New York.

March 19.—BACHE, FRANKLIN, M. D. (*See* BACHE FRANKLIN.)

March 19.—FLINT, JOSHUA BARKER, M. D., died in Louisville, Ky., aged 62 years. He was a native of Cohasset, Mass., and a son of Rev. Jacob Flint; pursued his early studies under his father's instruction, and graduated at Harvard College in 1820. Soon after graduating he was chosen Usher in the English Classical School in Boston, of which George B. Emerson was the Principal, and continued there two years, after which he began the study of medicine. In 1825 he received the degree of M. D., and entered upon the practice of his profession in Boston, where he remained twelve years. In 1837 he was called to the chair of surgery in the Louisville Medical Institute, then just organized. In 1849, upon the establishment of a new medical school, called the "Kentucky School of Medicine," at Louisville, Dr. Flint was appointed Professor of the Principles and Practice of Surgery in the institution, and continued in that position until his death. While a resident in Boston Dr. F. was several times elected to the State Legislature.

March 19.—MERIAM EBEN. (See MERIAM EBEN.)

March 20.—DE CHARMS, RICHARD, died in Philadelphia, aged 67 years. He was a native of Philadelphia, was in early life a printer, graduated at Yale College in the class of 1826, and the year previous engaged in the study of Swedenborgian theology under Thomas Worcester, D. D., at the same time superintending the publication of the "New Jerusalem Magazine." His theological studies were continued in Baltimore with Rev. John Hargrove, and his first sermon on the "Paramount Importance of Spiritual Things," was published at that place in 1828, and was afterwards reprinted in London. After a year of pastoral labor in Bedford, Penn., he went to London and studied under Rev. Samuel Noble. On returning to this country in 1832, he became pastor of the First New Jerusalem Church in Cincinnati, and conducted a periodical called "The Precursor." He subsequently preached in Philadelphia, Baltimore, and New York. In his later days he devoted much attention to various mechanical contrivances and inventions of his own. He was the author of "Sermons illustrating the Doctrine of the Lord." "Series of Lectures delivered at Charleston, S. C." "The New Churchman," and "Freedom and Slavery in the Light of the New Jerusalem."

March 22.—COXE, JOHN REDMAN, M. D., died in Philadelphia, aged 91 years. He was a native of Trenton, N. J., was educated in Philadelphia, but completed his classical course in Scotland, returned to America in 1790, studied medicine with Dr. Rush, and after receiving his diploma in 1794, again went to Europe, studying at London, Paris, and Edinburgh. In 1796 he settled at Philadelphia, and in 1798, during the visitation of yellow fever, was appointed by the Board of Health Physician to the Port. He was for several years one of the physicians of the Pennsylvania Hospital, and also of the Philadelphia Dispensary. In 1809 he was elected Professor of Chemistry in the University of Pennsylvania, from which chair he was transferred, in 1818, to that of Materia Medica and Pharmacy, which he held until 1835. Dr. Coxe was the first to introduce the practice of vaccination in Philadelphia. Although he attained to so great an age, Dr. Coxe never had a sick day in his life, and died without any appreciable disease.

March 22.—GARDINER, HON. ROBERT HALLOWELL, died in Gardiner, Me., aged 82 years. He was a native of Bristol, England, and a grandson of Dr. Gardiner, one of the proprietors of the Kennebec purchase. In 1792 the subject of this notice came to this country, fitted for college in the Boston Latin School, and graduated from Harvard College in the class of 1801, having the salutatory oration assigned to him at commencement. After graduating he spent sixteen months in foreign travel, and in 1803 returned and settled upon his estate, devoting much of his time thenceforward to its

improvement and to the benefit of the town which bears his name. A church, a lyceum, and a public library owe their existence to him. He was an active member of the Maine Historical Society, and was its president from 1846 to 1855. He was also a corresponding member of the Massachusetts Historical Society.

March 23.—VAN RENSSELAER, COL. HENRY, Inspector-General of the United States Army, died in Cincinnati, aged about 53 years. He was a son of the late Stephen Van Rensselaer, graduated from the Academy at West Point in 1831, but soon after resigned his connection with the army, married a daughter of the Hon. John A. King, of Jamaica, L. I., and went to take possession of a patrimonial landed estate in St. Lawrence County. In 1841 he was elected a member of the House of Representatives from his district, and served through the three sessions of the 27th Congress. For some years past he had resided in Cincinnati, but upon the breaking out of the rebellion offered his services to his country, and was made by Gen. Scott chief of staff, with the rank of brigadier-general. Upon the retirement of Gen. Scott, the subject of this notice was made inspector-general in the regular army, with the rank of colonel, and continued in the faithful discharge of the duties of his post until a few days prior to his death.

March 25.—DAVENPORT, W. W., died in Boston, aged 100 years.

March 25.—JANVIER, REV. LEVI, a missionary of the Presbyterian Board of Missions, was murdered by a fanatic Sikh at Mela, in Lodiana, Northern India. He was born at Pittsgrove, N. J., April 25, 1816. His early studies were pursued under the instruction of his father, who was a Presbyterian clergyman. He subsequently entered Lafayette College, Easton, Pa., and studied for awhile at Lawrenceville, and then entered the junior class of Princeton College, where he graduated in 1837 as salutatorian of his class. Having united with the Presbyterian Church, and decided to prepare for the ministry, he entered the Theological Seminary at Princeton, and while a student there offered himself to the Board of Missions as a missionary to Lodiana. He sailed for India, accompanied by his wife, in September, 1841, and reached his destination in the spring of 1842. During his voyage he had commenced the study of the Urdu language, which is largely spoken in Lodiana; and possessing a remarkable facility for acquiring languages, he was able to preach in it soon after his arrival, and a few months later to translate some tracts and books into it. He next acquired a thorough familiarity with the Panjabi language, and with the aid of Dr. Newton, of the same mission, undertook the preparation of a Panjabi Dictionary, which was completed in 1854. It is a quarto volume of 438 pages, in three columns. He continued his labors as a preacher and translator up to the time of his death. He had gone to Mela to preach and distribute tracts, and in the evening was met by the

fanatic Akali Sikh, and without the slightest provocation felled to the ground with a club. He lingered till morning, but was insensible. The murderer was arrested, tried, and hanged.

March 25.—LOVEJOY, HON. OWEN. (See LOVEJOY, OWEN.)

March 26.—GOODERSON, MATHIAS, N., died in New York, aged 44 years. He was a native of Philadelphia, but early in life moved to New York City, was a prominent politician, and from a position in the Custom House was appointed Commissioner of Repairs and Supplies, and afterwards Superintendent of Markets.

March 26.—MARMADUKE, M. M., died in Saline County, Missouri, aged 73 years. He was formerly Lieutenant-Governor and *ex-officio* Governor of Missouri, was a thoroughly upright and loyal man, though his three sons espoused the Confederate cause.

March 26.—WOOD, FRANK, died at Haverstraw. Though but a young man he had already made his mark in literature, having been the editor of "Vanity Fair" for a considerable period, and afterwards the dramatic critic of "Wilkes' Spirit of the Times." He assisted also in the authorship of "The Taming of a Butterfly."

March 27.—CAMPBELL, JOHN N., D.D. (See CAMPBELL, J. N.)

March 27.—SCHENKL, JOHN P., the inventor of the *Schenkl* projectile, died in Nuremberg, Germany, whither he had gone for his health. He was a native of Prussia, but had resided many years in the United States. His age was about 42 years.

April 2.—CROMWELL, HENRY BOWMAN, died at his residence in Brooklyn, L. I., aged 36 years. At an early age he exhibited peculiar mercantile abilities, being a member of the firm of Cromwell, Haight & Co., before he was twenty years of age. In 1850 he took a partnership in the firm of John Haight & Co., in Huddersfield, England, a large and prominent commission house, and resided there until 1854, when he returned to his native city, and soon entered into the shipping business, running a line of screw propellers in connection with the Baltimore and Ohio Railroad, his business increasing until he had connection with nearly all the important domestic seacoast ports. During the few years previous to 1861, he had in successful operation steam lines from New York to Savannah, Charleston, Wilmington, Norfolk, Alexandria, and Washington, Portland, and Baltimore; also from Baltimore to Charleston and Savannah, which connected with all the principal railroad lines leading from the seaboard into the interior. When the war broke out he sold nearly all his vessels to the Government, and immediately proceeded with the construction of two fine steamers, the *George Washington* and *Oliver Cromwell*, which for the last two years have been plying between New York and New Orleans. Although Mr. Cromwell's commercial interests were so largely connected with the South, he

was a true patriot, and firmly upheld the cause of the Government.

April 2.—TAYLOR, HON. JOSEPH N., died at his residence in Paterson, N. J., of congestion of the brain. At the time of his death he was Speaker of the New Jersey House of Assembly.

April 3.—BANKS, HON. JOHN, died at Pittsburgh, Pa., aged 71 years of age. He was born in Juniata County of that State, his father being a Scottish immigrant to this country; in 1819 was admitted to the bar in his native county, and soon after removed to the western part of the State, where he speedily attained to eminence in his profession. Fourteen years afterwards he was sent to Congress, where his opinions, legal and otherwise, always commanded respect. In 1836 he was appointed President Judge of the Third Judicial District of the State. In 1841 he was the Whig candidate for governor, but was unsuccessful, and in 1847 he became State treasurer, retiring from the bench and returning to the bar, where he continued in a large and lucrative practice until his death.

April 4.—DEVLIN, HENRY J., M. D., died in New York City of typhus fever contracted in the discharge of his duties as one of the resident physicians of Bellevue Hospital. He was a young man of great promise and decided moral worth.

April 4.—RINGGOLD, Lieut.-Col. GEORGE H., an officer of the United States Army, died at San Francisco, California, aged 50 years. He was a native of Hagerstown, Maryland, graduated at West Point Military Academy, July, 1833, as brevet second lieutenant in the 6th infantry, but resigned in 1837. During the Mexican war he was reappointed to the army as major and paymaster, and in 1862 was promoted to deputy paymaster-general, with the rank of lieutenant-colonel. He was truly loyal to his country; and although of southern birth, firmly withstood all influences exerted to draw him from her allegiance. As a scholar he was endowed with rare attainments, was possessed of a decided poetic talent, an accomplished draughtsman, and amateur painter. He was the author of a book of poems, entitled "Fountain Rock, Amy Weir, and other Metrical Pastimes," published in 1863, and dedicated "To my Children."

April 6.—BRANDEGEE, JOHN JACOB, D. D., a clergyman of the Episcopal Church, died in Utica, N. Y., aged 41 years. He was a native of New London, Conn., graduated at Yale College in 1843, pursued a course of study in the General Theological Seminary in New York, and was ordained deacon by Bishop Brownell, in Hartford, July, 1846. The following autumn he accompanied an invalid brother to the West Indies, and for a time was associated with one of the ministers of the English Church in St. Croix in his pastoral work. Thence he went to St. Thomas, where he labored awhile, and upon his return to this country in 1849, was ordained priest, and became rector of St.

Michael's Parish, Litchfield, Conn. In 1854 he became rector of Grace Church, Utica, N. Y., where, also, a church was erected under his auspices. The honorary degree of D. D. was conferred on him by Hobart and Hamilton Colleges in 1863.

April 6.—CLAY, MRS. LUCRETIA HART, widow of Henry Clay, died at the residence of her son, John M. Clay, near Lexington, Kentucky, aged 83 years. She was a devoted wife, a faithful mother, and an earnest, active, and self-sacrificing Christian.

April 6.—DRINKER, W. WALN, died suddenly at Albany, N. Y., in the 64th year of his age. He was formerly a police magistrate of New York City. He was engaged in an argument before one of the Committees in the Capitol, and while stooping to read from a document, fell dead upon the floor.

April 6.—KIRKLAND, MRS. CAROLINE M. (*See KIRKLAND, C. M.*)

April 8.—KITTRIDGE, JONATHAN, died at his residence in Concord, N. H., aged 65 years. He was one of the earliest pioneers in the temperance cause, and his lectures and essays, in the infancy of that movement, contributed greatly to its success.

April 9.—MOUTON, ALEXANDER, a major-general of the rebel army, formerly acting Governor of Louisiana, and for some years, a Senator from that State in Congress. He was killed near Mansfield, La., in the severe battle between the Union troops under Gen. A. J. Smith, and the rebels, during the Red River expedition.

April 9.—PARSONS, M. M., a brigadier-general in the rebel army from Missouri, killed in the battle near Mansfield, La.

April 10.—RIVES, JOHN C. (*See RIVES, J. C.*)

April 10.—TAGGART, THOMAS, an eminent jurist of Pennsylvania, died at Lycoming, Pa., aged 34 years.

April 10.—THAYER, WILLIAM SIDNEY, United States Consul General to Egypt, died in Alexandria, Egypt. He was born in Haverhill, Mass., 1830, graduated at Harvard University in 1850, delivering the commencement poem on that occasion; and after engaging in literary pursuits in Boston, became in 1852 an attaché to the New York "Evening Post," with which journal he remained connected until his appointment in 1861 as consul general. For several years he was the Washington correspondent of the "Post," and in that capacity exhibited a sagacity and ripened judgment rarely seen in so young a man, and which gained him the esteem of eminent men of all political parties. It may be doubted whether any contemporary journalist of his age possessed so many influential friends in political or social life. By Mr. Seward and Mr. Sumner he was held in special regard; and during the illness of the latter, in consequence of the assault of Preston S. Brooks, Mr. Thayer spent many hours of each day with him, and was entrusted with the delicate task of reading and an-

swering his correspondence. During the latter part of his connection with the "Evening Post," he performed, with rare tact and skill, the duties of associate editor. His own contributions were written with great perspicuity of style and knowledge of his subject, and not unfrequently were pervaded by a pleasant vein of humor, which formed a marked feature in his conversation. Ill health finally compelled him to desist from editorial labors to seek a more genial climate. His appointment to Egypt, it was hoped, would enable him to recruit his health, and at the same time to serve the country in a useful public capacity. Although the field was of limited extent for the display of diplomatic ability, it was the opinion of the Department of State that he was one of the most useful and successful of our representatives abroad. The manner in which he interposed in favor of Faris, a Christian missionary, and secured the punishment of his enemies, showed the energy and address of a practiced diplomatist. His health, however, was too shattered to enable him to derive much benefit from his residence in Egypt, and he gradually sank under the pulmonary disease which affected him, his death being accelerated by official labors, from which he could not be persuaded to desist.

April 10.—TICKNOR, WILLIAM D., an eminent publisher of Boston, died at the Continental Hotel, Philadelphia. He was born in Lebanon, New Hampshire, in 1811, and entered a broker's office in Boston, Mass., at the age of 15, and accumulated considerable property by the time he was 21. Subsequently he was for two years a bank teller, and then entered upon the bookselling and publishing business, in which he continued till his death. He early formed the acquaintance and became the publisher of some of the most eminent of the poets of Boston and its vicinity, and his editions of the poems and prose works of Longfellow, Lowell, Holmes, Whittier, and Saxe, as well as Tennyson, Leigh Hunt, Massey, Dobell, Bulwer, and other English poets, and of De Quincey, Sir Walter Scott, Dickens, Kingsley, Hawthorne, Holmes, and other eminent English and American novelists and essayists, had established for his house a high reputation on both sides of the Atlantic. The house of which he was the head established also some years since the "Atlantic Monthly," so well known as a magazine of high character and extensive circulation.

April 11.—WILLARD, Hon. JUSTICE, died in Springfield, Mass., aged 74 years. He was a native of Greenfield, Mass., graduated at Dartmouth College in 1811, studied law in his native town, and soon after completing his studies settled in Springfield, where for half a century he manifested an active interest in all its public affairs. In 1815 he was appointed Deputy United States Collector of internal revenue, and subsequently was for several years a member of the Legislature—first of the

House, and then of the Senate. In 1829 he was appointed Register of the Court of Probate for Hampden County, which position he held for over twenty years. From 1820 to 1822 he edited the Hampden "Patriot," afterwards succeeded by the "Republican." Throughout his life he was a frequent contributor to the newspaper press, and on every variety of subject.

April 12.—GREEN —, a brigadier-general in the rebel army, from Louisiana; mortally wounded in the battle of Pleasant Hill, La.

April 13.—LOVETT, A. A., died in New York city. He was the Superintendent of the People's Telegraph Line, and it was under his active supervision and direction that the line was built and put into operation.

April 16.—BLANCHARD, THOS. (See BLANCHARD THOMAS.)

April 16.—CAHILL, J. A., was killed by the explosion of the United States gunboat Chenango, of which he was acting chief engineer.

April 16.—MURRAY, ALBERT, was killed by the explosion of the United States gunboat Chenango, of which he was assistant engineer.

April 16.—ROOT, FRANK P., was killed by the explosion of the United States gunboat Chenango, of which he was assistant engineer.

April 17.—GILDER, Rev. WILLIAM H., Chaplain of the 40th New York regiment, died of small-pox at Culpepper, Va., aged 52 years. He was educated in the Wesleyan University, at Middletown, Conn., joined the Philadelphia Conference in 1833, and after preaching for several years in New Jersey, returned on account of failing health to Philadelphia, where he edited the "Christian Repository." He was for seventeen years engaged in the work of education: first as Principal of the Female Institute at Bordentown, N. J., and afterwards as President of Flushing Female College, L. I. In 1859 he resumed preaching, and in 1862 accepted a chaplaincy in the army, following his charge to every battle, until prostrated by disease terminating in his death.

April 18.—TRACY, HENRY, died in Hancock County, Tenn., aged 46 years. He was probably the heaviest man living, his weight being 600 pounds.

April 19.—ANDREWS, Capt. WILLIAM B., died at Sacramento City, Cal. He was a native of Charlestown, Mass., but emigrated to California in 1849. Happening to be in San Francisco when that city was held in terror by a lawless band of ruffians, and a Vigilance Committee was organized in consequence, he volunteered to go with two selected men and bring the leader to justice. His offer was accepted and the duty performed, and in consideration of the service he was made Chief of Police. He accompanied the celebrated Kit Carson upon one of his expeditions across the mountains.

April 19.—BARLOW, BENJAMIN R., late Superintendent of the Five Points House of Industry, died at that institution aged 44 years. He was born in Syracuse, N. Y., but removed to

New York City when quite a young man, where he conducted a printing office for some years. Subsequently he relinquished his business, and for a time was connected with the Children's Aid Society. In March, 1858, he entered upon the duties of Superintendent of the House of Industry, and from that time devoted all his energies to the welfare of the poor unfortunates who came under his charge, with a most encouraging degree of success. He died from a third attack of typhus fever, contracted in the discharge of his duties.

April 19.—FLUSSER, Lieut.-Com. CHARLES W. (See FLUSSER, CHARLES W.)

April 19.—MORGAN, Capt. ELISHA E., died at his residence in New York City, in the 58th year of his age. He was a native of Connecticut, but early removed to New York City. For twenty-five years he was a commander in the Star Line of London Packets, and the New York agent of that line for the balance of his life. He filled various positions of public trust and responsibility in the maritime world, including the office of Harbor and Pilot Commissioner, Trustee of the Seaman's Savings Bank, Seaman's Friend Society, and Marine Society.

April 20.—FAILE, EDWARD G., died at his residence in West Farms, Westchester County, N. Y., in the 66th year of his age. He was for many years one of the most prominent merchants in New York, was the late President of the Agricultural Society of the State of New York, and had filled other prominent positions in public life.

April 20.—SLIDELL, Hon. THOMAS, died at Newport, R. I., aged 75 years. He was a brother of John Slidell, the rebel commissioner to France, and was for many years a prominent judge of the Supreme Court of Louisiana, and a man of undoubted honesty and integrity of character. Some ten years previous to his death he was struck upon the head by a slung-shot at an election, causing an injury to the brain which resulted in imbecility. The only cause alleged for this ruffianly assault was his attempt to exercise a citizen's rights. He was shortly afterwards removed to Newport, where he died.

April 22.—FIELD, Mrs. HARRIET DAVIDSON, wife of David Dudley Field, died at her residence in New York, from bilious fever, produced by exhaustion from excessive labor in behalf of the Metropolitan Sanitary Fair.

April 22.—KIBBE, Hon. WALTER RALEIGH, died in Somers, Conn., aged 82 years. He was a native of that town, graduated at Yale College in 1804, studied law and was admitted to the bar in 1807, represented his native place in the Legislature during the years 1828, '29, '31, '34, and '38, and in 1832 was a State Senator from the 20th district. He held the office of Judge of Probate during a period of ten years, and was Postmaster from 1821 to 1828. In the latter year he was one of the Presidential Electors.

April 22.—TOTTEN, Major-General JOSEPH G. (See TOTTEN, JOSEPH G.)

April 24.—CLACK, FRANKLIN HULSE, died from wounds received during the battles of Mayfield and Pleasant Hill, Louisiana. He was a son of Commander Clack, U. S. N., was born in Florida, 1828, graduated at Mount St. Mary's College in 1845, and took the degree of Bachelor of Laws at Yale College, 1847. In 1851 he was appointed Secretary of Legation to Brazil, and after his return and settlement in New Orleans, was appointed U. S. District Attorney for Louisiana. On retiring from this position he continued the practice of law with great success.

April 24.—LINCKLAEN, LEDYARD, died in Cazenovia, Madison County, N. Y., aged 44 years. He was the founder of that village.

April 25.—SCHNEIDER, REV. JAMES H., died at Key West, of yellow fever, aged 25 years. He was a son of Rev. Dr. Benjamin Schneider, missionary of the A. B. C. F. M. at Aintab, Syria, and was born at Broosa, Turkey, graduated at Yale College in 1860, and spent the three years following in teaching in the State Normal School, Bridgewater, Mass. It was his desire to enter into the service of his country, and being drafted, he at once reported in person for duty, was appointed lieutenant in the 2d regiment of U. S. colored troops, and subsequently chosen chaplain of the regiment, being ordained at Bridgewater, Oct. 27, 1863. In entering the military service he declined an appointment as Tutor in Yale College, and postponed his preparations for the work of a foreign missionary, upon which he had determined.

April 27.—LÖWENTHAL, REV. ISIDORE. (See LÖWENTHAL, I.)

April 27.—PARSONS, LEMUEL SPRAGUE, died in Cohoes, N. Y., aged 55 years. He was a native of Wolcott, Conn., was educated at the Academy in Troy, N. Y., and at Yale College, from which he graduated in 1837. In 1839 he removed to Albany, N. Y., where, with his sister, he established a select family school, and was at the same time principal of the Pearl Street Academy for Boys. In 1845 he was chosen principal of the Albany Female Academy, the duties of which he discharged with success until 1855, when he resigned his office, and subsequently engaged in the manufacturing business in Cohoes, where he remained until his death.

April 28.—HOLBROOK, JAMES, special agent of the Post Office Department, died at Brooklyn, Conn., at the age of about 52 years. He was a self-made man, and, we believe, originally a printer by profession. He was for some years connected as editor with the "Norwich Aurora," and in 1839 started the "Patriot and Eagle," at Hartford, Conn. In 1840, this paper, which had previously been Democratic in its politics, became the organ of the "Conservative" party, which had a short-lived existence in that State. In 1845 Mr. Holbrook was appointed special agent of the P. O. Department, and continued to hold that position

under each successive administration till his death. He proved a remarkably expert and skillful detective officer, and brought every considerable mail robber to justice with unerring certainty. In 1855 he published a volume of sketches of his experience as a detective, under the title of "Ten Years among the Mailbags," and in 1859 established "The United States Mail," a journal devoted to postal matter, which he edited with decided ability till his death.

April 29.—WARE, JOHN, M.D., died in Boston, aged 68 years. He was a native of Hingham, Mass., studied at Phillips Academy in Andover, and graduated with honor at Harvard College, in the class of 1813. After leaving college he studied medicine with Dr. John Gorham, of Boston, received his degree of M.D. in 1816, and in 1817, after a practice of one year in Duxbury, removed to Boston, where he resided the remainder of his life. In 1832 he was appointed Professor of the Theory and Practice of Medicine in the Medical Department of Harvard College, which office he held until 1858. He published various medical lectures and discourses; essays on "Croup," on "Delirium Tremens," and on "Hæmoptysis;" a volume on the "Philosophy of Natural History," and a "Memoir of Henry Ware, Jr." He was for several years President of the Massachusetts Medical Society, and was also a member of the American Academy of Arts and Sciences.

April —.—HARRISON, JOHNSON, colored, died at Ypsilanti, Mich., aged 119 years.

April —.—KINGSBURY, REV. CYRUS, for forty-five years a missionary among the Choctaws, died at the Mission Station in the Choctaw Nation. He was one of the first missionaries of the American Board to that tribe.

April 30.—SOLOMON, AMY, died in Attleboro', Vt., aged 107 years.

April 30.—PUGH, EVAN, Ph.D., died at Bellefonte, Penn., of typhoid fever, aged 36 years. He was a native of Chester County, Penn., where he resided until the summer of 1852, when he sailed for Europe. While there he pursued the study of agricultural chemistry in the best German universities, making some new and important discoveries in chemical science, which gained him a high reputation abroad. In the autumn of 1858 he returned to this country to accept the appointment of President of the Pennsylvania Agricultural College, Centre County, Pa., a position he filled with singular ability and success.

May 1.—DUNCAN, WILLIAM CECIL, D.D. (See DUNCAN, W. C.)

May 1.—PORTER, Commodore WM. D. (See PORTER, WM. D.)

May 2.—MARSTON, Hon. NYMPHAS, died in Barnstable, Mass., aged 76 years. He was a native of Barnstable, was a pupil, and subsequently Preceptor of Sandwich Academy, graduated at Harvard College in 1807, studied law, and began the practice of his profession at Nan-

tucket, Mass., but soon returned to his native town, where he rapidly rose to eminence in his profession. In 1816 he was appointed County Attorney, was a member of the Constitutional Convention in 1820, and repeatedly represented his native town in the State Legislature. He was twice elected to the Senate of Massachusetts, and in 1828 was appointed Judge of Probate, filling that office with honor to himself, until his resignation in 1854.

May 3.—MOTLEY, THOMAS, died in Boston, aged 82 years. He was the father of J. C. Motley, the historian, and was for many years a prominent merchant in Boston.

May 5.—CHAPMAN, Col. ALFORD B., was killed at the battle of the Wilderness, aged about 27 years. He was a native of New York City, and had been for eight years previous to the war connected with the 7th militia regiment, N. G. At the commencement of the rebellion he raised a company, which was attached to the 57th regiment of New York Volunteers, and, after several promotions, rose to the command of the regiment.

May 5.—HAYS, Brig.-Gen. ALEXANDER, an officer of U. S. volunteers, was killed in the battle of the Wilderness, aged 40 years. He was a native of Pittsburg, Pa., graduated at West Point in 1844, was appointed brevet second lieutenant of the 4th United States infantry, and in June, 1846, was fully commissioned a second lieutenant of the 8th infantry. He was engaged in the Mexican war, and distinguished himself in several important battles. In 1848 he resigned his connection with the army and became engaged as an iron manufacturer in Venango County, Pa., from which occupation he was called at the outbreak of the rebellion. Entering the volunteer service as colonel of the 63d Pennsylvania volunteers, he was appointed captain of the 16th regular infantry, dating from May 14, 1861, which regiment was attached to the Army of the Potomac, and during the Peninsular campaign formed a portion of the 1st brigade, 3d army corps. He participated with gallantry in the battles of Seven Pines and Fair Oaks, and was nominated for a brevet of major of the United States army, distinguished himself during the seven days' battles, and was nominated brevet lieutenant-colonel, took part in the Maryland campaign, and was made brigadier-general of volunteers September 29, 1862. He was wounded at the battle of Chancellorsville, and at the battle of Gettysburg was in command of the 3d division of his corps, and of the whole corps for a time, after the wounding of Gen. Hancock. He led the 3d division through the battles of Auburn, Bristoe Station, and Mine Run. Upon the reorganization of the Army of the Potomac for the next campaign, Gen. Hays was placed in command of the 2d brigade, Birney's 3d division, 2d corps, under Gen. Hancock.

May 5.—JENKINS, Brig.-Gen. A. G., a Confederate officer, killed in the battle of the Wilderness. He was a native of Virginia, had re-

ceived his military education at the Virginia Military Institute at Lexington, and had distinguished himself in several actions in Western Virginia. He was in the advance of Lee's army before the battle of Gettysburg, and took part in that battle.

May 5.—JONES, Maj.-Gen. SAMUEL, a Confederate officer killed in the battle of the Wilderness. He was a graduate of West Point, appointed from Virginia, of which State he was a native, and at the opening of the war was captain in the 1st regiment of artillery, U. S. A. He resigned his commission in the army April 27, 1861, and was immediately appointed colonel, and soon after brigadier-general by the Confederate War Department, and early in 1860 was promoted to the command of a division, with the rank of major-general. He had been in command of the rebel forces in West Virginia until the spring of 1864, when he brought his contingent to reinforce Lee's army on the Rapidan.

May 5.—LLOYD, Gen. JOHN, died in New York City, aged 67 years. He was a native of Dutchess County, N. Y., was for many years a prominent dry goods merchant in New York, and latterly the head of the firm John Lloyd & Sons, real estate brokers. In his younger years he held the rank of major-general in the State militia.

May 6.—COOPER, THOMAS COLDEN, a captain in the 67th regiment N. Y. S. Vols., was killed while leading a charge in the battle of the Wilderness. He was a native of Ohio, a man of fine education and culture, and previous to 1862 had been the Principal of the New York Institution for the Blind for several years. Resigning his position there, he accepted an appointment as captain in the 67th New York volunteers.

May 6.—WADSWORTH, Brig.-Gen. JAMES S., (See WADSWORTH, JAMES S.)

May 7.—PIKE, BENJAMIN, a celebrated optician, died at his residence at Astoria, L. I., of congestion of the lungs.

May 9.—SEDGWICK, Maj.-Gen. JOHN. (See SEDGWICK, JOHN.)

May 10.—HACKE, HERMANN, Count, was killed in the battle of Spottsylvania. He was a native of Prussia, and connected with the Prussian army, but obtained a furlough, and coming to this country procured a commission as First Lieutenant in the 7th New York volunteers. Upon the expiration of his term of service he procured a commission as First Lieutenant in the 52d New York volunteers, Hancock's corps, and fell while leading a charge at the head of his company. He was a brave and gallant soldier.

May 10.—JONES, JOHN M., a brigadier-general in the Confederate service, killed near Spottsylvania, Va., aged about 43 years. He was a native of Virginia, and graduated at West Point in the class of 1841. After serving as second lieutenant in the 5th and 7th regiments of infantry, he was appointed in 1845 as-

sistant instructor in infantry tactics at West Point, which position he filled for several years. In 1847 he was promoted to a first lieutenancy and in 1853 to a captaincy in the 7th infantry, and accompanied his command in the Utah expedition. He resigned his commission in May, 1861, was appointed colonel of a regiment of Virginia volunteers, and in 1863 was promoted to the command of a brigade in Ransom's division of Longstreet's corps. In the latter capacity he took part in the rebel attack on Knoxville in the fall of 1863, and in the operations in the Wilderness and in the neighborhood of Spottsylvania immediately preceding his death.

May 10.—KING, THOMAS BUTLER. (See KING, THOMAS BUTLER.)

May 10.—SANFORD, Hon. DAVID C., died at New Milford, Conn., aged 64 years. He was a native of that town, was educated for the law, and commenced practice in Litchfield County at a time when its bar was distinguished for its array of talent. He was a member of both branches of the State Legislature, was State Attorney of Litchfield County, and in 1854 was elected a Justice of the Supreme and Superior Courts.

May 10.—STEVENSON, THOMAS G., a brigadier-general of U. S. volunteers, killed near Spottsylvania, Va., aged 28 years. He was the son of Hon. J. Thomas Stevenson, of Boston, and early manifested a predilection for military life, having risen from the ranks to be major of the 4th battalion of Massachusetts infantry, which position he held at the commencement of the war. He had an unsurpassed reputation as a drill-master, and his command, which was brought to a high degree of discipline, became the school of many young officers since distinguished in the national service. In the fall of 1864 he recruited the 24th regiment of Massachusetts volunteers, which originally formed part of Foster's brigade in Burnside's expedition to North Carolina, and as its colonel participated in the capture of Roanoke Island and Newbern, February and March, 1862, and in various minor operations immediately succeeding those events. After holding for some months the outpost defences of Newbern, he conducted several expeditions within the rebel lines, and on Sept. 6th successfully defended Washington, N. C., against an attack by a superior force. He had charge of a brigade in the movements on Goldsboro' and Kingston, and in December, 1862, was appointed a brigadier-general; and when Gen. Foster, in Feb. 1863, organized the expedition for operations against Charleston, received command of a brigade in Gen. Naglee's division. Shortly after his arrival at Port Royal he was temporarily put under arrest by order of Gen. Hunter for a casual expression of his disbelief in the policy of arming slaves, but was subsequently honorably acquitted of blame. His appointment as Brigadier-general was confirmed in March, 1863, and during the succeeding summer he saw much

active service in the neighborhood of Charleston, assisting in the reduction of Morris Island and the assault on Fort Wagner, where he commanded the reserves. He returned to the north in the fall to recruit his health, and subsequently was appointed by his old commander, Gen. Burnside, who had a high appreciation of his capacity, to command the 1st division of the 9th corps. He was killed at the head of his troops. As a disciplinarian he was greatly esteemed, and he showed also an energy and a maturity of judgment which gave promise of a brilliant career as a soldier.

May 11.—DANIELS, JULIUS, a brigadier-general in the rebel army from Virginia, killed in the battle of Spottsylvania.

May 11.—DOUBLEDAY, Colonel THOMAS D., died in New York City from injuries received by being run over by a stage, aged 48 years. He was a brother of Major-General Doubleday, United States Army, and had served in a regiment of heavy artillery, New York volunteers.

May 11.—GOODRICH, Rev. CHAUNCEY E., died at Utica, New York. He had been for several years Chaplain of the New York State Lunatic Asylum in that city, and was a man of fine taste and culture.

May 11.—GORDON, Brig.-Gen. J. B., an officer of the rebel army, wounded in the skirmish between Sheridan's cavalry and the rebels near Richmond, died at Richmond, Va. He was a native of North Carolina, and entered the rebel service as major of the 1st regiment of North Carolina cavalry, and was advanced first to the command of his regiment and then to that of a brigade in Gen. Fitz Hugh Lee's division of rebel cavalry.

May 11.—PERRIN, Brig.-Gen. —, an officer of the rebel army from South Carolina, killed in the battle of Spottsylvania.

May 11.—RICE, Brig.-Gen. JAMES C. (See RICE, JAMES C.)

May 11.—STAFFORD, L. A., a brigadier-general in the rebel army, died at Richmond of wounds received at the battle of the Wilderness. He was a native of Virginia.

May 12.—STEUBEN, BARON VON, was killed at Spottsylvania. He was a Prussian officer, came to this country and joined the 52d New York volunteers, and proved himself a gallant and faithful officer.

May 12.—STUART, Major-General JAMES E. B. (See STUART, JAMES E. B.)

May 13.—BROWN, CHARLES BROOKS, died in a field hospital from wounds received the previous day in the battle at Spottsylvania Court House, Va., aged 29 years. He was a native of Cambridge, Mass., graduated at Harvard College in 1856, studied law, and was admitted to the Suffolk bar in 1858. He soon after removed to Springfield, Illinois, and entered upon the duties of his profession. In 1860 he returned to his native State and opened an office in Charlestown, and subsequently in Boston. Upon the outbreak of the war he enlisted as a private in a Cambridge company attached to

the 3d regiment of Massachusetts volunteers, and afterward in the 19th regiment Massachusetts volunteers, serving in the Peninsular and other campaigns of the Army of the Potomac. Was wounded at the battle of Fair Oaks and again at Fredericksburg, and upon the expiration of his term of three years, reënlisted for another three years service.

May 13.—CALVERT, Hon. CHARLES B., died near Bladensburg, Md., of paralysis. He was a representative in the late Congress.

May 13.—FARRAR, SAMUEL, died in Andover, Mass., aged 90 years. He was a native of Lincoln, Mass., graduated at Harvard College in 1797, and in 1800 was appointed tutor in that college, which office he held one year. He then entered upon the study of law, and soon after commenced the practice of his profession in Andover. He was one of the chief founders of the Theological Seminary, and for thirty-eight years was treasurer of that institution and the academy, for much of that period devoting a large share of his salary to their support. He was the first President of the Andover Bank, and held the office thirty years.

May 14.—LLOYD, Lieut.-Col. —, was killed at Resaca. He was an officer of the 119th regiment of New York volunteers, and fell while leading a desperate charge upon the enemy.

May 14.—TYLER, HUGH, died at Washington, D. C. He was a native of Pennsylvania, and resided at Athens in that State. He was well known as a prominent Government contractor.

May 16.—SPENCER, PLATT R., died at his residence in Geneva, Ohio, aged 63 years. He was a native of Greene County, N. Y., but removed to Ohio in his boyhood, and soon after devoted himself to teaching. He was the author of the well-known "Spencerian" system of Penmanship.

May 19.—HAWTHORNE, NATHANIEL. (*See HAWTHORNE NATHANIEL.*)

May 20.—SHAW, PETER B., a Revolutionary pensioner, died near Nashville, Tenn., aged 101 years. He was present at the surrender of Cornwallis.

May 22.—FISKE, Rev. SAMUEL, a Captain of United States volunteers, died at Fredericksburg of wounds received at the battle of the Wilderness. He graduated at Amherst College in the class of 1848. He was the author of a series of Letters from Europe written some years since for the Springfield "Republican," signed by "Dunn Browne," and also a well-known college text-book, a translation of Eschenberg's "Manual of Greek and Roman Antiquities." When the war broke out he was pastor of a church in Madison, Conn., but from a patriotic love of his country entered the army, and after fighting bravely in several battles, was taken prisoner by the enemy, and detained for some time in Richmond. He was promoted to a captaincy previous to the battle of the Wilderness, in which he lost his life.

May 24.—HALL, Col. GEORGE B., an officer

of United States volunteers, died at his residence in Brooklyn, from disease contracted in the service, aged 38 years. He was a son of ex-Mayor Hall of Brooklyn, entered upon his military career at the early age of 19 years as a private in the 265th regiment N. Y. S. M., rapidly rising through the several grades of promotion, until the commencement of the Mexican war, when he was offered and accepted the position of first lieutenant in the 1st regiment of New York volunteers. He distinguished himself at Vera Cruz, Cerro Gordo, Contreras, and particularly at Cherubusco, and for his gallantry on several occasions was remembered by Gen. Scott, who, in 1863, recommended him to the Secretary of War as worthy of promotion to the rank of Brigadier-General. In April, 1850, he was commissioned as Major of the 13th regiment N. Y. S. M., and the following September was made Lieutenant-Colonel in the same regiment. While occupying a position in the City Inspector's Department, New York, the rebellion broke out, when he at once resigned and entered into the work of raising troops for the defence of the Union, was made Colonel of the "Jackson Light Infantry," or 71st regiment N. Y. S. V., and was with it in every battle and skirmish in which it was engaged, from the Stafford Court House raid of 1862, to the battle of Fredericksburg.

May 24.—LYNDALL, JOSEPH, died at Washington, D. C., of typhoid fever. He was a native of London, and at the breaking out of the war was Superintendent of the Cape Town and Wellington Railroad, Cape of Good Hope, and feeling a deep interest in the welfare of this country, resigned his position, and hastened home to England to obtain letters to come hither. Arriving in London he was induced by the state of feeling then to connect himself with the London Emancipation Society, with which he was actively engaged for a year and a half; he then obtained letters from the London Young Men's Christian Association, to the Association in New York City, where he was warmly welcomed, and through whom he was assigned a place in the War Department, but soon after reaching Washington was attacked with the fever which resulted in death.

May 24.—MAFFIT, SAMUEL S., late Controller of the Treasury of Maryland, died at his residence in Elkton, aged 45 years.

May 27.—GIDDINGS, Hon. JOSHUA R. (*See GIDDINGS, JOSHUA R.*)

June 1.—HINCKLEY, Z. R., an American pomologist, died in New York. He was known as a successful cultivator of the grape, and his writings on the subject were numerous and of standard authority. During the last two years of his life he was one of the editors of the "Practical Farmer."

June 2.—DOLES, Brig.-Gen. GEORGE E., an officer of the rebel army from Georgia, commanding a division in Ewell's corps, was killed at Cold Harbor, Va., aged 34 years. He entered the rebel service as captain in the 4th

Georgia regiment, and soon after was promoted to a colonelcy, and in November, 1862, made brigadier-general. His brigade had a high reputation for bravery.

June 2.—DRAKE, Col. JEREMIAH C., an officer of U. S. volunteers, was killed in the action at Cold Harbor, Va., aged about 38 years. He was a native of Herkimer County, N. Y., but removed to Wisconsin, and was for some time engaged in mercantile pursuits. Subsequently he removed to Rochester, N. Y., and commenced the preparatory studies for a collegiate course. He then entered the Madison University, passed through the academic course, studied theology, and upon the outbreak of the rebellion was occupying the pulpit of the Baptist Church at Westfield. Having a strong desire to enter into the service of his country, he volunteered in the 49th regiment New York, was elected captain, and shared in the disasters of the Peninsular campaign. Upon the organization of the 112th New York, he accepted the colonelcy of the regiment, and served with it during the siege of Suffolk, and afterwards in the siege of Charleston, under Gen. Gilmore. Col. Drake was appointed to command the 2d brigade, 3d division, 10th army corps, in the attack upon Richmond *via* James River, under Gen. Butler.

June 2.—KEEN, Prof. ALPHEUS AUGUSTUS, died in Somerville, Mass., aged 39 years. He was born in Buckfield, Me., graduated at Harvard College in 1849, and soon after became Principal of the High School in Marblehead. In 1855 he removed to Pomeroy, Ohio, where he took charge of a similar institution, and in 1857 was chosen Professor of the Latin language and literature in Tufts's College, acting also as Secretary and Librarian.

June 2.—KEITT, Colonel LAWRENCE M., an officer in the Confederate army, died at Richmond of wounds received in the battle of the preceding day. Gen. Keitt was a native of South Carolina; born Oct. 4, 1824; graduated at the College of S. C. in 1843; studied law, and was admitted to the bar in 1845. In 1848 he was elected to the State Legislature, and in 1853 to Congress, to which he was thrice re-elected—his last term expiring in March, 1861. At the time of Preston Brooks' assault on Senator Sumner, in 1856, he was with Brooks, and exerted himself to prevent any of those present from interfering to rescue Sumner, and by word and act justified the ruffianly attack. In the winter of 1861 he left his seat in Congress, before the close of the session, to aid in carrying out the secession measures of South Carolina. He raised a regiment, and was in several of the earlier battles of the war as Colonel. In 1863 he was an acting Brigadier-General, but was at the time of his death in command of the 20th South Carolina regiment, esteemed one of the finest regiments in the rebel service till the campaign of 1864.

June 2.—MC CONIHE, Col. JOHN, an officer of U. S. volunteers, was killed in battle at Cold

Harbor, Va., aged 29 years. He was a native of Troy, N. Y.; studied law with his father, Hon. Isaac McConihe, of that city, and at the law school at Albany; graduated at Union College in 1853, and was subsequently chosen one of the Board of Education. In 1856 he went to Omaha, and was appointed Private Secretary to the Governor, and was afterwards Adjutant-General of the Territory. On the breaking out of the rebellion he raised a company, was made its captain, participated in the Missouri campaign of 1861 and part of 1862, and was severely wounded in the battle of Shiloh. Returning to Troy, he was appointed Lieutenant-Colonel of the 169th New York, and did provost duty at Washington, participating also in the siege of Morris Island. Subsequently he served in Florida, in the Peninsula under Gen. Butler, and finally under Gen. Grant.

June 2.—PRICE, FRANCIS, a well-known and influential citizen of New York City, died at his residence, in the 77th year of his age. He was a native of New Jersey, and father of ex-Governor Price of that State.

June 3.—HASKELL, Col. FRANKLIN A., an officer of U. S. volunteers, was killed at the battle of Cold Harbor, Va., aged 35 years. He was a graduate of Dartmouth College in the class of 1854.

June 3.—MORRIS, Col. LEWIS O., an acting brigadier-general of volunteers, and captain in the 1st artillery in the regular army, was killed in the battle of Cold Harbor. He was a native of New York. His father was an officer in the regular army, killed at the siege of Monterey, and young Morris, though not educated at West Point, received a commission as 2d lieutenant on the 8th of March, 1847, and took part in the siege of Vera Cruz and the subsequent advance upon Mexico. From that time to the commencement of the present war he has been almost constantly in the field, and in April, 1861, had attained the rank of captain in the 1st artillery. In the winter of 1860-'61 he was stationed in Texas, and his company was the only one not surrendered to the rebels. He was immediately called to active service, and in the winter of 1862 was designated to direct the operations against Fort Macon, N. C., which he captured and afterwards commanded. In the summer of 1862, his health being impaired, he obtained a short leave of absence and returned to his home in Albany, N. Y., when he was soon after appointed colonel of the 113th N. Y. vol. infantry, with whom he started for Washington, and reached that city when it was menaced by Lee's troops. He converted the regiment into one of heavy artillery in a very short time, and contributed materially to the defence of the city. The regiment was stationed at Fort Reno, but this inactive life did not suit the fiery spirit of Col. Morris, and he plead earnestly and repeatedly to be sent into the field. At the beginning of the campaign of 1864 his wish was gratified, and during all the battles from Spottsylvania

till his death he commanded a brigade. He was greatly beloved and admired as an officer, and while a strict disciplinarian his urbanity and kindness of heart made him the idol of his men.

June 3.—**MORRIS, COL. ORLANDO H.**, an officer of U. S. volunteers, was killed in the action at Cold Harbor, Va., aged 29 years. He was a son of Gen. Wm. L. Morris, and, when the war broke out, was a promising young lawyer in New York City. He assisted in the organization of the 66th regiment of New York volunteers, was commissioned its Major in November, 1861, and served in that capacity through the Peninsular campaign; was subsequently promoted to the colonelcy, and led his regiment at Chancellorsville, acting during part of the engagement as Brigadier-General. During the recent severe battles under Lieut.-Gen. Grant, the 66th was very conspicuous, being in the advance of the attack which resulted in the capture of Gen. Johnson and his division.

June 3.—**PORTER, COL. PETER A.**, an officer of U. S. volunteers, was killed at the head of his division, in the battle on the Chickahominy, aged 36 years. He was a son of Gen. P. B. Porter, a Major-General in the U. S. Army, and now an extensive landholder in Niagara County, N. Y.; was a member of the Assembly in 1862, and, by his talents and integrity, won a position of influence in the Legislature. When the President called for troops to repair the losses of the Peninsular campaign, he raised a regiment, and taking command of it went to the war. He was stationed for some time on garrison duty at Baltimore, and while there was offered the nomination for Secretary of State on the Union ticket, but, true to his patriotism, declined the honor. He subsequently joined the Army of the Potomac, and was killed at the close of the first month of active service, while leading on a division which he was temporarily commanding.

June 3.—**SCHALL, COL. EDWIN**, an officer of U. S. volunteers, was killed in battle at Cold Harbor, Va., aged 29 years. He was a son of Gen. Wm. Schall, and a native of Montgomery County, Pa.; was favorably known in civil life, and was twice elected Burgess of Norristown, Pa. He was educated for the law, and was also a graduate of Captain Partridge's Military Academy. At the commencement of the war he was editor of the "National Defender," published in Norristown, but abandoned his occupation, and in company of four brothers, joined the 4th regiment of Pennsylvania volunteers, and was commissioned its Major. He served with his regiment throughout its whole career, and participated in all its engagements, passing rapidly through the usual promotions. Subsequently he was transferred to the command of the 51st, and during several months of service in East Tennessee was in command of a brigade.

June 3.—**STRYKER, JAMES**, an American lawyer, died in Sharon, Conn., aged 72 years. He was for many years a leading member

of the bar in Buffalo, N. Y., and between 1837 and 1841 filled the office of judge of the court of common pleas for Erie County. By the appointment of Gen. Jackson he served as commissioner to negotiate a treaty with the Six Nations, and was instrumental in causing the Cayugas and portions of the Senecas, Oneidas, and Onondagas to migrate to the west. He published the "American Register" from 1849 to 1855.

June 3.—**WEAD, COL. FREDERICK F.**, an officer of U. S. volunteers, was killed at the battle of Cold Harbor, Va., aged 29 years. He was born in Malone, Franklin County, N. Y., graduated at Union College in 1856, studied law at Poughkeepsie, was admitted to the bar, and practiced his profession in his native town until the breaking out of the rebellion in the spring of 1861, when he entered the U. S. service as First Lieutenant in the 16th regiment of New York volunteers. In October, 1861, he was appointed one of Gen. Slocum's staff, with which he served through the Peninsular campaign, and in 1862 was appointed Lieutenant-Colonel of the 98th regiment New York volunteers, and afterwards Colonel. Subsequently his regiment was assigned to Gen. Hickman's brigade, forming a portion of the 18th army corps, under Gen. Smith. During the battle of South Richmond Gen. Heckman was taken prisoner, and the command of the brigade temporarily devolved upon Col. Wead. At the time of his death the 18th army corps was serving under Gen. Grant.

June 5.—**DUTTON, COL. ARTHUR H.**, an officer of U. S. volunteers, was killed in the engagement near Bermuda Hundred. He was a native of Wallingford, Conn., graduated at West Point in the Engineer Corps in 1861, and at the time of his death held the rank of Captain of Engineers in the regular army. While on duty in North Carolina with his regiment, the 21st Connecticut volunteers, he served as Chief of Staff for Maj.-Gen. Peck, and subsequently held a similar position upon the Staff of Maj.-Gen. W. F. Smith. After the battle of Drury's Bluff, in which he greatly distinguished himself, he was placed in command of the 3d brigade, which position he had held but a few days when he lost his life.

June 5.—**JONES, WILLIAM G.**, a Major-General in the rebel army from Virginia, a graduate of West Point, killed at the battle of Mount Crawford, Va. He had been in command in West Virginia for nearly two years, and had been promoted to the Major-Generalship in 1863.

June 7.—**WINSLOW, GORDON, M. D., D. D.**, a clergyman of the Episcopal Church, fell overboard from a transport and was drowned in the Potomac, aged 60 years. He was a native of Williston, Vt., graduated at Yale College, studied for the ministry, and became rector of a church in Troy, N. Y., and subsequently in Annapolis, Md. Afterwards he was for many years rector of St. Paul's, Staten Island, and

chaplain of the Quarantine. At the commencement of the war he was appointed chaplain of the Duryee Zouaves, and accompanied that regiment in all its hard-fought battles. He also served with the Sanitary Commission, and, upon the return of his regiment in 1863, was appointed Inspector of the Army of the Potomac for that Commission, and was returning from his labors in its behalf at Belle Plain, having in charge his wounded son, Col. Cleveland Winslow, when he met his untimely death. He had been a frequent contributor to the press, and was a man of high and liberal intellectual culture, and of a most genial and amiable disposition. His wife had been for many months engaged in ministering to the sick and wounded soldiers in Washington, and his two sons were officers of the Union Army. Rev. Hubbard Winslow, D.D., of New York, and Rev. Myron Winslow, D.D., missionary in Ceylon, were both brothers of the deceased.

June 8.—ADAMS, DANIEL, M. D., an author of text-books for schools, died at Keene, N. H., aged 90 years. He was a native of Townsend, Mass.; studied in New Ipswich Academy; graduated at Dartmouth College in 1797; studied medicine, and commenced the practice of his profession in Leominster, Mass., where he also assisted in editing a newspaper called the "Telescope." Here he commenced the preparation of school books, his "Scholar's Arithmetic," his "Grammar," and "Understanding Reader," being first published from his own press in Leominster. He removed to Boston about 1806, where he opened a select school which was largely patronized, editing also, during a part of the time, a monthly periodical called "The Medical and Agricultural Register," and preparing a "School Geography" and some other books for the press. In 1813, his health failing, he left Boston and removed to Mount Vernon, N. H., where he resumed practice and also engaged in mercantile pursuits. But he could not relinquish his mathematical tastes, and revised his Scholar's Arithmetic, and in 1827 published it under the title of "Adams' New Arithmetic." This was the most popular of all his school books. In 1846 he removed to Keene, N. H., where he spent his later years. He was the author of a large number of school books, among which are the "Understanding Reader" (1804); "Monitorial Reader" (1841); "The Agricultural Reader" (1824); "The Thorough Scholar," an "English Grammar" (1803); a "Geography and Atlas" (1814); a "Primary Arithmetic," "Scholar's Arithmetic" (1805); "The New Arithmetic" (1827); "The Improved Arithmetic," "Book-Keeping," "Mensuration," &c. Dr. Adams was for many years President of the New Hampshire Bible Society, and of the State Medical Society.

June 8.—THAXTER, A. WALLACE, died in Boston aged 32 years. He was a native of Boston; graduated at Harvard College in 1852, being the poet of his class, and having the val-

edictory ode. After graduating he entered the Law School at Cambridge, and in 1854 received the degree of LL.B., but did not enter upon the practice of his profession. He was for seven years connected with the Boston "Evening Gazette," as a dramatic and literary critic, until ill health compelled him to withdraw. He was a graceful and easy writer, and author of several light acting plays for the stage.

June 10.—CRALLÉ, RICHARD K., the biographer of John C. Calhoun, died in Virginia. He was a native of South Carolina and a relative of Calhoun, who employed him as confidential clerk or amanuensis while he was Secretary of State under John Tyler. He had previously been an editor in Washington, and also filled the pulpit of a New Church Society in that city. His publications comprise an edition of the works of John C. Calhoun, in six volumes, with a memoir founded on private papers and authentic materials, beside some polemical works, which have circulated among the followers of Swedenborg.

June 11.—HORNBLOWER, Hon. JOSEPH C (See HORNBLOWER, JOSEPH C.)

June 11.—PYE, Col. EDWARD, an officer of U. S. volunteers, died from wounds received at the battle of Cold Harbor, Va., aged 40 years. He was educated for the law, and soon after entering upon the practice of his profession rose to a high rank at the bar. When quite young he was appointed District Attorney for Rockland County, N. Y., and soon after County Judge and Surrogate. At the breaking out of the rebellion he at once made preparations for winding up his practice, accepted the command of a company in the 95th regiment New York State volunteers, then organizing under the name of the "Warren Rifles," and in the fall of 1861 entered into active service with the Army of the Potomac. Being promoted to a Lieutenant-Colonelcy, he led his regiment through the carnage of Antietam, followed the enemy across the Potomac to the Rappahannock, and shared in the battles of Fredericksburg, Chancellorsville, and Gettysburg, receiving after the latter his commission as Colonel. In the battles of the Wilderness and Spottsylvania he was often in the front ranks of the army, and in the battle of Cold Harbor, while leading an assault upon the breastworks of the enemy, received a rifle ball in the shoulder, and at the same moment was wounded by a shell, surviving these injuries but a few days.

June 14.—POLK, Rt. Rev. LEONIDAS, D.D. (See POLK, LEONIDAS.)

June 15.—MIX, Col. SIMON H., an officer of U. S. volunteers, was killed in a charge upon the rebel intrenchments at Petersburg. He was a native of Fulton County, N. Y., and learned the printing trade of his father, Peter Mix, for many years editor of the "Schoharie Patriot." Both father and son were among the earliest and firmest Republicans, and the latter was, in 1860, Republican candidate for Congress, but was beaten by a few votes by

Hon. Chauncey Vibbard, Superintendent of the Central Railroad. At the commencement of the war the subject of our sketch dedicated himself to the service of his country. He was appointed Major and finally Colonel of the 3d cavalry regiment New York, which he was instrumental in raising, and died at its head.

June 16.—EWING, HON. ANDREW, an officer in the Confederate service, died in Atlanta, Ga. He was a lawyer of eminence, and a politician of considerable importance, having for many years participated in the political controversies which mark the history of Tennessee. He represented the Nashville district, Tenn., in Congress during one term, and in February, 1861, was elected to represent Davidson County in the proposed State Convention, which was voted down by the people, being at that time a sincere Union man. Unfortunately he was subsequently drawn away from his allegiance to the Union, and took an active part against the Government. After the fall of Fort Donelson he left his home and became an exile, holding until he died some position in the rebel army.

June 16.—WEYMAN, GEORGE WASHINGTON, a chemist, died at Pittsburg, Pa., aged 32 years. He studied in Europe three years at the Universities of Göttingen and Munich, receiving the degree of Ph. D. from the University of Göttingen in 1855. At the time of his death Dr. Weyman was established at Pittsburg as a Pharmacist and Analytic Chemist.

June 17.—SANGER, HENRY K., died at his residence in Detroit, Mich., aged 65 years. He was in early life a resident of Utica, N. Y., graduated at Hamilton College, and devoted his attention to the study of law, but subsequently abandoned it and took a position in the Bank of Utica. In 1836 he was tendered the position of cashier of the Bank of Michigan, in Detroit. In 1861 he was appointed United States Depositary in that city, which responsible position he filled with great honor to himself until his death.

June 20.—CUBAS, ISABELLA, a Spanish dancer and actress, died in New York City in the 27th year of her age. She was born at Valencia del Cid, Spain. Her family name was Blasco, and her parents were artists of considerable skill and reputation. At an early age she exhibited much grace and taste as a dancer, in which capacity she travelled through Spain, Russia, Turkey, Austria, and France. In 1860 she came to this country, where she at once achieved success in her profession. She died of consumption.

June 20.—HARDENBROOK JOHN K., Acting Assistant Surgeon U. S. A., died at Rush Barracks, Washington, D. C., in the 62d year of his age, of typhoid fever, contracted while in the discharge of his duties at L'Ouverture Hospital, Alexandria, Va. Dr. Hardenbrook was one of the oldest physicians of New York City, and for several years Secretary of the New York County Medical Society; also one of the first trustees of the Rutgers Female Institute,

and was a member of one of the oldest Masonic lodges in New York. He promptly offered his services in response to a call for more surgeons for the army, and was assigned to duty at Alexandria, where he labored faithfully in the discharge of his duties until attacked with the disease which terminated in death.

June 22.—CORSON, EDWARD F., M. D., Surgeon U. S. N., died at Plymouth, Montgomery County, Pa. He was born in Montgomery County, Pa., October 14, 1834, entered the navy in May, 1859, and was ordered to China and Japan in the U. S. steamer "Hartford," where he remained until the winter of 1861. He was subsequently, for a short time, at the Naval Asylum, Philadelphia, and upon application for sea service, was ordered to the Mohican, returning after a cruise of 40,000 miles, without the loss of a man by sickness.

June 22.—WHEELER, WILLIAM, an officer of United States volunteers, was killed near Marietta, Ga., aged 28 years. He was a native of New York City, graduated at Yale College in the class of 1855, and studied law until 1857, when he sailed for Europe. After passing the summer in travel, he continued the study of law at the University of Berlin, and subsequently visited Italy and Greece. In July, 1858, he returned to New Haven, and the following spring entered the Law School at Cambridge, Mass., where he received the degree of LL.B., in 1860. Soon after he opened an office in New York, and entered upon the practice of his profession, but upon the outbreak of the rebellion his patriotic impulses led him to accompany the 7th regiment of N. Y. S. N. G. to the defence of the Capital. After this temporary service he raised a company and was made lieutenant, and subsequently captain of the 13th Independent battery of N. Y. In the Shenandoah valley, and at Gettysburg, with the Army of the Potomac, and subsequently in the battle of Lookout Mountain, he bore an honorable part. He was afterwards appointed Chief of Artillery on the Staff of Gen. Geary, 2d division, 20th army corps, and met his death while bravely holding an exposed position with his battery in the face of the enemy.

June 22.—YOUNG, WILLIAM H., a prominent member of the Baltimore bar, was accidentally killed by being crushed under a railroad car in that city. He was a native of Maryland, and at one time Deputy State's Attorney, and on several occasions acted as special judge of the Criminal Court. He also stood high in the Independent Order of Odd Fellows, being formerly Grand Master of the Grand Lodge of Maryland, and a Representative to the Grand Lodge of the United States. At the time of his death he was Deputy Grand Sire of the United States, and was starting for Philadelphia upon business of the Order.

June 24.—WYATT, WILLIAM EDWARD, D. D., a clergyman of the Episcopal Church, died at Baltimore, Md., in the 76th year of his age. He was rector of St. Paul's Church, Baltimore,

for more than half a century, and was widely known and venerated throughout the State.

June 26.—HYER, THOMAS, died in New York City, aged 45 years. He was for many years the champion of the American prize ring.

June 27.—HARKER, Brig.-General CHARLES G., an officer of United States volunteers, was killed in the battle at Kenesaw, Ga. He graduated at West Point about 1857, and was appointed second lieutenant of the 9th United States infantry, and afterward captain in the 15th regulars. At the breaking out of the war he was appointed to the colonelcy of the 65th Ohio, known as Sherman's brigade; participated in the battles of Stone River, Chickamauga, and Mission Ridge, in the latter being the first to pass the enemy's works, and took an active part in the East Tennessee campaign with the 4th army corps. He was commissioned brigadier-general for his gallantry at Chickamauga. He fell while bravely leading on his brigade, and within a few yards of the enemy's works.

June 27.—HARMON, Col. OSCAR F., an officer of United States volunteers, was killed at the battle of Kenesaw Mountain, Ga. He was a native of Wheatland, Monroe County, N. Y., studied law in the school of Prof. John W. Fowler, at Ballston Spa, N. Y., and in the office of Smith and Griffin, at Rochester, N. Y. In 1853 he removed to Danville, Ill., where he practised his profession with distinguished success until the summer of 1862, when, from a strong desire to serve his country in the army, he accepted the proffered command of the 125th regiment of Illinois volunteers, which position he held with increasing popularity until his death. In the terrible assault upon the rebel position at Kenesaw Mountain, his regiment was assigned a difficult point. The brigade commander, Gen. McCook, being dangerously wounded, the command devolved upon Col. Harmon, and while nobly cheering on his men he was struck by a ball in his breast, which immediately proved fatal.

June 29.—DANIEL, ISAAC, died in New York City, aged 109 years. He was a native of Westchester County, N. Y. During the Revolutionary war he served under the immediate command of Gen. Washington, and was conspicuous for his bravery in the battles of Monmouth, Trenton, and White Plains, was one of the first who entered the city of New York after its evacuation by the British, and assisted in hauling down the enemy's flag and planting the American banner in its place. He also served through the war of 1812.

June 29.—TAYLOR, Gen. JOSEPH P. (See TAYLOR, J. P.)

June 30.—WILSON, Col. WILLIAM, an officer of United States volunteers, killed by a fall from his horse at his farm in Westchester County, N. Y. He was the leader of the famous Wilson Zouaves, and served with his regiment in many positions of great danger and exposure, being stationed for several months at Santa

Rosa Island, previous to the capture of Fort Pickens. His camp was once surprised while there, and made a gallant fight.

July 1.—CLANCY, JOHN, a New York editor, died at his residence in that city, aged 34 years. He was of Irish parentage but a native of New York City, was educated for the law, and in 1857 was chosen President of the Board of Aldermen. In 1859 he was elected County Clerk. Having been for some time a correspondent of the New York "Leader," he became connected with that paper as editor in 1857, his ability as a writer contributing much to its subsequent success.

July 1.—QUINCY, Hon. JOSIAH. (See QUINCY, JOSIAH.)

July 4.—BLYTHE, Brig.-Gen. JAMES E., an officer of the Indiana militia, died at Evansville, Ind., aged 45 years. He was a native of Lexington, Ky., graduated at Hanover College, Ind., in 1838, studied law in New Jersey, and was admitted to the bar in that State in 1840, and the following year removed to Evansville, where he entered upon the practice of his profession. His talents and learning enabled him in a short time to take his position among the leading members of the profession in the Supreme and inferior Courts of the State, and in the Courts of the United States. He was a prominent and influential member of the Constitutional Convention of Indiana in 1850-'51, and also of the House of Representatives of that State in 1859. During the years 1862 and 1863 he was brigadier-general of the active militia or Legion of Indiana, and through his exertions and influence the Legion of the border counties in the southwestern part of the State was organized and rendered sufficiently formidable for the prevention of raids.

July 5.—HOGG, Rev. WILLIAM J., D.D., a Presbyterian clergyman, died at Dellwood, Chesterfield County, Va., aged 38 years. He was a native of Athens, Ohio, in which State he commenced his pastoral labors, but subsequently removed to Richmond, Va., where he spent some years in teaching. In 1859 he removed to New York City, and was settled as colleague to the Rev. Dr. Spring over the Brick Church. Soon after the outbreak of the rebellion he went South, and became pastor of the Presbyterian Church in Petersburg, Va., where he remained until his death.

July 5.—REEDER, Hon. ANDREW H. (See REEDER, ANDREW H.)

July 6.—MORRIS, Gen. GEORGE P. (See MORRIS, GEORGE P.)

July 6.—RICE, Brig.-Gen. SAMUEL A., an officer of U. S. volunteers from Iowa, died at Oskaloosa, Iowa, of wounds received in the battle of Jenkins' Ferry, in Arkansas. He was a native of New York, but had removed to Iowa, and engaged in civil pursuits, and soon after the opening of the war entered the service as colonel of the 33d Iowa volunteers. He soon distinguished himself for military skill and courage, and was put in command of a brigade,

and on the 4th of July, 1863, at the battle of Helena, Ark., his command was conspicuous for its bravery and good conduct. For his meritorious conduct in this and subsequent battles, he was appointed brigadier-general, his commission dating August 4, 1863. He took an honorable part in every battle of the arduous campaigns of that and the succeeding year in Arkansas, up to the time of receiving his fatal wound.

July 7.—WINSLOW, Col. CLEVELAND, an officer of U. S. volunteers, died in the hospital at Alexandria, Va., from wounds received at the battles near Mechanicsville, Va., aged 28 years. He was a native of Medford, Mass., and the eldest son of the Rev. Gordon Winslow, D. D. When the war commenced he was engaged in mercantile pursuits in New York City, but having some military knowledge from his connection with the militia, he raised a company of men and departed with the famous Duryea Zouaves for the seat of war, continuing with them for two years in all their engagements. Immediately upon the return of his regiment he raised another, and with it was engaged in all the important battles of the Potomac since that period.

July 11.—DAVIS, Col. P. STEARNS, 39th regiment Mass. volunteers, an officer in the volunteer service, killed near Petersburg, Va.

July 11.—DUNLAP, THOMAS, a lawyer, and for many years president of the United States Bank at Philadelphia, died in that city aged 71 years.

July 12.—BOWERYEM, GEORGE, a correspondent of the Press, was drowned near Newport News, aged about 33 years. He was a native of England, and had resided in this country but ten years. He was formerly a correspondent of "The Tribune" at Charleston, and subsequently of the "Philadelphia Press" with the Army of the Potomac, and had published melodies of considerable merit.

July 12.—REYNOLDS, MARCUS T., an eminent lawyer of Albany, died in that city. He was born in Florida, Montgomery County, N. Y.; graduated at Union College in 1808, studied law at Johnstown in the office of Attorney-General Hildreth and Judge Harris, and in 1811 commenced the practice of the law at Amsterdam, N. Y. In 1828 he removed to Albany, where for the next quarter of a century he occupied the first rank of his profession.

July 12.—VAIL, STEPHEN, an enterprising machinist, died in Speedwell, Morris County, N. J., aged 84 years. He built the engines of the first steamship that ever crossed the Atlantic, and assisted Mr. Morse in perfecting the magnetic telegraph.

July 14.—GARDNER, SAMUEL JACKSON, an editor and author, died at the White Mountains, N. H., aged 76 years. He was a native of Massachusetts, graduated at Cambridge in 1807, practiced law for many years in Roxbury, Mass., and held various county and State offices of honor. He was Deputy Grand-Master of

the Masonic Society of Massachusetts for some years. In 1838 he removed to Newark, N. J., and in 1850 became editor of the "Daily Advertiser," which position he relinquished on account of his health at the commencement of the war. Mr. G. was the author of a volume of Essays entitled "Autumn Leaves."

July 14.—SIMMONS, Hon. JAMES F., died at his residence in Johnson, R. I., in the 70th year of his age. He was a native of Little Compton, R. I., and in early life had no other means of education than those supplied by common schools. In 1827 he entered the Rhode Island legislature, in which he continued with brief intermissions until 1840, when he was elected a Senator in Congress. In 1847 he retired, and returned again to the Senate in 1857, for one term. The subject to which he gave his principal attention was the national finances, particularly the bearings and value of the tariff.

July 17.—BOONE, Rt. Rev. WILLIAM JONES, Protestant Episcopal Missionary Bishop to Shanghai, China, died in that city, aged 53 years. He was a native of South Carolina, and in early life studied law with Chancellor De Saussure of that State. Subsequently he fitted himself for the ministry at the Theological Seminary in Alexandria, Va., and in January, 1837, offered his services as a missionary to China, where he arrived in July of the same year. After several years of incessant labor he returned to the United States, and in October, 1844, was consecrated Missionary Bishop. During the last twenty years of his life, with the exception of two visits to America, he labored assiduously at his post in Shanghai, and acquired an unusually profound knowledge of the Chinese language and literature. In 1846 he commenced his translation of the Prayer-Book, and engaged in a revision of the New Testament; and in 1847 he was appointed one of the committee of delegates from the several missions to review the translation of the Bible. In this work, and in the discussion which grew out of it, he displayed an amount of ability and learning which challenged general admiration. His death was hastened by severe labor in an unhealthy climate.

July 17.—MCCOOK, Col. DAN, an officer of U. S. volunteers, died in Steubenville, Ohio, of wounds received in the battle of Kenesaw Mountain, making the fourth member of the family who have fallen in the service of their country, and leaving two brothers only, who are at present commanding Ohio regiments in the field.

July 18.—LAMSON, Rev. ALVAN, D. D., a Unitarian clergyman and author, died in Dedham, Mass., aged 72 years. He was a native of Weston, Mass., studied at Phillips' Academy, Andover; graduated at Harvard College in 1814, and immediately after was appointed tutor in Bowdoin College, where he remained two years. He then studied theology at the Divinity School at Cambridge, and in 1818 was

ordained pastor of the First Church in Dedham, where he labored for more than forty years. He was a vigorous writer, and contributed frequently to the "Christian Examiner," besides publishing one or two valuable volumes.

July 18.—MARSH, NATHANIEL, President of the New York and Erie Railroad, died on Staten Island, aged 52 years. He was a native of Haverhill, Mass., graduated at Dartmouth College in 1835, studied law in his native State, and after his admission to the bar removed to New York. He was at one time First Assistant Postmaster of New York City. He entered the service of the Erie Railroad about seventeen years since, and had gradually risen to the position of President of the new company, having been Receiver of the original company when it passed into the hands of the bondholders. He was regarded as one of the ablest, if not the ablest, railroad manager in the United States.

July 20.—FEATHERSTONE, Brig.-Gen. WM. S., an officer of the rebel army from Mississippi, killed at the battle of Peach Tree Creek, Ga.

July 20.—LONG, Brig.-Gen. ARMISTEAD L., an officer of the rebel army from Georgia, killed at the battle of Peach Tree Creek, Ga.

July 20.—PETTUS, Brig.-Gen. John J., an officer of the rebel army from Mississippi, formerly Governor of that State, killed at the battle of Peach Tree Creek, Ga.

July 20.—STEVENS, Brig.-Gen. GEORGE M., an officer of the rebel army from Maryland, killed at the battle of Peach Tree Creek, Ga.

July 21.—GREATHOUSE, Brig.-Gen. LUCIEN, of U. S. volunteers, killed in a skirmish near Atlanta, Ga., aged 21 years. He was a native of Carlinsville, Ill., graduated at Bloomington, studied law, and was admitted to the bar. At the commencement of the war he volunteered as a private, and after passing through every intermediate grade was commissioned colonel of the 48th Illinois, his regiment bearing a conspicuous part in the achievements of the Army of the Tennessee. He was made brigadier-general only a day or two previous to his death.

July 22.—McPHERSON, Maj.-Gen. JAMES B. (See McPHERSON, JAMES B.)

July 22.—WALKER, Maj.-Gen. WM. H. T., an officer in the Confederate army, killed in battle at Decatur, Ga. He was a native of Georgia and a graduate of West Point.

July 25.—LANSING, Gen. A. DOUW, ex-Major-General of Militia, died suddenly at Albany, N. Y. For more than forty years he had almost exclusive charge of the large manorial estates of the Van Rensselaers, and had in many ways identified himself with the business affairs of the city in which he resided.

July 25.—WAGNER, PETER K., a printer, died at New Orleans, La., aged 75 years. He was a native of Maryland, but removed to New Orleans in 1813, and soon after became editor and proprietor of the "New Orleans Gazette," continuing it until 1823, when the depression of the times forced him to give it up. In 1827 he connected himself with the Louisiana "Ad-

vertiser" until 1829, when Gen. Jackson, then President, conferred upon him the appointment of naval officer of the port. Subsequently he assumed the editorship of the Louisiana "Courier."

July 26.—MULLIGAN, Col. JAMES A. (See MULLIGAN, JAMES A.)

July 27.—BARLOW, MRS. ARABELLA GRIFFITH, wife of Brig.-Gen. Francis C. Barlow, of U. S. volunteers, died at Washington, D. C., of fever contracted while in attendance upon the hospitals of the Army of the Potomac. She entered the service of the Sanitary Commission at an early period of its existence, serving faithfully throughout the Peninsular campaign, and subsequently both in hospitals and on the field.

July 27.—BONNEY, Rev. SAMUEL W., American Missionary to Canton, China, died in that city of fever, aged 49 years. He was a native of New Canaan, Conn., pursued his studies in part in the New York University, but subsequently removed to Cincinnati, Ohio, and completed his course in Lane Seminary. He arrived in China in 1845, and has since then, with the interval of a brief visit to America, been an active and useful missionary.

July 27.—HALLETT, SAMUEL, a New York banker and railroad manager, was assassinated at Wyandotte, Kansas, by a discharged engineer named Talcott. His age was about 39 years. Mr. Hallett's early life was passed in poverty, but he early displayed a rare aptitude for business, and great executive ability. About 1850 he first attracted attention as a banker, and the bold and daring character of his enterprises gained him enemies as well as friends. In 1857 he became embarrassed and lost most of the property he had previously amassed, but soon recovered himself, and though implicated to some extent in the alleged over-issue of Indiana State bonds, he succeeded in relieving himself from the charges brought against him, and becoming the financial agent and manager of the Atlantic and Great Western Railroad, and carried that magnificent enterprise through to a complete success. He also became the financial agent and principal contractor for the Union Pacific Railroad, the first section of the Pacific Railroad, whose success had become assured under his management. He was heartily loyal and patriotic, and though a man of marked faults, was not devoid of compensating virtues.

July 27.—MILLER, SILAS, Colonel of the 36th regiment Illinois volunteers, died at Nashville, Tenn., from wounds received at the battle of Kenesaw Mountain, Ga., aged 25 years. He was born in Tompkins County, N. Y., but when very young removed to Aurora, Illinois, learned the printer's trade, pursuing his education in the mean time, and when the war broke out was diligently engaged in the study of law. In April, 1861, he enlisted in the volunteer service as a private, passing rapidly through the different grades of promotion, and doing important service in the early campaign of Missouri and Arkansas, and in Mississippi and East Ten-

nessee; was taken prisoner by the enemy at the battle of Murfreesboro, and after his exchange was commissioned colonel of his regiment, participating with it in the fearful battles of Chickamauga and Mission Ridge, where he commanded a brigade. From thence he went with his command into East Tennessee, enduring with them one of the severest campaigns of the war. In January, 1864, he reënlisted, accompanied Gen. Sherman on his eventful campaign, and participated in all the engagements between Chattanooga and Kenesaw Mountain, where he received the fatal wound.

July 29.—COX, ABRAHAM SIDDON, M. D., Surgeon-in-chief of the 1st division, 20th corps, Army of the Cumberland, died in the officers' hospital, Lookout Mountain, Tenn., aged 64 years. Dr. Cox was a native of New York, and had been for many years one of the most eminent medical practitioners of New York City. At the opening of the war, with a rare patriotism, he relinquished his large practice and took an appointment as a surgeon in the army. His abilities were recognized, and he was promoted to be surgeon-in-chief of division; but the hardships and exposures of the Chattanooga and Atlanta campaigns had broken down his health and terminated his useful life.

July 29.—PALMER, VOLNEY B., died in New York, aged 65 years. He was a native of West Jersey, educated a printer, removed to Pottsville, Pa., in the infancy of the coal trade, and was largely engaged in business there for some years, when he removed to the Atlantic seaboard and originated the system of comprehensive and systematic advertising through the journals of the whole country, which has since grown into such importance. He had offices in New York, Boston, Philadelphia, and Baltimore.

July 29.—PATCHEN, AARON D., a banker and railroad manager of Buffalo, died in that city of softening of the brain. He was born in Hoosack, N. Y. His family were in very humble circumstances, and the death of his father left him when a mere child the head of the family. His industry, integrity, and business ability, won him friends and the confidence of capitalists; he entered at an early age the banking business, and filled important positions of trust prior to his removal to Buffalo in 1844, where he started an individual bank known for many years as "Patchen's Bank." He early perceived the importance of connecting Buffalo with New York by way of the Erie Railroad, and projected and built almost wholly from his own resources the Buffalo and New York City Railroad, extending from Buffalo to Corning, N. Y. Involved in debt by this enterprise, which for a time proved unremunerative, he exhibited rare versatility of resource in maintaining the vast burden, but at last it proved too much for even his vigorous and well-balanced mind, and the wearied brain gave way.

July 30.—WALDO, REV. DANIEL. (See WALDO, DANIEL.)

July 30.—DUNBAR, REV. DUNCAN, a Baptist clergyman, died in New York City, aged 73 years. He was a Scotchman by birth, but had resided in this country nearly forty years, being most of that period pastor of the McDougal Street Baptist Church. He was deeply interested in the work of Bible distribution, and was for twenty years a most active and zealous member of the Board of Managers of the American and Foreign Bible Society.

July 30.—MAGINNIS, REV. JOHN, a Roman Catholic priest, died in San Francisco, Cal., aged 68 years. He was a native of Ireland, was ordained a priest by the late Bishop England, of Charleston, S. C., and officiated at St. James' Catholic Church, New York, until 1841, and afterwards at St. Andrew's until 1850, when he removed to California. On his arrival there he became pastor of St. Patrick's Church, holding that position until 1862.

August 2.—GRIGG, JOHN. (See GRIGG, JOHN.)

August 2.—HADLEY, PROF. HENRY HAMILTON. (See HADLEY, HENRY HAMILTON.)

August 2.—MALLORY, HON. GIBSON, a State Senator of Kentucky, was assassinated near Louisville. He was a native of Virginia, but had long been a resident of Kentucky, and one of the most successful agriculturists of the State; was a Director of the State Agricultural Society, and had filled many offices of public trust.

August 5.—CRAVEN, CAPT. TUNIS AUGUSTUS, U. S. N., killed by the explosion of the *Tecumseh* by a torpedo, in Mobile Bay. He was a native of New Hampshire, and entered the navy as a midshipman, June 2, 1829, serving on different vessels until 1837, when, upon his own request, he was placed on the Coast Survey. In 1841 he was promoted to a lieutenancy, and was attached to the sloop-of-war *Falmouth* till 1843, when he was transferred to the receiving ship *North Carolina*. Subsequently he was connected with the Pacific squadron, and again from 1850 to 1859 upon the Coast Survey, from which he was appointed to the command of the steamer *Mohawk*, of the home squadron, stationed off the coast of Cuba to intercept slavers. When the war broke out Capt. Craven was placed in command of the *Crusader*, and had an important share in preserving for the Union the fortress of Key West. In April, 1861, he was appointed commander of the new sloop, *Tuscarora*, and was sent after rebel cruisers. At his own request he was placed in charge of the monitor *Tecumseh*, early in the present year, and joined the James River flotilla. Recently he was ordered to reënforce Admiral Farragut, and bravely met his fate during the assault on the defences of Mobile.

August 5.—FARON, JOHN, Chief Engineer U. S. N., was lost by the sinking of the Monitor *Tecumseh*, in Mobile Bay. He entered the service in 1840, being appointed from the State of New Jersey, of which he was a native. Upon the completion of the U. S. steam frigate *Powhatan*, he was attached to her as one of

her officers, and served three years and a half in her, making a cruise in the Gulf, thence to China and Japan. He served as senior Assistant on the *Niagara* during the laying of the Atlantic Cable, and was in charge of the engine department of the *San Jacinto* when the rebel commissioners, Slidell and Mason, were captured, since which time he has been superintendent of the Monitors built at the iron ship-building yard at Jersey City. Previous to the *Tecumseh* being commissioned, he was ordered to the *Onondaga*; but preferring to go to sea in a vessel of his own construction, he succeeded in getting detached and ordered to the *Tecumseh*, and had left a sick bed to be present at the engagement during which he lost his life.

Aug. 6.—STEDMAN, Brig.-Gen. GRIFFIN A., an officer of U. S. volunteers, killed near Petersburg. He was a native of Hartford, Conn., a graduate of Trinity College, and entered the service in 1861, as major of the 11th regiment Conn. vols. On the resignation of the lieutenant-colonel he was advanced to that position, and in the battle of Antietam, where Col. Kingsbury, the commander of the regiment, was killed, he was wounded, but not fatally. Recovering, he commanded the regiment at Fredericksburg, and Chancellorsville, and Gettysburg. At the commencement of the campaign of 1864, he was put in command of a brigade, and fought through all the terrible battles of the campaign in such a way as to win the frequent commendation of his superior officers. After the explosion of the mine at Petersburg his brigade was much exposed to the assaults of the enemy, and in one of the frequent skirmishes which occurred he lost his life. His commission as brigadier-general did not arrive till after his death, though he had been acting in that capacity for several months.

Aug. 9.—FISK, Miss FIDELIA, an American missionary and authoress, died at Shelburne, Mass. She was formerly a teacher in the Mount Holyoke Female Seminary; but in 1843 resigned her position there and went to Persia, where she labored as a missionary for fifteen years, being much of the time connected with a female seminary as teacher. Owing to the failure of her health she was obliged to return to this country, and subsequently assisted in preparing for publication "A Memorial of Mount Holyoke Female Seminary," "Woman and her Saviour in Persia," and at the time of her death was engaged upon "Reminiscences of Miss Mary Lyon."

Aug. 9.—FRANCIS, Ex-Gov. JOHN BROWN. (See FRANCIS, JOHN BROWN.)

Aug. 11.—MCCALL, JAMES, a prominent merchant of New York, died in that city of rheumatism of the heart. He was a native of Ireland, came to this country at an early age, and entered into the mercantile trade. Upon retiring from business he was elected President of the Metropolitan Bank of New York, which position he filled for many years.

Aug. 11.—VARIAN, ISAAC L., ex-Mayor of New York City, died at his residence in Peekskill, aged 75 years. He was a descendant of the Knickerbockers, and was for near half a century identified with the history of New York.

Aug. 12.—VAN DOREN, Rev. ISAAC, a distinguished teacher and clergyman of the Dutch Reformed Church, died at Perth Amboy, N. J., in his 92d year. He graduated at Princeton College, studied Divinity with Dr. Romaine of Schenectady, and Dr. Livingstone, was licensed to preach by the Collegiate Dutch Church of New York, and in 1800 was settled in Hopewell, Orange Co., N. Y., where he labored twenty-three years. He then removed to Newark, N. J., where he was principal of the academy four years, from thence to Brooklyn, and after establishing the Collegiate Institute in that city, removed to Lexington, Ky., continuing in the work of teaching until quite advanced in life.

Aug. 13.—COLLIER, Rev. JOSEPH AVERY, died at Kinderhook, N. Y., aged 36 years. He was a native of Plymouth, Mass., studied at the Monson Academy, and graduated at Rutgers College, N. J., July, 1849. The succeeding fall he entered the Theological Seminary of the Reformed Dutch Church, New Brunswick, and upon the completion of his studies was ordained pastor of the churches of Bronxville and Greenville, Westchester Co., N. Y. In the spring of 1855, he accepted a call to the pastorate of the Reformed Dutch Church of Geneva, N. Y., and after a successful ministry of four years resigned on account of ill health, and accepted a call from a church at Kingston, N. Y., over which he was installed Nov. 15, 1859. He was the author of "The Christian Home; or, Religion in the Family;" "The Right Way; or, the Gospel applied to the Intercourse of Individuals and Nations;" "The Young Men of the Bible;" "Little Crowns and How to Win Them;" "Pleasant Paths for Little Feet;" and the "Dawn of Heaven."

Aug. 13.—WINSLOW, Rev. HUBBARD, D. D. (See WINSLOW, HUBBARD.)

Aug. 16.—GIRARDEY, VICTOR J. B., a brigadier-general in the rebel army, killed in the action near Richmond, Va. He was quite young, and had previously to the campaign of 1864 been provost-marshal of Richmond.

Aug. 16.—STREIGHT, Col. ABEL D., U. S. volunteers, killed during an engagement at Dalton, Ga. He was a resident of Indianapolis when the war broke out, and when the call was made for three years' men, raised a regiment, of which he was made colonel, and took part in the campaign which placed Kentucky and Tennessee in the possession of the Union armies. In 1863 he led a cavalry force on a raid through Alabama, which though well conducted was but partially successful, and resulted in his being taken prisoner and confined in Libby prison. After a long period of privation and suffering, he made his escape and re-

turned to his home in Indiana, but soon after rejoined his regiment in the field.

Aug. 16.—**WOODBURY**, Brig.-Gen. **DANIEL PHINEAS**, U. S. volunteers, died at Key West, Fla., of yellow fever. He graduated at West Point in 1836, and was first commissioned in the 3d artillery, but in 1838 was made second lieutenant in the corps of engineers. In 1847 he was engaged in the survey of the Oregon route. In 1853 he was promoted to a captaincy, and previous to 1860 was engaged in the work of constructing Fort Jefferson, in the Tortugas. In May, 1861, he was appointed to superintend the construction of a part of the defences of Washington under Gen. Barnard, and the following year was made lieutenant-colonel of volunteers, and subsequently brigadier-general of volunteers, to date from March 19, 1862, and assigned to the command of the Engineer Brigade of the Army of the Potomac. During the whole of the Peninsular campaign Gen. Woodbury's command was engaged in constructing bridges, railroads, earthworks, etc., and greatly assisted the army in its movements. After the appointment of Gen. Hooker to the army, Gen. Woodbury accepted an assignment to the Department of the Gulf, as commander of the district of Key West and Tortugas, arriving at his new post April, 1863. In June, 1863, he was promoted to be lieutenant-colonel of Engineers in the U. S. Army. He was the author of a work entitled "Sustaining Walls," 1854; also, "Theory of the Arch," 1858.

Aug. 17.—**GRIDLEY**, **PHILO**, LL. D. (See **GRIDLEY**, **PHILO**.)

Aug. 21.—**DUNCAN**, Commander **JAMES M.**, an officer of the U. S. Navy, died in Brooklyn, N. Y., of disease of the heart, aged 44 years. He was a native of Madisonville, Ohio, entered the navy in 1837, and subsequently passed through a course of study at the naval school, Philadelphia. He took an active part in the Mexican war, and especially distinguished himself in the contest which preceded the annexation of California. The commencement of the present war found him serving as a lieutenant on the U. S. steamer *Crusader*, then just completing a two years' cruise after slavers on the coast of Cuba. In 1862 he was appointed commander, and assigned to the storeship *Release*, and subsequently to the Monitor *Weehawken*, of which he had command when she went down in Charleston harbor, but was providentially on board the flag-ship at the time of the disaster. He was in command of the *Norwich*, and assisted in the bombardment of Fort Pulaski, and of Jacksonville, Fla. During his service on the Gulf blockade, Commander Duncan contracted the disease which terminated his life.

Aug. 21.—**DUSHANE**, Col. **A. F.**, an officer of U. S. volunteers, killed before Petersburg, Va. He was at the time of his death acting as brigadier-general of the Maryland brigade.

Aug. 22.—**APPLETON**, Hon. **JOHN**. (See **APPLETON**, **JOHN**.)

Aug. 23.—**VAN VLECK**, Col. **CARTER**, an officer of U. S. volunteers, died in a field hospital, near Atlanta, Ga., from a wound received in action. He was an eminent lawyer of Illinois, joined the 78th Illinois volunteers at the commencement of the war, and had recently been made colonel.

Aug. 24.—**KNIGHT**, Dr. **JONATHAN**. (See **KNIGHT**, **JONATHAN**.)

Aug. 28.—**MARSH**, Hon. **EPHRAIM**, President of the Morris Canal and Banking Company, died at Schooley's Mountain, of disease of the heart, aged about 68 years. He was one of the leading men of the State of New Jersey, and for some years a judge of one of the county courts.

Aug. 29.—**RULISON**, Dr. **W. H.**, Medical Director of the cavalry corps of the Army of the Shenandoah, killed near Winchester by a rebel sharpshooter. He was from Ohio, and had attained a high reputation for ability in his profession.

Sept. 1.—**ANDERSON**, **ROBERT H.**, a brigadier-general in the Confederate army from Georgia, a graduate of West Point, killed in the battle of Jonesboro, Ga.

Sept. 1.—**CUMMING**, **ALFRED**, a brigadier-general in the Confederate army from Georgia, a graduate of West Point, killed at the battle of Jonesboro, Ga.

Sept. 1.—**GROWER**, Col. **WILLIAM T. C.**, an officer of U. S. volunteers, killed at Jonesboro, Ga., while leading his troops against the rebel intrenchments, aged 25 years. He was a resident of New York previous to the war, and for several years was connected with the Metropolitan Bank. He entered the volunteer service in May, 1861, as captain in the 17th regiment N. Y. S. M., was promoted to the position of major, and passed through the various campaigns of the Army of the Potomac until the second battle of Bull Run, when he was wounded and disabled for nearly a year. He afterward reorganized the regiment, serving with it in the Army of the Tennessee, and subsequently in the Army of the Cumberland.

Sept. 1.—**PATTEN**, —, a brigadier-general in the Confederate army, killed at the battle of Jonesboro, Ga.

Sept. 2.—**HARGOUS**, **PETER A.**, a prominent shipping-merchant of New York, died at his residence in that city, aged 65 years. He was of French descent and born in Philadelphia, whence he removed to New York nearly forty years since, and engaged in the shipping trade, principally with Havana. He maintained a high reputation for his strict integrity, remarkable business ability, and generous disposition.

Sept. 2.—**IRELAND**, Col. **DAVID**, an officer of U. S. volunteers, died at Atlanta, Ga., from a wound received at Resaca some months previous. He was a native of Scotland, entered the service in the 137th New York, and distinguished himself at the battles of Lookout Mountain, Mission Ridge, and Resaca, where he was severely wounded. At the time of his death

he commanded the 3d brigade, 2d division, 20th corps.

Sept. 2.—WEST, REV. NATHANIEL, D. D. (*See WEST, NATHANIEL.*)

Sept. 3.—MCGILVER, COL. FREEMAN, an officer of U. S. volunteers from Maine, died while under the influence of chloroform, undergoing an operation made necessary by a wound received at the battle of Chaffin's Farm. He was a skilful artilleryman, and at the battle of Gettysburg, on the 2d of July, as chief of artillery in Sedgwick's corps, turned the fortunes of the day by the skill and promptness with which he planted his batteries, and the tenacity with which he held them to their work. At the time of his death he was chief of artillery in the 10th corps, Army of the James.

Sept. 3.—MORGAN, Brig.-Gen. JOHN H., an officer in the Confederate service, was shot while trying to make his escape from a company of Union cavalry who had surrounded and seized him at Greenville, Tenn.; aged 38 years. He was a native of Huntsville, Alabama. His military training was acquired in the war with Mexico, and subsequently as a captain of Kentucky volunteers, with whom he entered the service of the Confederate States. During the winter of 1862-'3 he commanded a cavalry force in Gen. Bragg's army, and greatly annoyed Gen. Rosecrans' outposts and communications. In the summer of 1863 he headed an extensive raid through Indiana and Ohio, in which he was captured, with a large number of his command, and imprisoned in the Ohio Penitentiary; but a few months after he, in company with six of his officers, made his escape. He subsequently made several raids into Kentucky and Tennessee, distinguishing himself by his brutality and his adroitness in avoiding a collision with the Union troops.

Sept. 3.—SANDERS, Major REID, an officer in the Confederate service, a son of the Confederate Agent, George N. Sanders, died at Fort Warren, Boston, aged 27 years. He was sent as bearer of despatches from the Confederate Government to Europe, on a blockade-runner, but was captured and confined in Fort Warren as a prisoner of state.

Sept. 3.—WHITTIER, Miss ELIZABETH H., an American poetess, died at her residence at Amesbury, Mass. She was a sister of the poet John G. Whittier, a member of the Society of Friends, and a lifelong advocate of liberty.

Sept. 4.—COOK, Rev. RUSSELL S. (*See COOK, RUSSELL S.*)

Sept. 4.—FRENCH, Hon. A. C., ex-Governor of the State of Illinois, died at his residence in Lebanon, Ill. He was a native of New Hampshire, educated at Harvard University, emigrated to Illinois, and entered the public service of that State not far from 1835. He was a lawyer by profession, and was made President of the Board of Trustees of McKendree College, and for some years was in charge of the law department of that Institution.

Sept. 4.—HASCALL, Brig.-Gen. MILO S., an officer of U. S. volunteers from Indiana, who entered the service as colonel of one of the Indiana regiments, but was promoted to a brigadier-generalship in 1862. He handled his brigade with great skill and bravery in the battle of Stone River, where he was wounded, but returned to his command and participated in the battles of Chickamauga and Mission Ridge, and was active as division commander in the early battles of the Atlantic campaign. He was killed in an engagement near Franklin, Tenn.

Sept. 4.—JOHNSON, Hon. HENRY, ex-Governor of Louisiana; died in the parish of Pointe Coupee, La., in the 90th year of his age. He was a native of Mississippi, was educated for the law, and in 1809 was appointed clerk of the Second Superior Court of the Territory of New Orleans, and two years after Judge of the Parish Court of St. Mary. He was a member of the convention which framed the State Constitution of 1812, and in 1818 was elected to the State Legislature; was Governor from 1824 to 1828, and a senator from 1835 to 1839, and again from 1844 to 1849, soon after which he retired to private life.

Sept. 4.—WHITE, Hon. ALBERT S., died at his residence, near Stockwell, Ind., aged 61 years. He was a native of New York, graduated at Union College in 1822, studied law at Newburgh, and removed to Indiana, where, for several years, he was Clerk in the House of Representatives. He was a Representative in Congress from 1837 to 1839; Senator from 1839 to 1845; and again a Representative in the 37th Congress. At the close of his term he was elected one of the three Commissioners on Indian depredations. On the death of Judge Caleb B. Smith he was appointed Judge of the U. S. Court for the District of Indiana, a position which he held at the time of his death. Judge White was also President successively of the Lafayette and Indianapolis Railroad and the Toledo and Wabash Valley Railroad, and was at all times a zealous supporter of public improvements.

Sept. 5.—CLARK, Col. JAMES C., an officer of U. S. volunteers; died in Troy, from illness contracted during service in Louisiana, aged 49 years. He served in the Peninsular campaign, and distinguished himself by his gallantry at Port Hudson. He was colonel of the 79th colored regiment, and at the time of his death was acting as brigadier-general.

Sept. 6.—BARTOW, EDGAR J., a prominent citizen of Brooklyn, died at Morristown, N. J. He was a man of great enterprise and liberality, and was the principal contributor to the erection of the magnificent church of the Holy Trinity in Brooklyn. He also held several civil positions of distinction.

Sept. 6.—SMITH, Rev. THOMAS MATHER, D. D. (*See SMITH, THOMAS MATHER.*)

Sept. 9.—CHAMBERS, Rev. R. D., a clergy-

man of the Methodist Episcopal Church and President of Emory Female College, Carlisle, Pa.; died of consumption. He entered the Baltimore Conference in 1845, and served in various appointments until 1859, when he became Professor of Languages in Irving College. Subsequently he established the Institution of which he was president at the time of his death.

Sept. 10.—THOMSON, GEORGE, a government official, died in Georgetown, D. C., aged 73 years. He was for many years chief clerk of the Topographical Bureau, and was subsequently transferred to the same position in the Bureau of Engineers.

Sept. 11.—FAXON, HENRY W., an editor and author, died at Harwood Hospital, Washington, D. C. He was a native of Buffalo, entered the navy as an apprentice, and after two or three years' service returned home, and became connected with a telegraph office in Troy, and subsequently accepted a clerkship in a candle manufactory. In 1855 he became one of the editors of the Buffalo "Republic," and afterwards of the "Times," continuing in that capacity after it was merged into the "Republic" until August, 1860, when he became army correspondent for some of the New York papers, and occasionally for the Buffalo "Courier." He was the author of the "Silver Lake Snake Story," the "A. P. L. Parin Papers," and other humorous effusions, and ranked high among the humorous writers of the Press.

Sept. 12.—ALVERSON, JAMES LAWRENCE, LL.D., Professor of Mathematics, and Acting President of Genesee College, died at Lima, N. Y., aged 48 years. He was a native of the State of New York, graduated at the Wesleyan University at Middletown, Conn., in 1838, and soon after took charge of an Academy in Elmira, N. Y. In 1841 he became a teacher in the Oneida Conference Seminary, and in 1844 returned to Lima as teacher in the Genesee Wesleyan Seminary, of which he became principal in 1847, holding this office until appointed Professor of Mathematics in 1849.

Sept. 12.—BENJAMIN, PARK. (See BENJAMIN, PARK.)

Sept. 14.—HOWELL, Brig.-Gen. JOSHUA B., an officer of U. S. volunteers, was accidentally killed near Petersburg, Va., by being thrown from his horse, aged about 65 years. He was a brave officer, and had been wounded in several battles during the war. He was colonel of the 85th regiment of Pennsylvania volunteers, and had recently been made brigadier-general.

Sept. 14.—PATTEN, Major (Acting Colonel) HENRY L., an officer of U. S. volunteers, died of wounds received in battle, near James River, aged 28 years. He was a native of Kingston, N. H., graduated at Harvard College in 1858, spent a few years in teaching, and when the war broke out was studying law. He entered the army with the 20th Massachusetts regi-

ment, served in the Peninsular campaign, and especially distinguished himself at Fredericksburg, Gettysburg, and the battles of the Wilderness.

Sept. 15.—POTTS, Rev. GEORGE, D. D. (See POTTS, GEORGE, D. D.)

Sept. 19.—GODWIN, Brig.-Gen. A. C., an officer in the Confederate service, killed at the battle of Winchester, Va. He was a native of Portsmouth, Va., was formerly Provost-Marshal of Richmond, and was subsequently promoted colonel of a North Carolina regiment. A short time previous to his death he was made brigadier-general.

Sept. 19.—RHODES, Maj.-Gen. ROBERT E., an officer in the Confederate service, killed in the battle at Winchester, Va. He was a native of Lynchburg, Va., graduated at the Virginia Military Institute, in the class of 1848, and after a few years of professorship at that institution, removed to Alabama. In 1861 he entered the Confederate service as captain of the Mobile Cadets, and, upon the organization of the 5th Alabama regiment, was appointed its colonel. Soon after the first battle of Manassas, he was promoted to the rank of brigadier-general; was wounded at the battle of Seven Pines, and also at Sharpsburg; was present at Fredericksburg, and at Chancellorsville, when he was made major-general; served through the Pennsylvania campaign, with Early, in the defence of Lynchburg, and with the army of the valley of Virginia in 1864, throughout its marches and battles, commanding one of the two army corps of which it was composed, until he fell at Winchester.

Sept. 19.—RUSSELL, Brig.-Gen. DAVID A., an officer of U. S. volunteers, killed in battle near Winchester, Va. He graduated at West Point in 1845, served in the Mexican war, and was brevetted "for gallant and meritorious conduct at National Bridge and Cerro Gordo. In 1854 he was promoted to a captaincy in the 4th regiment of infantry, in the regular army, and in August, 1862, was made major in the 8th infantry. He entered the volunteer service at the commencement of the present war as lieutenant-colonel of the 7th Massachusetts volunteers, attached to the 6th army corps, served with distinction through the important battles of 1862-'3, having been commissioned a brigadier-general November, 1862, and subsequently was in command of Gen. Howe's division, 6th army corps, and in that command served with distinction at Gettysburg, and in the campaign of Gen. Grant from the Rapidan to the James. In the summer of 1864 he was transferred to the command of a division in the Army of the Shenandoah, where he met his death, fighting gallantly at the head of his troops.

Sept. 22.—MARSHALL, Hon. THOMAS F., an orator and politician of Kentucky, died at his residence near Versailles, Woodford County, Ky., aged about 64 years. He was a son of Chief Justice Marshall, and in his youth was

an earnest and persevering student, disciplining his mental powers with extraordinary diligence and success; but in early manhood, owing, it was said, to a disappointment which deeply affected him, he became addicted to occasional habits of intoxication. He repeatedly attempted to reform; and such was his remarkable eloquence, logical and rhetorical power, and so extensive his attainments, that in spite of his occasional lapses, he attained to high distinction. He entered upon the practice of law at an early age, and in 1831 removed to Louisville, where he acquired a reputation for forensic power which brought him an extensive practice. In 1834, and for several years subsequently, he was a member of the State Legislature, and electrified that body by his brilliant speeches. In 1840, having removed to Woodford County, he was elected to Congress from the Ashland District, and while there added to his high reputation by the remarkable eloquence of some of his speeches. Of one of them, that against John Quincy Adams, in the Haverhill petition case, Mr. Adams himself said that "it united the eloquence of Burke and Sheridan." While in Congress he again attempted to abandon the use of intoxicating liquors, taking the Washingtonian pledge, and adhering to it for two or three years; and giving evidence of his intellectual vigor in several temperance addresses, which brought great numbers to sign the pledge. In 1845 he was a candidate for Congress as a Democrat (he had previously been a Whig), in the Scott, Harrison, and Bourbon Cos. District, but was defeated by Hon. Garrett Davis, and lapsing into his previous unfortunate habits, never entered upon public life again.

Sept. 22.—WELLS, Hon. ROBERT W., Judge of the U. S. District Court for the western district of Missouri, died in Bowling Green, Kentucky. He was a resident of Jefferson City, and had been for nearly thirty years on the United States Bench of Missouri, never missing a term of either the Circuit or District Court until two months previous to his death. As a jurist he had few superiors. It was his fortune to decide upon many of the most complicated questions presented to a judicial tribunal for solution, and his views were always highly respected by the Supreme Court of the United States.

Sept. 24.—BATES, JOSHUA. (See BATES, JOSHUA.)

Sept. 24.—CONOVER, Commodore THOMAS A., U. S. Navy, died at South Amboy, N. J., aged 73 years. He entered the navy in January, 1812, his first cruise being on the *Essex*, commanded by Captain David Porter, during the war with England. His next service was under Commodore McDonough, on Lake Champlain. Promoted to a lieutenancy shortly after, he served on board the *Guerriere* in the Mediterranean, and subsequently in other vessels in various portions of the world until his promotion to the position of commander about 1835,

in which capacity he commanded the *John Adams* sloop-of-war some years. In 1848 he was promoted to the rank of captain, and in the years 1857-'8 commanded the squadron on the coast of Africa, the old *Constitution* being his flagship. In July, 1862, on the creation by law of the grade of commodores in the navy, he received a commission as such. He had been in the service fifty-three years.

Sept. 29.—BURNHAM, Brig.-Gen. HIRAM, an officer of U. S. volunteers, killed in battle at Chaffin's Farm. He entered the service as colonel of the 6th Maine volunteers, leading them with skill and gallantry through the Peninsular campaign, at Antietam, and subsequently. At the second battle of Fredericksburg he distinguished himself for bravery and courage, and again at Gettysburg. In April, 1864, he was made brigadier-general, and during the campaign from the Wilderness to Petersburg, he bore a conspicuous part. A few weeks previous to his death he was assigned to a brigade in Stannard's division 18th corps.

Sept. 29.—WELCH, Col. N. E., an officer of U. S. volunteers, killed in battle near Chaffin's Farm. He was commissioned colonel in 1863, and was placed in command of the 16th Michigan regiment, at the head of which he was gallantly fighting when he met his death. He was regarded as one of the bravest and most skilful officers of the volunteer service.

Sept. 29.—WILLIAMS, Hon. JARED W., ex-Governor of New Hampshire, died at Lancaster, N. H. He was long in public life, and besides holding the office of governor for one year, had served two terms in Congress, and several terms in the State Legislature.

Sept. 30.—BALDWIN, Hon. JOSEPH G., ex-Chief Justice of California, died at San Francisco. He was elected one of the judges of the Supreme Court of California in 1857, and was Chief Justice from January, 1863, to January, 1864.

Sept. 30.—GREENHOW, Mrs. ROSE A., a spy of the Confederates, drowned in Wilmington Harbor, N. C., in attempting to land from a blockade runner in which she had come from Europe. She was the widow of a Mr. Greenhow, for many years translator of the State Department at Washington, and at the commencement of the war resided in that city, and was arrested for communicating information to the officers of the Confederate army relative to the position and movements of the United States armies. She was imprisoned for some time in her own house, and afterwards in the Old Capitol Prison, but was finally discharged, when she went to England, and there published an account of her imprisonment. It was on her return from that country that she lost her life.

October 1.—BELLAMY, Rev. DAVID, a Baptist clergyman, died at his residence in Rome, N. Y., in the 60th year of his age. In 1833 he was pastor of a church in Skeneateles, Onondaga County, N. Y., and from thence was called to Manlius, where he labored until 1839, when ill

health compelled him to resign. He then engaged in the service of the American and Foreign Bible Society, and finding his health somewhat benefited by travel, entered again the pastoral office at Ithica, Tompkins County, and in 1841 became pastor of the Stanton Street Baptist Church, New York City, where he remained until 1846; he then united with others in forming Hope Chapel (now Calvary) Baptist Church, of which he was pastor three years. Subsequently he preached in Arcadia, at Mount Morris, and at Rome, where he labored successfully until his death.

October 1.—WOOD, Hon. REUBEN, ex-Governor of Ohio, died at Rockport, Ohio, aged 73 years. He was formerly a resident of New York, but removed to Cleveland, Ohio, where he commenced the practice of law in 1817, and in 1840 was appointed Judge of the Supreme Court of that State. In 1849 he was elected Governor by the Democratic party, and re-elected in 1850, when the new constitution took effect, vacating the office. In 1852 the Democratic Convention discussed the nomination of Mr. Wood for the Presidency, but ultimately agreed upon Franklin Pierce. In 1853 Gov. Wood was made U. S. Consul to Valparaiso, holding that position for eighteen months, when he resigned and retired to the quiet of a farmer's life.

Oct. 2.—PIATT, Mrs. LOUISE KIRBY, an American authoress, died in Cincinnati. She was the author of a series of essays which appeared in the "Home Journal," over the signature of "Bell Smith." Her letters from Paris were collected and published in a volume entitled "Bell Smith Abroad."

Oct. 2.—WINSLOW, Mrs. NATHANIEL, died at Williston, Vt., aged 95 years. She was the mother of the deceased brothers Winslow, Gordon, Hubbard, and Myron.

Oct 3.—MEIGS, Lieut. JOHN R., an officer of U. S. volunteers, killed by guerrillas near Harrisonburg. He was the only son of Maj.-Gen. Meigs, Quartermaster-General; graduated at West Point in 1863, at the head of his class, and with the highest honors, and was immediately sent to the field, where he highly distinguished himself during the campaigns in Maryland, Harper's Ferry, and the Shenandoah valley. At the time of his death he was engaged in making a military survey, in his capacity of Chief Engineer of the Army of the Shenandoah.

Oct. 5.—REDFIELD, Col. JAMES, an officer of U. S. volunteers, was killed at the head of his regiment in the battle of Allatoona Pass, Ga., aged 40 years. He was a native of Clyde, Wayne County, N. Y., graduated at Yale College in 1845, studied law, and was for some time in the office of the Secretary of State (New York). He subsequently removed to Iowa, and was elected State Senator. At the outbreak of the rebellion he assisted in raising the 39th Iowa regiment, which he led through nearly all the hard campaigns of the Western army.

Oct. 6.—AMORY, Col. THOMAS J. C., an officer of U. S. volunteers, died of yellow fever at Newbern, N. C. He graduated at the Military Academy, West Point, in 1851, and was assigned to the 7th infantry, in which he obtained a first lieutenancy in 1855, and in 1861 a captaincy. In the latter year he was appointed colonel of the 17th Mass. volunteers, with which regiment he took part in Gen. Burnside's North Carolina expedition, participating in the capture of Newburn, where he remained stationed up to the time of his death. During nearly the whole of his service in North Carolina he was in command of a brigade.

Oct. 7.—GREGG, Brig.-Gen., an officer in the Confederate service, killed in battle near Petersburg, Va. He was commanding a Texas brigade at the time of his death.

Oct. 8.—YOUNG, EDMUND M., a prominent leather merchant of New York City, died of paralysis, aged 50 years. He was a man of great benevolence, and had taken an active interest in many of the philanthropic institutions of the city.

Oct. 9.—WILLARD, Hon. JOHN D., LL. D., an American jurist, died at Troy, N. Y. He graduated at Dartmouth College in 1819, and was admitted a member of the New York bar about 1823. He had been Judge of the Circuit Court for some years, and subsequently a member of the State Senate from the Rensselaer district. He left by will a legacy of \$10,000 to Dartmouth College.

Oct. 12.—TANEY, ROGER B., Chief Justice U. S. (*See TANEY, ROGER B.*)

Oct. 13.—OHLENSCHLAGER, Dr. EMIL, late medical inspector on Gen. Sheridan's staff, was murdered by guerrillas near Winchester, aged 29 years.

Oct. 13.—WELLES, Col. GEORGE D., an officer of U. S. volunteers, died of wounds received in the battle near Strasburg. He was made colonel of the 34th regiment Massachusetts volunteers, August 1862.

Oct. 14.—SANDERSON, Col. JOHN P., an officer of U. S. volunteers, and Provost Marshal General of the Department of Missouri, died at St. Louis. He had filled many important offices of trust during the war, among which was that of chief clerk of the War Department, during Mr. Cameron's term as Secretary. Before resigning that, he was appointed lieutenant-colonel of the 15th U. S. infantry, and soon after was commissioned colonel of the 13th U. S. infantry, with which he passed through the fearful contest of Chickamauga. Some months previous to his death he was appointed to the responsible office of Provost Marshal General at St. Louis.

Oct. 14.—WADKINS, Brig.-Gen., an officer in the Confederate service, killed in the battle of Resaca, Ga.

Oct. 17.—MOTT, Hon. JOHN M., late U. S. Marshal for the Northern District of New York, died at Washington, D. C. He was a resident of Lansingburg, and had been a mem-

ber of Congress. At the time of his death he was in Washington by appointment of Governor Seymour, as commissioner of elections.

Oct. 17.—PORTER, LEMUEL, D. D., an American Baptist clergyman, and at the time of his death Associate Secretary of the Western Department of the American Tract Society (Boston), died in Chicago, Ill. He had been in the ministry about thirty years, and had had a long and successful pastorate at Lowell, and subsequently at Pittsfield, Mass. He was a man of fine culture, an excellent preacher, and the author of several religious works. He had been appointed to the secretaryship in May, 1864, and had had but a short experience in its duties, but had won the esteem of all those with whom he was brought in contact.

Oct. 18.—BIRNEY, Maj.-Gen. DAVID BELL. (See BIRNEY, DAVID BELL.)

Oct. 19.—BIDWELL, Brig.-Gen. DANIEL D., an officer of U. S. volunteers, killed in the battle of Cedar Creek, Va., aged about 48 years. He was born in the township of Buffalo, N. Y., where he became a prominent and influential citizen, and for more than twenty years was identified with the military organizations of the city. When the war broke out he was holding the office of police justice, but resigned his position and entered the 65th regiment of volunteers as a private, and was subsequently appointed brigade inspector. Upon the death of the captain of his company he resigned that position, accepted the command vacated, and withdrawing it from the regiment, reorganized it as an independent citizen's corps, thus forming the nucleus of what has since been known as the 74th regiment. In September, 1861, he was commissioned colonel of the 49th regiment, served with it through the Peninsular campaign, and during the "seven days' battles" was in command of a brigade, continuing in charge from Harrison's Landing to Washington, and up to the time of the battles of South Mountain and Antietam, when he resumed command of his regiment. Col. Bidwell took a prominent part in the battles of Fredericksburg and Chancellorsville, commanded a brigade at Gettysburg, and when Gen. Grant took command of the armies in Virginia, was again placed in charge of a brigade, participating in all the battles near Petersburg. He was commissioned brigadier-general in July, 1864, and had served with honor in all the late battles in the Shenandoah valley, under Gen. Sheridan.

Oct. 19.—LOWELL, Col. CHARLES R. (See LOWELL, CHARLES R.)

Oct. 19.—THOBURN, Col. JOSEPH, an officer of U. S. volunteers, who entered the service in 1861 as colonel of the 1st regiment West Virginia volunteers, killed in the battle of Cedar Creek. He was a brave and able officer, and at the time of his death was commanding the 1st division of the Army of the Shenandoah. While rallying his men he was treacherously surprised and shot by a rebel officer in the Union uniform.

Oct. 20.—CHANDLER, Rev. AMARIAH, D. D., a Congregational clergyman, died at his residence in Greenfield, Mass., aged 82 years. He was a native of Deerfield; fitted for college with Rev. Dr. Packard of Shelburne, graduated at the University of Vermont, studied theology, and commenced preaching in Waitsfield, Vt. In 1832 he was installed over the First Church in Greenfield, Mass., where he continued to labor until his death.

Oct. 20.—RAMSEUR, Maj.-Gen. STEPHEN D., an officer in the Confederate service, died of wounds received in the battles of Cedar Creek. He was commanding a division in Early's army.

Oct. 22.—WINSLOW, Rev. MYRON, D. D., LL.D. (See WINSLOW, MYRON.)

Oct. 25.—EELLS, MARCELLUS, a well-known citizen of New York, died at Parkersburg, Va. He was formerly one of the "Ten Governors" when that board was in existence, and at a later period occupied a position in the Custom-House.

Oct. 26.—COBB, LYMAN, author of numerous school-books, died at Colesburgh, Potter County, Pa., aged about 65 years. He was the author of "Just Standard for Pronouncing English Language," New York, 1825; Spelling-book, New York, 1826; Introduction to ditto, 1831; Expositor to ditto, 1835; "Juvenile Reader," Nos. I., II., III., New York, 1831; "Sequel" to ditto, 1835; "North American Reader," 1835; "Abridgment of Walker's Pronouncing Dictionary," Hartford, 1829 (Ithaca 1828, '29); a series of spelling-books, New York, 1843; "New Juvenile Reader," Nos. I., II., III., New York, 1843, '44; "New Speaker," New York, 1852; "New Pronouncing School Dictionary," New York, 1843; "New Dictionary of English Language," New York, 2d edition, 1833; "Miniature Lexicon of the English Language," New York, 1835, '54; "Arithmetical Rules and Tables," New York, 1835; "Cyphering Book," New York, 1835; "Explanatory Arithmetic," Nos. I., II., New York, 1832, '35.

Oct. 26.—FAGAN, Brig.-Gen. J., an officer in the Confederate service from Texas, killed in Kansas. He had been a prominent actor in most of the considerable Western battles, and distinguished himself for his bravery as commander of a regiment in the battle of Shiloh, and as a brigadier at the battle of Corinth.

Oct. 26.—NEWTON, EPHRAIM HOLLAND, D. D., an American clergyman and naturalist, born at New Fane, Vt., June 13th, 1787, died at Cambridge, Washington County, N. Y., October 26th, 1864. He graduated at Middlebury College in 1810, at Andover Theological Seminary in 1813, and was licensed by the Haverhill Association. He settled and was ordained in Marlboro, Vt., in 1814, as successor to Gershom C. Lyman, D. D., and during the following year married Huldah, daughter of Maj.-Gen. Timothy F. Chipman, a descendant of John Howland of the *May Flower*. In 1833 he dissolved connection with the congregation at Marlboro, and was installed in the Presbyterian Church at

Glens Falls, N. Y., which charge he resigned in 1837, and accepted a call to the First United Presbyterian Church in Cambridge, Washington County, N. Y., which he resigned in 1843, and has had no regular charge since. He was principal of Cambridge Washington Academy from July, 1843, to 1848. In 1857 he donated his valuable mineralogical and geological collection to Andover Theological Seminary, where he arranged it in suitable apartments provided by the trustees, and to which they awarded the title of "The Newton Cabinet." In 1863 he presented to Middlebury College his library, where it is arranged in an alcove bearing his name. He was a consistent and earnest laborer in the interests of education and progress, a patient and persevering investigator in natural science—ever ready to give agricultural interests, and the mechanical arts, the benefit of his scientific research and observation, seeking to promote and ennoble labor in all its varied departments, and harmonize it with Christian and civil duties.

Oct. 27.—CAHILL, Rev. D. W., D. D., an Irish Roman Catholic clergyman and orator, died in Boston, Mass., aged about 65 years. He had attained a high reputation in this country as a lecturer on astronomy, chemistry, and other subjects.

Oct. 27.—DEARING, Brig.-Gen. ———, an officer in the Confederate service, killed near Petersburg, Va.

Oct. 27.—KIDDOO, Col. ———, an officer of U. S. volunteers, died from wounds received in battle near Richmond. He was in command of the 22d regiment U. S. colored troops.

Oct. 28.—GREENLEAF, BENJAMIN, a teacher and author, died in Bradford, Mass., aged 78 years. He graduated at Dartmouth College in 1811. From 1820 to 1850 he was Principal of Bradford Academy, where he fitted thousands of young men for college. He was widely known as the author of a series of mathematical works, among which are "Mental Arithmetic for Beginners," Boston, 1845, '46, '51; "Mental Arithmetic for Schools," Boston, 1858, '59, '60, '61; ditto for "Primary Schools," 1860; "National Arithmetic," Boston, 1835, '47, '55, '60, with Key; "Elements of Algebra," Boston, 1862; "Practical Treatise on Algebra," Boston, 1853, '54, '55, '60; "Elements of Geometry," Boston, 1860; "Elements of Geometry and Trigonometry," Boston.

Oct. 29.—RANSOM, Brig.-Gen. T. E. G. (*See RANSOM, T. E. G.*)

Oct. 29.—ADAMS, Rev. SAMUEL W., a clergyman of the Baptist Church, died in Cleveland, Ohio, aged 49 years. He was born in Vernon, Oneida County, N. Y., graduated at Hamilton College, Clinton, N. Y., and at the Theological Seminary, Hamilton, N. Y., was pastor of the church in Vernon three years, and in 1846 removed to Cleveland and entered upon the pastoral relation which he held until his death.

Oct. 29.—PATE, Col. HENRY CLAY, an officer in the Confederate service, killed during the

engagement between Gens. Sheridan and Stuart's cavalry near Richmond, aged about 33 years. He was a native of Western Virginia, and was a speaker and writer of some distinction. He attained an unenviable notoriety as a "border ruffian" leader in the Kansas troubles of 1855-'58. On the breaking out of the war he raised a battalion of cavalry in Richmond, which was soon merged in the 5th Virginia cavalry, and being promoted to the rank of lieutenant-colonel, served through the principal battles in Virginia. He had but recently been made colonel.

Oct. 31.—HUNTINGTON, Rev. DANIEL, a clergyman of the Congregational Church, died at Hadley, Mass., aged 90 years. He was born in Lebanon, Conn., graduated at Yale College, the first scholar in the class of 1794, and was for some years a tutor both at Yale and Williams' Colleges. He was the predecessor of Rev. Dr. Beecher as pastor of the church in Litchfield, and afterwards had charge of a parish in Middletown, Conn. In 1816 he removed to Hadley, Mass., where he continued to reside until his death. He was the father of Rev. F. D. Huntington, D. D.

Oct. 31.—WINANS, Rev. B. F., a clergyman of the Methodist Episcopal Church, and presiding elder of the Indianapolis district of that society, was killed by a railroad accident near Lafayette, Indiana, while acting as agent of the Sanitary Commission.

Nov. 1.—CHASE, Rev. IRAH, D. D. (*See CHASE, IRAH, D. D.*)

Nov. 1.—THOMPSON, R. H., M. D., formerly Health Officer of the port of New York, died in Brooklyn, L. I., aged 47 years. He was a native of Rensselaer County, N. Y., practiced medicine in Albany for ten years, and removed to Staten Island in 1855, having received the appointment of Health Officer. During the Quarantine riots in 1858 his house, with all its contents, was burned by the rioters. Soon after he removed to Brooklyn and interested himself in various measures of public improvement, becoming President of the Brooklyn Central and Jamaica Railroad, Park Commissioner, and, in 1863, Quarantine Commissioner. To his skill as a physician, and his executive talent, the port of New York is largely indebted for its present immunity from the epidemics incident to emigration and foreign commerce.

Nov. 2.—SWAN, Hon. WILLIAM D., a teacher and author, died at his residence in Dorchester, Mass. He was the author of a series of Spellers and Readers for the use of schools.

Nov. 2.—TALLMADGE, Hon. N. P. (*See TALLMADGE, N. P.*)

Nov. 2.—WHITLOCK, Rev. G. C., LL.D., died in Albia, Iowa. He was for several years a teacher in the Genesee Wesleyan Seminary at Lima, N. Y., and more recently had been Professor of Natural Science in Victoria College, Coburg, Canada.

Nov. 3.—MAXWELL, Hon. THOMAS, was accidentally killed on the railroad at Elmira, N. Y.,

aged 73 years. He filled many positions of public trust during his life; was at one time a member of Congress, also Sheriff of Tioga County, and Postmaster of the village of Elmira.

Nov. 7.—MEDARY, SAM., an Ohio editor and politician, died at Columbus, Ohio. He was born in Ohio in 1801, and his early advantages of education were limited. Soon after arriving at man's estate he joined the Jackson party, and remained a faithful adherent to Gen. Jackson through his entire public career. He early became connected with the newspaper press, and was for many years editor of the *Ohio Statesman*; and his editorials, though lacking in polish, were full of vigor. He was for a long time one of the leading men of his party in Ohio. Though being a personal friend of Stephen A. Douglas, he separated from him when he opposed Buchanan. During Mr. Buchanan's administration he was appointed, and served for some time, as Governor of the Territory of Kansas. During the present war he had been a "Peace" Democrat, though having a son in the war of whom he was very proud. His death was attributed to the remains of the poison infused into his system at the National Hotel, Washington, in 1857.

Nov. 7.—TOLLES, Col. CORNELIUS W., Chief Quartermaster of Gen. Sheridan's Army, died at Winchester, Va., of wounds received from guerrillas Oct. 11th, in the 37th year of his age. He entered the service of the United States in May, 1861, as first lieutenant of the 13th regiment of infantry, and received his appointment of quartermaster August, 1862. He served constantly in the field, discharging the duties of his position with zeal and fidelity, winning the confidence and esteem of commanders and subordinates. His health having given way under his severe labors, he was temporarily placed on duty as inspector; but, upon his recovery, he was appointed Acting Chief Quartermaster of the Middle Military Division. While actively engaged in the duties of this position, he published some valuable contributions to military literature in the "United States Service Magazine," the "Army and Navy Journal," and elsewhere.

Nov. 10.—ELTON, Hon. JOHN P., one of the Presidential Electors at large of Connecticut, and a distinguished manufacturer and citizen, died at Waterbury, in that State.

Nov. 11.—MORRIS, P. VAN NESS, M. D., died in Cambridge, N. Y., in the 69th year of his age. He was a native of Cambridge, graduated at Williams' College, Mass., before he was eighteen, and at twenty-one commenced the practice of medicine with his father, continuing it until within a few months of his death. He was a man of great liberality, devoting a stated portion of his income to charitable purposes beside the sum of \$10,000 to Williams' College, and made, during his last illness, large donations to religious objects.

Nov. 11.—STEARNS, Rev. JOHN, Rector of St. Peter's Church, Spottiswood N. J., died in

that village, aged 51 years. He was a native of New York City, was educated for a physician, but in 1847 was ordained Priest by Bishop Potter. He had charge of parishes in Oyster Bay, L. I., Brooklyn, N. Y., Stratford, Conn., and Pittsfield, Mass.

Nov. 13.—HAMMOND, Hon. JAMES H. (*See HAMMOND, JAMES H.*)

Nov. 17.—PITMAN, Hon. JOHN, Judge of the U. S. District Court of Rhode Island, died suddenly at Providence, aged 80 years. He had held the above position for forty years.

Nov. 19.—HOPKINS, Lieut.-Col. JAMES A. P., an officer of U. S. volunteers, died in New York City. He entered the volunteer service with the 133d regiment N. Y. (2d Metropolitan), sharing with it in the siege of Port Hudson. He also fought with great bravery and skill in other engagements in the Department of Gen. Banks. During the latter part of his career at the South he was appointed Chief of Police in the city of New Orleans, and subsequently received a commission as Chief of the United States Detective Force of that city.

Nov. 20.—FAIRBANKS, Hon. ERASTUS. (*See FAIRBANKS, ERASTUS.*)

Nov. 24.—SILLIMAN, BENJ., M. D., LL.D., (*See SILLIMAN, BENJAMIN.*)

Nov. 24.—TINSLAR, Dr. BENJAMIN R., a surgeon in the U. S. Navy, died suddenly at his residence in Charlestown, Mass. He had been for more than forty years on duty, most of the time at sea, and his success, both as a surgeon and a practitioner of medicine, was remarkable.

Nov. 25.—PAINE, Maj. JOSEPH W., an officer of U. S. volunteers, died suddenly in New Orleans, La. He was a native of Boston, Mass., and for several years was an associate editor and publisher, with William Matthews, of the "Yankee Blade." More recently he was connected with several of the leading life insurance companies of New York City, but continued to contribute to some of the principal Boston and New York journals. In the summer of 1863 he entered into the volunteer service as first lieutenant of the 13th New York cavalry, and in 1864 was commissioned Major of the 4th U. S. colored cavalry, and at once proceeded to the Department of the Gulf. During the Red River campaign he did able and effective service, but in August was obliged to come North for the benefit of his health. While here he entered into the political campaign, supporting the Administration both with pen and voice. The second week in November he returned to New Orleans, before his health was sufficiently recruited, and died within a week of his arrival.

Sept. 30.—CLEBURNE, Maj.-Gen. PATRICK R., an officer of the Confederate service, and at the time of his death commander of a corps in Hood's army, killed at the battle of Franklin. He was a native of Ireland, but joined the Confederate army from Arkansas. He was very popular with his troops, and the Irishmen in the Confederate army were unwilling to

serve under any other commander. He had participated in most of the great battles of Gens. Bragg, Johnston, and Hood, and had a high reputation for personal courage and daring.

Dec. 1.—DAYTON, HON. WILLIAM L. (*See* DAYTON, WILLIAM L.)

Dec. 2.—BOARDMAN, HON. DAVID SHERMAN, died at New Milford, Conn., aged 96 years. He graduated at Yale College in 1793, was admitted to the bar in 1795, and speedily took rank among the foremost lawyers of Connecticut. For a few years he was Chief Justice of the Supreme Court.

Dec. 7.—RANNEY, MOSES H., M. D. (*See* RANNEY, MOSES H.)

Dec. 9.—SARGENT, Lieut.-Col. LUCIUS M., an officer of U. S. volunteers, killed near Meherrin River, Va. He was a son of Lucius M. Sargent, the well-known author. He was in command of the 1st Massachusetts cavalry.

Dec. 10.—SCHOOLCRAFT, HENRY R. (*See* SCHOOLCRAFT, HENRY R.)

Dec. 11.—KITCHING, COL. J. HOWARD, an officer of U. S. volunteers, formerly colonel of the 6th New York artillery, but of late in command of a provisional division in the army of the Shenandoah, died from the effects of a wound received in the battle of Cedar Creek, at his father's residence, Dobbs Ferry, N. Y. He was a native of New York, was well educated, and at the opening of the war enlisted as a private in the Lincoln cavalry. He was transferred soon after to the 2d N. Y. artillery, in which he soon rose to the rank of captain, and by diligent study and observation made himself an accomplished artillerist and thorough military scholar. He served in every battle in which the 6th corps was engaged during the Peninsular campaign, and in the autumn of 1862 became lieutenant-colonel of the 135th N. Y. volunteers, afterward the 6th N. Y. artillery, of which regiment he became the commander on the promotion of Colonel Morris to the brigadier-generalship. From the time of his receiving a commission as colonel he was almost constantly in command of a brigade, and repeatedly received the special commendation of his superior officers, especially that of Gen. Meade, for his extraordinary gallantry in the action of the 19th of May. In the battle of Cedar Creek, Oct. 19, his division bore the brunt of Early's attack, and fought with desperate valor. He was wounded in the ankle early in the action, but would not leave the field till the close of the battle; but erysipelas set in after the first operation, rendering a second necessary, under which he died.

Dec. 12.—LEONARD, REV. LEVI W., D.D., a Congregational clergyman and author, died in Exeter, N. H., aged 75 years. He was a native of Bridgewater, Mass., graduated at Harvard College in 1815, studied theology at Cambridge, and in 1820 was ordained pastor of the First Congregational Church in Dublin, N. H., where he remained for more than thirty years. He was the author of a "Literary and Scien-

tific Class Book," the "North American Spelling Book," "Sequel to Easy Lessons," and superintended the compilation of the "History of Dublin," beside being an extensive contributor to the weekly religious and secular press.

Dec. 13.—SAVAGE, REV. JOHN A., D.D. President of Carroll College, Wisconsin, died at Waukesha, Wis., aged 64 years. He was for more than twenty-three years pastor of the Presbyterian Church in Ogdensburg, N. Y.

Dec. 15.—FARNHAM, MRS. ELIZA W., a well-known philanthropist and authoress, died in New York City, aged 49 years. She was a native of Rensselaerville, Albany Co., N. Y. Her family name was Burhans, and in 1836 she was married to Mr. Thomas J. Farnham, a traveller and writer of considerable note. After residing a few years in the State of Illinois she returned to New York, devoting herself mainly to works of benevolence and social reform. In 1844 she was appointed matron of the female department of Sing Sing State Prison, and while there published her first work "Life in the Prairie Land," and edited an edition of Sampson's "Criminal Jurisprudence." In 1848 she was connected with the Institution for the Blind in Boston, and in 1849 followed her husband to California, where she remained until 1856. Upon her return to New York she published a volume entitled "California Indoors and Out," and for the two years following devoted herself to the study of medicine. In 1859 she organized a society for the aid of emigrant women, large numbers of whom she accompanied at different times to the West and to California. She was also the author of "My Early Days" and the "Era of Women," a work upon which she had spent some years of preparation, and which had for its object the promotion of a social reform in the position and rights of women.

Dec. 16.—DE FORREST, COL. O., an officer of U. S. volunteers, died in New York. He was among the first to enter the army at the beginning of the rebellion, commanding the 5th N. Y. cavalry until a short time after the battle of Gettysburg. During the Maryland and Pennsylvania campaign he commanded the 5th brigade of Gen. Kilpatrick's cavalry division, and distinguished himself as an excellent officer.

Dec. 17.—HOOKER, HORACE, D.D., an American Congregational clergyman and author, died in Hartford, Conn., aged 71 years. He was a graduate of Yale College and of Andover Theological Seminary, and was remarkable for the elegance and purity of his style as a writer. Many years since, in connection with Rev. Thomas H. Gallaudet, LL.D., he undertook the preparation of some religious books for the young. Among these were the "Youth's Book of Natural Theology," in two parts, and a series of twelve volumes of "Bible History." Many thousands of these books have been sold. He was also associated with Mr. Gallaudet in the preparation of a popular spelling book and a definer. For a period of more than twenty

years he was the Secretary of the Connecticut Missionary Society, auxiliary to the American Home Missionary Society, and for several years also was chaplain of the Insane Retreat at Hartford. A modest, retiring man, he was greatly beloved by all who knew his worth.

Dec. 17.—MINER, Miss MYRTILLA, an American philanthropist, died in Washington, D. C., of consumption. She established a school for colored children in Washington, but was subjected to severe persecution in consequence. For many years she had devoted all her energies amid feeble health to the improvement and elevation of the people of color in the District of Columbia.

Dec. 19.—McCLELLAND, ALEXANDER, D. D., Professor of Biblical and Oriental Literature in the Theological Seminary, New Brunswick, N. J.; died there in the 69th year of his age. He was a native of Schenectady, N. Y., and a graduate of Union College in that city. He was for some years pastor of Rutgers Street Presbyterian Church, New York City, and while there was conspicuous among the preachers of the city for his learning and eloquence. Subsequently he held a professorship in Dickinson College, Carlisle, Pa. For the last nineteen years he had been connected with the Theological Seminary at New Brunswick.

Dec. 21.—FRY, WM. HENRY. (See FRY, WM. HENRY.)

Dec. 23.—KESSLER, Rev. JOHN, D. D., a distinguished clergyman of the German Reformed Church, died at Allentown, Pa.

Dec. 24.—FOX, JOHN LAWRENCE, M. D., Fleet-Surgeon U. S. Navy, died at his residence in Roxbury, Mass., aged 54 years. He was a native of Salem, Mass., graduated at Amherst College in 1831, and in 1837 entered the navy as assistant-surgeon. In 1847 he received a full commission. A few months previous to his death he was appointed Fleet-Surgeon upon the staff of Admiral Porter, and his death was doubtless the result of overtaxing his system by the severe duties of his department.

Dec. 24.—MAY, Col. CHARLES A., an officer of the U. S. Army, died in New York City, aged 46 years. He was a native of Washington, D. C., was appointed to a second lieutenancy in the 2d regiment of dragoons, in 1836, and distinguished himself in the Florida war. At the beginning of the war with Mexico he joined the forces under Gen. Taylor, and assumed command of a squadron of his regiment. He took part in the battle of Palo Alto, and was breveted major for his gallantry on that occasion; distinguished himself at Resaca and Buena Vista, where he was promoted to a colonelcy, and in 1860 resigned his commission and took up his residence in New York City. For some years previous to his death he held the position of vice-president of the Eighth Avenue railroad.

Dec. 24.—WOOD, Hon. JOHN M., formerly member of Congress from Maine, died in Boston, aged 49 years. He was a native of Orange

County, N. Y., but removed to Maine, where he was elected to the Legislature, and afterwards to Congress for two terms, from 1854 to 1858, serving as a member of the Post Office Committee.

Dec. 25.—FILLMORE, Major JOHN S., paymaster U. S. Army, died at his residence in Denver City, Colorado Territory. He was a native of the State of New York; was appointed paymaster by the Governor of Colorado, in August, 1861, and was commissioned paymaster in the U. S. Army by the President, in November, 1862.

Dec. 25.—NOYES, WILLIAM CURTIS. (See NOYES, WILLIAM CURTIS.)

Dec. 25.—WALLACK, JAMES W. (See WALLACK, JAMES W.)

Dec. 27.—COOKE, Hon. ELEUTHEROS, died at his residence in Sandusky, Ohio, aged 77 years. He was born in Granville, N. Y., in 1787, the year in which the Constitution of the United States was framed by the General Convention, and his name was given in commemoration of that event. For nearly half a century Mr. Cooke had identified himself with numerous public enterprises and works of internal improvement, having for their object the development of the resources of the State of Ohio. He was the pioneer of railroad enterprise in the West, having been the originator and projector in the construction and early operation of the Mad River Railroad, now the Sandusky, Dayton, and Cincinnati Railroad. Mr. Cooke had served, at different times, and for many terms, in both branches of the Legislature of the State, and as a member of the Congress of the United States discharged his duties with faithfulness and acceptance to his constituents. As a lawyer and advocate he had few equals, and no superiors, in Ohio. He was father of Jay Cooke, the Government banker.

Dec. 28.—ORTON, Rev. AZARIAH G. D. D., a Presbyterian clergyman and theologian, died at Lisle, Broome County, N. Y., aged 75 years. He was a native of Tyringham, Mass.; studied at Lenox Academy, and graduated with the highest honors at Williams' College in 1813. In 1817 he entered the Theological Seminary at Princeton, and upon completing his course was commissioned by the Assembly's Board of Missions "to preach to destitute places in Georgia." He was ordained in 1822, and from that time until 1835 was pastor of the Presbyterian Church at Seneca Falls, N. Y. Subsequently he preached at Lisle, N. Y., and from 1838 to 1852 in the Congregational Church at Greene, N. Y., and again at Lisle until 1860, having held the pastoral office for thirty-eight years. In 1838 he published a reply to Prof. Stuart on the Constitution in its relation to slavery. In 1842 he prepared the Memorial of Chenango County to the Senate, praying that the O'Sullivan bill for the abolition of capital punishment might not pass, by the timely reception of which the final passage of the bill was prevented. He was also the author of an

able article on the Scripture argument for capital punishment, portions of which were published in the "Genesee Evangelist" of 1849. In 1854 he delivered before the Literary Societies of Miami University an address on "Nature and Revelation," which was published. Dr. Orton was a man of profound scholarship, and no field of literature or science, of philosophy or theology, was left unexplored in his enthusiastic search after truth. A few of his poems have been published.

Dec. 31.—DALLAS, GEORGE MIFFLIN. (*See* DALLAS, GEORGE MIFFLIN.)

OBITUARIES, CANADIAN.—*May 9.*—LEITCH, WILLIAM, D.D., was born in the year 1814, in the town of Rothesay, a famous watering-place on the island of Bute, Scotland. Like most Scottish lads who have risen to distinction, the elements of his education were received in the parish school. His preparatory studies were completed in the grammar school of Greenock. In 1832, at the age of eighteen, he entered the University of Glasgow, where he graduated as a Master of Arts in 1836. During his Arts course, mathematical and physical science received his special attention, and in these departments he obtained the highest honors conferred by the University. While a student he also lectured in the University on astronomy, and for several years acted in the observatory connected with the college as assistant to the eminent astronomer, the late Professor Nichol. Ever afterwards he entertained an ardent love for astronomical pursuits. In proof of this may be mentioned the exceeding delight he took in advancing the character and usefulness of the Kingston (Canada) Observatory, which, from being founded by private subscription, was, chiefly through his influence, transferred in 1861 to Queen's University by a deed of the city corporation. An illustration to the same purpose is found in the publication, last year, of his latest and most carefully prepared work, "God's Glory in the Heavens; or, Contributions to Astro-theology," a work which contains the most recent astronomical discoveries, stated with special reference to theological questions, and which, at the time of its appearance, was most favorably noticed by the ablest reviewers. In 1838, after the usual curriculum of four years in the Divinity Hall of Glasgow, he was licensed as a preacher of the Gospel in the Church of Scotland by the Presbytery of Dunoon. In the year 1843 he received a presentation to the parish of Monimail from the Earl of Leven and Melville, and after the usual trials was ordained by the Presbytery of the bounds Cupar in Fife. Of this parish he continued minister until 1859, in which year the Rev. Dr. Barclay and Alex. Morris, Esq., M.P., a deputation of the trustees of Queen's University, sent to Scotland to obtain a Principal for the institution, selected and nominated him for that high office. The late Principal was well known throughout Scotland on account of his reputation as a man of science, the enlightened and active part he took in the

educational controversy which has long agitated that country, and the position of influence to which he was steadily rising in the councils of the General Assembly. For several years he acted as convener of the Assembly's Committee on Sabbath Schools, an office in the duties of which he took great delight. During his ministry in the parish of Monimail he devoted much attention to the connection of science and religion, and contributed largely to various periodical works. He is well known to have been the author of certain articles, in which, in a masterly manner, the views of the late Dr. Wardlaw, of Glasgow, on the subject of miracles, are controverted. These articles created great interest at the time of their appearance, and the subject came, in consequence, to have special attractions for their author. For several years he conducted a series of investigations on the subject of partheno-genesis and alternate generations, as illustrated by the phenomena of sexual development in hymenoptera. The result of these researches, which conflicts with that of the German physiologist, Siebold, in the same field, is given in the "Transactions of the British Association for the advancement of Science," and in the "Annals of the Botanical Society of Canada." Several separate publications also appeared from his pen on the subject of National Education in Scotland and India. On leaving Scotland for Canada, the University of Glasgow conferred on him the degree of D.D. On the 8th of Nov. 1860, he was formally installed to the principalship of Queen's University, in the Convocation Hall, the Hon. John Hamilton, chairman of the trustees, presiding, and a large and respectable assemblage of the citizens of Kingston being present. According to an ecclesiastical law, Principal Leitch's connection with the University gave him a seat in the Presbytery of Kingston, and by consequence in the Synod. Having visited Scotland in the summer of 1861, his first appearance in Synod was in the session of 1862, which year it met at Toronto, and then he was cordially and unanimously elected Moderator. His position also gave him a seat in the Senatus of the University of Toronto, and of that university he was appointed an examiner. His plan of University Reform was the broad and enlightened one of maintaining with the utmost efficiency a great Canadian university, with all properly organized and thoroughly equipped colleges in the country rallying around it, on such terms and according to such principles as would secure a collegiate education for the various sections of the country, and promote among the several sectional institutions complying with the conditions of affiliation a wholesome and generous rivalry. At the close of the University Session of 1863 it was apparent to the principal's friends that his health had become impaired. By authority of the Synod of that year he received a commission to attend the Synods of Nova Scotia and New Brunswick, in the character of a representative member. He fulfilled this ap-

pointment greatly to the satisfaction and benefit of these courts. He had not long, however, resumed his duties when sickness overtook him, and laid him aside. After some months of dreadful suffering, caused by disease of the heart, he expired in the forty-ninth year of his age.

May 11th.—BARBER, JONATHAN, Esq., M. D., was born in 1784, in England, and practised medicine there as a member of the Royal College of Surgeons, at Scarboro', and afterwards in London, very successfully, till about 1820, when he came to America and resided in the United States, chiefly from his health having been much impaired by devotion to his profession. Shortly after he gave up his profession, and devoted himself wholly to literary pursuits, and more especially to elocution, of which he was for the remainder of his life probably the best living teacher in America. As such he was occupied for several years in Yale and Harvard Universities. In 1832 he became intimate with Dr. Spurzheim, and adopted his views, with all his natural enthusiasm, as to phrenology and its kindred subjects of education, &c. After lecturing extensively on these subjects in the United States, he went to Montreal in 1836, where he became well known. Soon afterwards he returned to England, where he spent some years, returning to Canada in 1842. About this period his attention was drawn incidentally to homœopathy, and he became convinced by observation of its truth and importance. Impressed with this conviction, he resumed medical practice about 1845, and only abandoned it gradually under pressure of age and failing health. On giving up practice and resuming (from intuitive activity, so to speak, and for sake of occupation) the teaching of elocution and oratory, he was named professor of oratory in McGill University, Montreal, some few years ago, and withdrew from those duties only within the last two years, when he retired to the country, living with Mr. Dunkin, M. P. (his son-in-law) till his death.

May 14th.—BEGG, Mr. WILLIAM, died at the residence of Dr. Cole, on the Huron Road, Township of Goderich (Canada), aged about 70. Mr. Begg was the son of a sister (Isabella) of the illustrious Scottish poet, Robert Burns. His father, who was in business, intended that he should become a physician, and he accordingly pursued his medical studies for some time; but owing to the death of his father leaving the family in straitened circumstances, he did not take out his diploma, but devoted himself to teaching, to support his mother and sisters. About thirty years ago he went to the Huron Tract, under the auspices of the late Dr. Dunlop, and was for more than twenty years in the common schools of the Township of Goderich, until his health became too feeble for that pursuit. During the last nine or ten years of his life he had the good fortune to find a comfortable and congenial home in the household of Dr. Cole; at first in the capacity of tutor, and afterwards as a valued friend. He suffered for many

years from chronic rheumatism of a peculiarly painful character, which he endured with unvarying cheerfulness. He possessed all the natural intelligence and the goodness of heart which might have been expected from his parentage, with extensive literary acquirements and a pleasing talent for communicating information.

May 27th.—GRAHAM, Sir EDWARD, Bart., of Esk, County Cumberland, England, who died at Montreal, was the 9th baronet, and succeeded his father, Sir Robert Graham, in January, 1852. The first baronet was created in 1829, by king James I., but the family claims descent from the renowned Græme, who, *anno* 404, commanded the army of Fergus II., and was Governor of Scotland in the minority of his grandchild, Eugene II. From the time of this eminent man the Græmes are to be found in the record of Scotland enjoying the very highest influence. There are at present three baronetcies in the family. The Grahams of Esk; the Grahams of Morton Conyer, County of York; the Grahams of Netherby, County of Cumberland. The eighth baronet of Esk, father of the baronet last deceased, was one of the claimants to the earldom of Annandale and Hartfill, as descendant of Sir John Graham (2d Bart.) and Lady Mary Johnston. The title descends to Robert James Stuart, eldest son of the deceased, now Sir Robert Graham, tenth baronet, who was born in 1845.

June 17th.—KIRK, Maj. WILLIAM ALPHONSO, of the 57th N. Y. volunteers, who died in Virginia while serving in the Federal army, had formerly served in the British army, having held the rank of captain in Her Majesty's 16th regiment. He left the regiment at Quebec, but continued to reside there for several years, and was connected for some time with the city press. He was a man of considerable talent, and had many warm personal friends in that city. He had served in the Federal army since the breaking out of the civil war.

July 6th.—BENJAMIN, GEORGE, Esq., was born in the last year of the last century in England, and lived for some time in Liverpool, engaging there in commercial pursuits. He travelled in a business capacity through a great part of the continent, visiting Italy in the south and Russia in the north, and later in his early manhood came to New Orleans, where he resided for some time. While resident there he married a Charleston lady of English parentage. About the year 1830 he went to Canada, spending a short time in Toronto, and afterwards settling in Belleville, where he continued to reside until the time of his death. He for a considerable time conducted the "Intelligencer," the oldest paper in that town. On the introduction of municipal institutions by Lord Sydenham, he became Warden of Hastings, and continued to be so for many years. He was also for several years registrar of the county. In 1856, on the return of Mr. Murney to the Upper House, he succeeded him as member for North Hastings, sitting for that

constituency in that and the succeeding parliament, retiring at the last general election (1861). In 1848, having received all the degrees of the order in Liverpool, he was elected Grand Master of the Orangemen of British North America, and held that office for several years. At the time of the annexation movement he issued an able manifesto against the movement, warning all Orangemen that in countenancing it they broke their obligation. Mr. Benjamin was a staunch and zealous loyalist—an honest, sincere Canadian tory in the days when there were tories—as true a conservative in later days—and as little swayed by any unreasoning bigotry as any one in public life. He was singularly astute in his judgment of men and their springs of action, and wonderfully well informed respecting even the most secret negotiations among public men; one of the most useful and truest-hearted counsellors and assistants that any public men have ever had.

July 13th.—OGDEN, Mrs. C. R., died at the residence of her brother, Richard Clarke, Esq., at Compton, Surrey, England. She was the wife of the Hon. Charles Richard Ogden, formerly Her Majesty's attorney-general for Lower Canada, and a member of the Executive Council of the Province, and now of Liverpool, England. Mrs. Ogden was a native of Montreal, and daughter of the late Commissary-General Clarke, whose sister was the mother of the late Lord Lyndhurst, and was most highly esteemed and respected by a numerous circle of friends in Canada for her benevolence and many virtues.

August 5th.—BABY, FRANÇOIS M. L. C., was a descendant of the old French *noblesse*, which emigrated to Canada after Champlain had laid the foundation of a North American empire. Branches of the family are scattered over both sections of the province, where they are all recognized for their enterprise, industry, and skill. On the conquest of Canada by the English the Babys at once transferred their loyalty to Great Britain, and have ever since been consistent and active supporters of the British crown.

Few men after the term of life—after they pass two score years and ten of their existence—are possessed of energy sufficient to commence again life's battle; but so indomitable was Mr. Baby's perseverance, so zealously did he labor, so much impressed was he with the importance and value of improving the Lower St. Lawrence navigation, that he conceived all the great projects which have since been carried out, viz., the building of wharves, and improved system of light-houses, and the introduction of steam-tugs for the benefit of the commerce of that port. That he made errors of calculation, and that there was the very worst of management in the construction of these public works by which the Province was made to pay heavily, is beyond doubt. But what he did, he did well; the wharves are the best of their kind on the continent; the light-

houses are equal to any on the coasts of England or France; and the only objection that can be urged against the steam-tugs is that they are too costly.

Oct. 25.—ESTEN, Vice-Chancellor, was the grandson of a former Attorney-General of the Bermudas, and son of the late Chief Justice of the same islands, the duties of which office his father had discharged for twenty years. Mr. Esten was born in St. George's, Bermuda, on the 7th of November, 1805, and was educated at the Charter House School, in London. He was called to the bar in Lincoln's Inn, and for some time pursued the practice of his profession as a barrister in England. In the year 1837, on the establishment of the Court of Chancery in Canada, Mr. Esten, who, a short time previously, had removed with his family to Upper Canada, entered that court as a barrister, and immediately assumed at the bar the high position to which his great learning and talents assigned him. From the first he enjoyed a most extensive practice. He was one of the few men in the country who, on the opening of the new court, possessed any knowledge of equity law pleading or practice. A most diligent and accurate lawyer, possessed of qualifications which no Government could overlook, he was, in 1849, on the reconstruction of the court, raised to the bench as one of its judges. From that time till June, 1864, when disease compelled him to desist from his labors, he discharged unceasingly the important duties of his office with patience, zeal, honesty, and ability. Firm in the administration of justice, he possessed wonderful equanimity of temper, and an amiability of disposition which endeared him to all who had business in his court, or who enjoyed the pleasure of his society. During his fifteen years of service, Mr. Esten never was absent from his post, and for a couple of years during, and in consequence of, the illness of ex-Chancellor Blake, great additional labor was cast upon him and Mr. Vice-Chancellor Spragge. Mr. Esten died at Toronto.

Dec. 20.—TURCOTTE, JOSEPH E., who died at the city of Three Rivers, was eminently a representative politician. When the French Canadian population of Lower Canada struggled to obtain release from the oligarchical influences of the Colonial Office, with the view of securing fair treatment, Joseph Edouard Turcotte represented the feelings of a large section of that population. He was received at the bar of Lower Canada in 1834. From his earliest days he had looked upon a parliamentary career as the highest pitch of his ambition. When still young and inexperienced, he attempted an electoral contest against Monsieur Hebert, in his native place, the county of Nicolet, district of Three Rivers. He was defeated. By no means discouraged, he entered the lists on the North Shore of the St. Lawrence, and his memorable opposition to Gagy and Malhiot in the county of St. Maurice, and his

determination of character, as shown in his elections for St. Maurice, Champlain, Maskinongé, and Three Rivers, will long be remembered by the inhabitants of those counties. His eloquence was of a most forcible, logical, and convincing character. He literally controlled the electors by his piercing eye, his powerful and musical voice. Adversaries feared his proud, defiant, and severe glance. But he was kind, charitable, and generous. Sometimes considered too severe, he but too often relented, and in so doing sacrificed his own interests. After a long and successful career in Parliament, during which time he joined a ministry as solicitor-general, in spite of the animadversions to which he was subjected even by his own electors, a period arrived in the affairs of the district of Three Rivers which demanded prompt attention at the hands of its representatives. Mr. Turcotte ably seized the opportunity of connecting the city of Three Rivers with the Grand Trunk line of railway, which was then demanding assistance from the Legislature. He stipulated, in his place in the House, 1856-1857, that out of the Preferential Bonds the sum of £125,000 should be specially set apart for the construction of the Arthabaska Branch Railway. The road was commenced in 1859, with an energy worthy of the man who obtained it, and after years of mental labor, activity, and disappointment, Mr. Turcotte lived to see the road opened at the sacrifice of his life. Probably the excitement of its completion hastened the termination of his career. In 1862 he was elected Speaker of the Legislative Assembly of Canada. He was mainly instrumental in establishing the Radnor Iron Works, in the district of Three Rivers, which now furnish car wheels to all the railways of Canada. He had planned the construction of a railway to connect the Grandes Piles on the River St. Maurice with Three Rivers.

April 29.—GESNER, ABRAHAM, M. D., a chemist and geologist of Nova Scotia, born in that colony in 1797, died at Halifax, Nova Scotia. Dr. Gesner received his medical education in London, graduating M. D. in 1827, but soon abandoned his profession for the prosecution of natural science. In 1838 he was appointed provincial geologist of New Brunswick, and made extensive and thorough explorations in that province, and subsequently in Prince Edward's Island. The thorough acquaintance which he obtained by these surveys with the condition, products, and resources of the Lower provinces enabled him to prepare some works of great value on the colonies. Of these the principal were "Remarks on the Geology and Mineralogy of Nova Scotia;" "History of New Brunswick, with Notes for Emigrants;" "Industrial Resources of Nova Scotia;" "Geology of New Brunswick, Nova Scotia, and Prince Edward's Island;" "Fisheries of the Provinces." The last named was completed just before his death, and is to be published by the Government of Nova Scotia.

He was the pioneer explorer of the wild regions of the Tobique and Madawaska Rivers. Being an excellent practical chemist, he early turned his attention to coal oils, asphaltum, naphtha, and petroleum, and discovered the best methods of using them for illuminating purposes. He made and burned oils refined from petroleum and the asphaltum of Trinidad as early as 1846. He was the discoverer and patentee of kerosene oil, and was the first to introduce coal oils into use in the United States. He published, some years since, "A Practical Treatise on Coal, Petroleum, and other distilled Oils," which has had a large circulation. In 1852 he removed to New York City, where he resided for some time as a professional chemist, but finally returned to his native colony.

O'BRIEN, WILLIAM SMITH, an Irish agitator, born in the County of Clare, October 17th, 1803, died in Bangor, North Wales, June 17th, 1864. He was of one of the most ancient families of Ireland, tracing his descent through the Marquises of Thomond and Barons Inchiquin to Brian Boroihme. He was educated at Harrow school and at the University of Cambridge, and in 1827 entered Parliament for the borough of Ennis, County Clare. Subsequent to 1832 he represented Limerick. He first brought himself into notice during the "repeal" agitation of 1842-'3, and vehemently opposed the passage of the Irish arms act in the latter year. Associating himself thenceforth more closely with the repealers he became an adherent of O'Connell, an active member of the Repeal Association, and a violent debater on Irish topics. Upon refusing in 1846 to serve on committees of the House of Commons he was placed for several days in the custody of the sergeant-at-arms; and in the same year, in company with the "Young Ireland" party, he left the Repeal Association in disgust because John O'Connell, son of the Agitator, wished to introduce peace resolutions into that body. The revolutionary outbreaks in Continental Europe in 1848 excited him to an immoderate degree, and, after threatening from his seat in parliament to establish an independent republic in Ireland, he accompanied a delegation sent to Paris in April to request aid from the provisional government just established there in behalf of "the oppressed nationality of Ireland." The visit resulted in abundant expressions of sympathy, but in nothing of a more practical character, and in the succeeding May O'Brien and others were indicted for sedition, in trying to organize a national convention of the Irish people. They were acquitted, and emboldened by the apparent impunity with which they had hitherto escaped punishment, ventured to take up arms against the Government. In July O'Brien headed a band of repealers at Ballin-garry, in the South of Ireland, and attempted to raise the standard of revolt; but the movement was almost immediately suppressed, the insurgents scattered, and O'Brien himself arrested and brought to trial in Clonmel, on a charge of

high treason. He was sentenced to death, but the penalty having been commuted to banishment for life, he embarked in 1849 for Van Diemen's Land, where he remained until 1856. The revolutionary spirit having by this time subsided in Ireland, he was permitted to return to Europe, the indulgence being at first limited to the Continent. In 1858 he returned to Ireland, where for a number of years he lived in retirement. In 1859 he paid a visit to the United States. Upon the breaking out of the rebellion against the United States Government in 1861, he expressed open sympathy with the seceding States, and published an appeal to his countrymen to abstain from committing themselves in favor of the Union.

OHIO. The prosperity of this great State has continued, notwithstanding the severe demands of the war upon her. The receipts into the State Treasury, with the balance of the previous year, amounted in November to \$8,679,966, and the total disbursements were \$6,679,006; leaving a balance of \$2,000,960. The expenses of the State government proper were \$1,450,663, and the disbursements \$1,053,040, leaving a balance on November 15th of \$397,622. During the year, \$364,058 of the public debt has been redeemed, and a balance of \$719,836 remained to the sinking fund. The debt of the State, including a loan of 1864 for military purposes, consists of the

Foreign debt.....	\$12,815,212
Domestic debt.....	653,538
Total.....	\$13,500,750

The valuation of real estate in Ohio for 1864 was \$655,498,100; of personal property, \$1,006,696,116. In fourteen years the advance in the value of personal property has been 250 per cent.

The report of the Commissioner of Statistics presents some interesting facts relative to the effects of the war on banks, debts, and litigation. The result upon the State banks was shown in their returns from 1860 to 1863, as follows:

Decrease of capital.....	\$800,424
" of circulation.....	1,882,576
" of discounts.....	881,050
Increase of deposits.....	6,195,036

The total diminution of capital, circulation, and specie, was \$3,863,628. The deposits have more than doubled, being an actual increase of \$6,195,036.

In November, 1864, the account stood as follows, the number of banks being forty-seven:

Capital.....	\$4,408,829
Circulation.....	5,116,471
Deposits.....	11,115,813
Discounts.....	9,436,994
Specie.....	1,180,802

In addition to the two great facts exhibited by the bank returns, that deposits increased and debts diminished; there is another of equal importance, that litigation has diminished, or more properly that suits for the collection of debts have diminished.

During the year the Federal Government called upon the State for troops to be furnished within that period as follows:

February 1st, 1864.....	51,465
March 14th, ".....	20,598
July 18th, ".....	50,797
Total.....	122,857

By a revision of credits this quota was reduced to 102,653. To fill deficiencies under the two first calls, a draft was ordered in May, which produced 7,711 men; of whom 6,290 paid commutation amounting to \$1,887,000, and the remainder, 1,421, went into the service in person, or by substitutes. For the same purpose a draft was ordered under the last call, commencing in September; the deficiencies of the sub-districts amounted to 9,006. The draft more than filled the quota. On December 1st the excess amounted to 2,984 men. The voluntary absenteeism from the State of persons liable to military service, on the approach or during the pendency of the draft, was estimated to exceed twenty thousand. Those who were not drawn returned when the quotas of their districts were filled; and those who were drafted remained away, with a few exceptions where substitutes were procured. A large number left during the ten days allowed by law between draft and notification. To meet all these deficiencies supplementary drafts became necessary, and then the same process went on until, in some cases, there were not men enough left in the townships to fill the quota. Many men drafted in one section of the State went into other sections; many went into other States and the territories, and not a few fled to Canada. The number of men furnished by the State to the Federal service to December 31st, 1863, was 200,452.

In April the Governor tendered to the Federal Government the service of thirty thousand militia for one hundred days. At the same time the Governors of Indiana, Illinois, Iowa, and Wisconsin, tendered a proportionate quota. The reasons which induced this offer are thus stated by Governor Brough:

The policy of this movement did not admit of doubt or hesitancy. The summer campaigns were about to open in Virginia and Tennessee. Both of them must necessarily operate upon continually lengthening lines of communication, requiring large forces to protect them. At the same time it was necessary that the Virginia army should cover and protect the National Capital, and that of Tennessee hold safe the border. In previous campaigns we had suffered from this species of depletion to an extent that seriously impaired the value of our successes. At the time of considering this proposition a large body of hardy and veteran troops were engaged in garrison duty, and guarding lines of communication, which could be as well done by less experienced men. To relieve these, and throw them forward, was to give to each of our operating armies a large reserve force. The time before the opening of the campaigns was too short to admit of a call, with its attendant of a draft, even if the legislation of Congress, not then completed, had admitted of such a measure. The policy was, therefore, apparent, of supporting our

active armies by the militia, until legislation could be perfected, and an additional call be made.

The States of Ohio, Indiana, and Illinois, had another manifest interest in this movement. In order to save our southern borders from incursions and raids, it was evidently sound policy to so strengthen our main armies as to furnish full employment for the rebel forces in their own territory. In this particular the result fully justified the wisdom of the movement. But one raid was attempted during the season, and that was checked and overwhelmed in Kentucky before reaching the Ohio River.

The offer was at once accepted by the Federal Government. The National Guard of the State were called together at their respective rendezvous on May 2d. On that day, amid a storm of snow and rain, more than forty thousand met and reported for duty without question or reservation. From these were organized forty-one regiments and one battalion, with an aggregate strength of 35,982 men. Of these, one regiment and the battalion were reserved at Johnson's Island, one regiment at Camp Chase, one at Gallipolis, and two at Camp Dennison. The remaining thirty-six regiments, embracing an aggregate strength of 31,051 men, were sent out of the State into Virginia, Maryland, and the District of Columbia. Six of these regiments went to the front under General Butler; two of them were in the battle of Monocacy, where they suffered a loss of four killed and seven wounded, and a number of prisoners; one was stationed at Martinsburg, Virginia, where it suffered a loss of over two hundred prisoners; one regiment was with General Hunter in his severe march to Lynchburg and back, reporting the loss of only one man; other regiments were stationed at Baltimore and Washington, and saw active service in the raid upon the latter city. Of the force retained in the State, the 156th, 168th, and 171st, were all thrown into Kentucky to meet the raid of Morgan, where they did good service. In the fight near Cynthiana the 168th had nineteen wounded, of whom two died. The Colonel and Lieutenant-Colonel were both included in the list of wounded—the former very severely. In the surrender by General Hobson a large number of this regiment was included, but they were afterwards paroled, as the retreat of Morgan was necessarily so expeditious that he could not retain them.

The vote of the State at the Presidential election was 470,532, of which the soldiers' vote was 50,713. This vote was divided between the Presidential candidates as follows:

	Lincoln.	McClellan.
Home vote.....	224,008	195,811
Soldiers' vote.....	40,967	9,746
Total.....	264,975	205,557

Majority for Mr. Lincoln on the home vote, 28,197; majority on the soldiers' vote, 31,221. Total majority, 59,418.

A Secretary of State was chosen at the State election in October. The vote was as follows:

	SMITH. Republican.	ARMSTRONG. Democrat.
Home vote.....	204,459	177,840
Soldiers' vote.....	32,751	4,599
Total.....	237,210	182,439

Majority for Smith on the home vote, 26,619; majority on the soldiers' vote, 28,151. Total majority, 54,751. Of the members of Congress elected, 17 were republicans and 2 democrats.

The agriculture of the State has continued to advance, notwithstanding the reduction of the supply of labor. Less grain is raised than in former years, but in its place tobacco, sorghum, wool, &c. The corn crop of 1863 was an average one of twenty-seven bushels to the acre. This was a general reduction of seven bushels per acre in consequence of the drouth. The average wheat yield was about the same as in previous years. The number of acres planted was 1,811,278. The oat crop was less than an average one. The potato crop was sixty-four bushels to the acre. The average yield of tobacco was eight hundred pounds per acre, and 47,262 acres were planted. Hogs have decreased in number, but sheep have increased. The pork packing in Ohio, as compared with other States in 1864-'5, was as follows:

	1863-'4.	1864-'5.
Ohio.....	621,935	498,852
Iowa.....	847,431	176,807
Illinois.....	1,290,490	985,784
Kentucky.....	126,019	118,267
Indiana.....	399,197	251,287
Wisconsin.....	160,976	121,128
Missouri.....	383,736	270,654
Total.....	3,328,894	2,422,779
	2,422,779	
Decrease.....	906,105	

This is equal to 27½ per cent.

The average weight of hogs and the yield of lard show a light average increase, though this was not uniform, for in Illinois and Missouri there is a falling off in these respects; but an increase in all the other States. The comparison, by States, is as follows:

STATES.	AVERAGE WEIGHT PER HOG.		YIELD OF LARD PER HOG.	
	1863-'4. Pounds.	1865. Pounds.	1863-'4. Pounds.	1865. Pounds.
Ohio.....	196 26.29	210 3.16	22½	26
Indiana.....	182 18.39	101½	19½	22½
Illinois.....	185 1.5	185 6.10	21½	20 1.16
Kentucky.....	182	208	21	28½
Missouri.....	188½	184½	23	20 6.07
Iowa.....	188 5.14	189½	22½	20½
Wisconsin.....	202		28	

The general average weight of hogs and yield of lard, for the whole West, are: of hogs, 196 3-16 lbs., and of lard 24 1-9 lbs., which compare with the general averages last season as follows:

1863-'4.....	183 26-29	22 1-7
1864-'5.....	195 3-16	24 1-9

The shipments to the eastern market were, in 1864-'5, over the New York and Erie Rail-

road, 26,705; over the Pennsylvania Central Railroad, 181,841.

The State has a Reform School, or schools, for juvenile offenders, established on a farm of several hundred acres, about six miles south-west of Lancaster, in Fairfield County. The institution is founded on the principle that it is better to prevent than to punish offences. It is under the charge of Commissioners. The farm is partitioned among several families, each family under the immediate charge of an Elder Brother, Mr. Carpenter being Elder Brother of the Muskingum Family; Mr. Coffey, Elder Brother of the Cuyahoga Family; Mr. Spear, Elder Brother of the Scioto Family, &c., &c.; the whole forming a community "dwelling together in unity." There were 126 boys admitted to the school in 1864. Their ages were:

Of 8 years.....	6	Of 15 years.....	11
9 ".....	12	16 ".....	9
10 ".....	15	17 ".....	2
11 ".....	23	18 ".....	1
12 ".....	17		
13 ".....	16	Total.....	126
14 ".....	14		

The offences for which they were committed to the school were as follows:

Grand larceny.....	19
Petit larceny.....	31
Burglary.....	14
Incorrigible.....	30
Vagrancy.....	18
Horse stealing.....	2
Shooting with intent to kill.....	1
Assault and battery.....	2
Arson.....	1
Total.....	126

The labor of the boys has been expended mostly on the farm, garden, and nursery; only a sufficient number have worked in the shops to manufacture the clothes and shoes required for the inmates. The system is so arranged that every boy can receive five hours schooling each secular day of the term. All the boys, excepting one class, labor during the entire morning. The class excepted has a morning session in school, and works in the afternoon. The other classes, after taking a short recreation on the playgrounds after dinner, wash and prepare for school, which continues until supper. Religious exercises are also connected with the institution, conducted by a chaplain. The institution is so successful in the training of wayward and refractory boys, that the Board recommend the establishment of a similar one for girls. The Commissioners mention with satisfaction several cases of young men, now occupying responsible positions, for which they have been qualified by the instruction imparted by this school.

The number of marriages in the State in 1864 was 20,881. The war has reduced the average number in three years one thousand. The number of naturalizations was 4,098. The whole number naturalized during the last seven years was 45,475. The number of indictments during 1864 was 2,859; convictions, 1,157.

The suits and judgments were less than one-half the number in 1860. The number of violent deaths was 495, and the proportion of suicides 14 per cent. The aggregate number of paupers in the State is 20,000, or one in 128 of the population.

The various educational and charitable institutions of the State are in a prosperous condition.

The following is a list of the Colleges in the State:

NAME.	Location.	Estab-lished.	Profess-ors and Tutors.	No. of Students.
Ohio University.....	Athens.....	1804	6	139
Baldwin University.....	Berea.....	1845	9	382
Ger. Wallace College*..	Berea.....	1864	4	22
St. Xavier's College....	Cincinnati..	1842	14	156
Farmer's College.....	College Hill.	1846	4	114
Capital University.....	Columbus...	1850	6	57
Ohio Wes. University..	Delaware...	1842	8	260
Kenyon College.....	Gambier.....	1825	9	138
Dennison University...	Granville...	1831	6	132
West Reserve College..	Hudson.....	1826	6	109
Marietta College.....	Marietta....	1835	6	49
Mt. Union College.....	Mt. Union..	1858	6	304
Oberlin College.....	Oberlin.....	1834	12	917
Miami University.....	Oxford.....	1824	6	161
Wittenberg College....	Springfield.	1845	5	135
Otterbein University...	Westerville.	1858	4	171
Wilberforce University.	Xenia.....	1863	4	90
Antioch College.....	Yel. Springs	1852	6	168
			118	3,595

An order was issued in August by General Heintzelman, in command of the Department, forbidding the railroad companies to transport arms on their roads either in the form of merchandise or otherwise.

On October 27th great excitement was created at Cleveland by rumors of a raid by Confederates from Canada. The civil authorities, military, and the United States authorities, made great preparations to receive the raiders. General Hooker, in command of the Department, issued the following order:

HEADQUARTERS NORTHERN DEPARTMENT, }
CINCINNATI, October 27th, 1864. }
CIRCULAR.

The commander of this Department has received information that it is the intention of a large body of men on the northern frontier, on each side of the line, open on one side, and in disguise on the other, to so organize at the ensuing National Election as to interfere with the integrity of the election, and when in their power to cast illegal votes; in fact, in any way interfere with the honest expressions of the electors.

In view of the foregoing facts, it is made the duty of all officers of the Government, both civil and military, as well as loyal citizens, to guard well the integrity of the ballot-box.

All military officers, including Provost Marshals and their assistants, will be held to a strict accountability for the adoption of such measures within their districts or commands, as will not only prevent illegal voting, but to arrest and bring to justice all who attempt such voting, or endeavor to prevent the honest exercise of the elective franchise.

The citizens and civil authorities of the towns and cities on the northern frontier are particularly re-

* The German Department of Baldwin University, organized as a distinct College in June, 1864.
† Suspended temporarily at the close of the year.

quested to give any information they may have, or may from time to time receive, to the Provost Marshals or military authorities, whose duty it is to inform the nearest Provost Marshal General or other military authority, and to take measures to arrest and confine any and all connected with such organizations. The late raid on the Lakes and in New England are ample evidence that neither life nor property are safe.

All Provost Marshals and assistants, and all military commanders, will take measures to obtain and report at once any information that may lead to the prevention of this interference with the rights of the people, or aid in the arrest and punishment of the offenders; they from time to time will report by telegraph any new facts.

Local authorities will receive all the aid within the control of the military commander.

By command of Maj.-Gen. HOOKER.

[Official:]

C. H. POTTER, Ass't Adj't Gen.

ORDNANCE—PROJECTILES AND SMALL ARMS. In the *ANNUAL CYCLOPÆDIA* for 1863, the improvements in ordnance and projectiles which had become established up to that period, were very fully described. There has been since that time some further experience in the use of guns of large calibre which slightly modifies, though it does not materially change, the opinions there expressed of their merits, and some new inventions having important alleged advantages over the old, are gradually working their way into favor. The bombardment of the forts at Mobile, the naval battle between the Kearsarge and the Alabama, and the two attacks on Fort Fisher, as well as the numerous land conflicts in which artillery has played an important part, have afforded opportunities rarely found for testing the quality of ordnance and projectiles, as well as the armor of iron-clad vessels. General Gillmore, a man

of high authority in all matters appertaining to artillery service, and Mr. A. S. Holley, a civil engineer of good repute, who has made both ordnance and armor matters of special study, have both published treatises on these subjects during the past year.

General Gillmore and Rear Admiral Porter, while speaking in high terms of the 20 and 30-pounder Parrott guns, both complain of the tendency of the larger calibres (the 100, 200, and 300-pounders), to burst after a brief service. In the second attack on Fort Fisher, six of the 100-pounder Parrott rifles burst during the bombardment. Of twenty five guns burst or disabled in the siege of Charleston, sixteen were Parrott 100-pounders, six Parrott 8-inch, usually though incorrectly called 200-pounders, and one a Parrott 10-inch, usually called 300-pounder. The other two were a Parrott, which had been fired 4,606 times, and the other was a Whitworth 80-pounder, disabled at the 111th round by the breech starting back and closing the vent. Most of the Parrott 100-pounders had been fired only about 200 times, the range of their endurance being, with a single exception, from 36 to 500 rounds, while the 10-inch gun was fractured at the 27th round, and three of the 100-pounders at the 36th, 38th, and 87th rounds. The power of cast-iron to withstand the strain of a rifled projectile seems to decrease very rapidly with the increase of size.

It is but justice, however, to the Parrott gun, to give the following tables in reference to its use in the navy, which were appended to the report of the Board appointed by the Chief of the Ordnance Bureau to examine and report on rifled guns for the navy:

In addition to these, five 100-pounders were

L. TABLE OF PARROTT RIFLED GUNS IN USE IN THE NAVY JANUARY 1st, 1865.

Calibre.	Number issued for service.	Number failed.	MODE OF FAILURE.				Known to be cracked by premature explosion of shells.
			Cracked, or breech blown out.	Cracked or burst through band.	Cracked or burst between band and trunnion.	Cracked or burst at muzzle.	
150-pounder.	35	2				2	2
100 "	176	14	2	4	1	5	4
60 "	9						
30 "	302	3		2		1	1
20 "	181	2			1	1	2
Total.....	703	21	2	6	2	9	9

reported as having burst at the attack on Fort Fisher—(Admiral Porter says six)—and thirteen others of different calibres elsewhere, but no particulars of details have been received. This table refers to the navy only. Those used by General Gillmore belonged to the army.

After a very careful and comprehensive examination of all the kinds of cannon in use, and statistical tables of the results of experiments either in battle or siege, or test-firing by the Ordnance Boards, Mr. Holley comes to the conclusion that "a steel tube, so tempered (probably by hardening in oil) as to have the greatest possible elongation within its elastic limits, and forced into (or otherwise com-

pressed within) a heavy cast-iron jacket of good shape, like the United States 15-inch hollow-cast navy gun (Rodman), with trunnions and cascabel cast on for cheapness—the slight initial compression of the steel being sufficient to compensate for its want of safe elongation—would appear to be the best system of fabricating strong, cheap, and trustworthy cannon of large calibre."

Elsewhere, after a full consideration of the effect of the two plans proposed of dealing with armored ships, viz.: by very heavy shot impelled by a low velocity, to exert a *smashing* force on the armor, and by shot and shell of smaller diameter, usually in the form of bolts or elon-

II. EXTREME ENDURANCE OF PARROTT GUNS IN PROOF AND SERVICE.

CALIBRE.	10-inch.	8-inch.	dr.	60-p/dr.	30-p/dr.	20-p/dr.	10-p/dr.	WHERE USED.
Proof firing.		420†	1,000	500			1,000	Foundry.
Subsequent.			300				300	"
In service.	1,206*	1,400*	1,590*		4,650			Morris Island.
"			1,150*					"
"		660						{ Naval Battery, Morris Isl-
"		660						and.
"		522						Monitor turret.
"		517						"
"			740					U. S. steamer Genesee.
"		485						" " Ottawa.
"		363						" " Monongahela.
"		599						Morris Island.
"			445					U. S. steamer Southfield.
"			430					" " Pawnee.
"			411					" " Octorara.
"					380			" " Blackhawk.
"					347			" " Granite.
"					267			" " Estella.
"						2,000*		Vicksburg.
"						713		U. S. steamer Nippon.
"						409		" " Owasco.

gated projectiles, to act as a *punching* force, Mr. Holley arrives at the following conclusions: "In the present state of the art of gun-making a 10 or 12-inch gun rifled so as to carry spheres without injury, to fire steel and cast-iron balls at short range, and light sub-calibre punching bolts and shells at high velocities, and long, heavy shells with large bursting charges, and small propelling charges, at long range, would appear to be the greatest concentration of offensive power. But if two kinds of naval guns are to be used—and this would appear to be the better system—a smaller gun would stand higher relative charges, and thus give higher velocities to punching shot, and a larger gun—perhaps a greater calibre than 20 inches—would most promptly and effectually smash in a ship's side, throw off her armor, and impair her sea-going as well as her defensive qualities, especially when her armor was riddled, or shattered and weakened at different points by smaller and swifter projectiles."

Experience has confirmed the justice of these conclusions. In the conflict between the fleet of Rear Admiral Farragut and the rebel forts and armored ships in Mobile Bay in August, 1864, the heavy projectile from the 15-inch gun of one of the monitors struck the armored ram Tennessee on the side, crushing in or smashing her armor, and produced some havoc by means of the splinters which were thrown off from the wood backing inside, while the wooden gunboats, though unable to do any thing more than cause her to list over by their attempts to ram her, yet pouring in their shot into her open portholes at close range from their cannon of lighter calibre, disabled a large portion of her crew and crippled her in some vital points.

On the subject of the best metal for ordnance, there has been hitherto great diversity of opinion. Cast-iron is liable to the objections of wanting in tenacity, elasticity, and ductility, but it is harder than bronze or wrought-iron,

and being homogeneous is more trustworthy and uniform than wrought-iron. The advantages of hollow casting and cooling from within, in preventing unequal cooling and consequent inability to bear the unequal tension induced by firing, have been already discussed in the article *ORDNANCE* in the *ANNUAL CYCLOPEDIA* for 1863. Wrought-iron, though highly ductile, considerably elastic and possessing more ultimate tenacity than cast-iron, is too soft and yields too much under pressure and friction, and possesses the additional disadvantage of being welded up from smaller pieces, and thus having no uniform tenacity. Bronze, or as it is called in Europe gun-metal, is too soft, not so homogeneous as cast-iron, and is injuriously affected in its intimate structure by the heat of high charges. Aluminium bronze, and phosphorus alloys with copper, though possessing many desirable qualities, are too expensive for general use. An alloy called *sterro-metal*, varying slightly in its proportions when made by different manufacturers, but composed generally of 60 per cent. of copper, from 42 to 46 per cent. of zinc, 1.94 of iron, and from .156 to .905 of one per cent. of tin, has many advantages for a gun metal, being dense, hard, tenacious, elastic, and considerably lower in price than bronze. It seems very well adapted for a lining-tube for cast-iron guns. For the purpose of lining-tubes, or for cannon entire, there appears to be, however, no other metal equal to the low steel, called also homogeneous iron, and homogeneous steel, now produced by casting in large masses, by Krupp's, Bessemer's, and other processes. Tenacious, elastic, hard, and at the same time sufficiently ductile and as nearly homogeneous as any large mass of metal can be, while by the present processes it is produced at a moderate cost, it is pre-eminently the material for all guns except the very largest, and should be employed for lining tubes for these. Krupp's steel guns made from this low steel have been tested in every way during the war, and have been found satisfactory. There are two or three guns made from wrought-iron, which deserve special notice. The first

* Burst in service.

† With Hotchkiss and Schenck's shell of 200 lbs.

is the *Phoenix Iron Company's gun*, which seems to be substantially the same as *Lynall Thomas's* (English) 7-inch gun. These are made from boiler plate rolled over a central steel mandrel into a cylinder consisting of fourteen or fifteen layers, then hammered together at a welding heat, or pressed together by means of rollers. The barrel is then reamed out, and rifled or not as may be desired, and in Thomas's patent two hoops 13 inches long and 3 inches thick are shrunk over it. The Phoenix Company, have not found the hoops necessary. These guns have stood service well, and are quite popular. Thomas's 7-inch gun, made on this plan with the hoops, burst at the second round at Shoeburyness. The *new Ericsson guns* (13-inch), designed by the inventor as a part of the armament of the Puritan and Dictator iron-clads, differ in their construction from any other gun yet made. The gun is a solid wrought-iron barrel forged from very superior iron (specially tested for the purpose), the walls of which are $7\frac{3}{4}$ inches in thickness. This is reinforced with a series of washers cut out of $\frac{3}{8}$ inch boiler-iron, forced on with accurately determined tension by hydrostatic pressure. Upon the end of the breech is forged a solid flange, against which the washers abut. The washers extend forward eight feet to the middle of the chase, where a nut, embracing and screwed upon the chase, presses them against the solid flange and into close contact with each other. The total length of the guns is 12 feet 8 inches; the maximum diameter 3 feet 11 inches; diameter of muzzle, 1 foot 10 inches; diameter of bore, 13 inches; weight of each gun, 47,000 lbs. By agreement Captain Ericsson was to receive nothing for these guns unless they burned over 50 lbs. of powder. He was confident of being able to burn 100 lbs.

The *Ames wrought-iron gun*, made by Mr. Horatio Ames, of Salisbury, Conn., from the celebrated Salisbury iron, by a new process of his own, has been the subject of careful investigation by boards of Government officers during the past year. The method of making them is thus described by Mr. Holley in his "Ordnance and Armor:" "A slab ten inches square and six inches thick, piled and hammered in the usual way, and rounded and turned to form a short cylinder, receives a three-inch hole in the middle, and a welded ring six by six inches in section is shrunk upon the outside. The disk thus made is welded to a mass of iron forged on the end of the staff by a horizontal steam hammer, equivalent to an ordinary six ton hammer. Other disks are thus welded to the first, till the requisite length is attained. The gun is also hammered by an upright six-ton hammer. A pin is driven through the hole in each disk after it is welded on, into the corresponding hole in the next disk, to open and preserve the line of the bore. The forging is upset to two-thirds of its original length, and increased in diameter two inches. The shape of the gun is that of the Dahlgren 50-pounder. The

trunnions are put on with Dahlgren's breech-strap." The gun described is intended for 50-pounder. One of these guns was fired 1,630 times with a 37 lb. rifle shot and the usual service-charge, $3\frac{1}{2}$ lbs. of powder. Another gun of the same dimensions was bored out to an 8-inch calibre, and fired 438 times with the 80-pounder service charge, a 67 lb. rifle shot, and 5 lbs. of powder. The Navy Board authorized the inventor to make a 13-inch gun on this principle for testing the endurance of his guns, and fifteen 15-inch guns if the experimental gun showed satisfactory endurance. On trial the experimental gun was ruptured very early, at the line of the transverse weld nearest the breech. This transverse weld is, in his process of making his gun, the weakest point, but the gun might be protected from rupture there by the introduction of a lining tube of ferro-metal or low steel. Aside from this defect, the gun seems to possess more desirable qualities than most wrought-iron guns, but its high price is a serious objection to it.

The "Brooke" gun, which aside from the Armstrong and Whitworth guns imported from England, has been the principal rifled gun employed by the rebels, is a 7-inch cast-iron gun, made at the Tredegar Works, Richmond, and having a wrought-iron reinforce two inches thick. The particulars concerning it, as obtained by Mr. Holley, in London, were as follows: Total length, 146.05 inches; length of bore, 179.9 inches; length of wrought-iron reinforce, 30 inches; length from muzzle to centre of trunnions 80.5 inches; length from centre of trunnions to forward end of reinforce, 10.9 inches; diameter of bore, 7 inches; diameter of muzzle, 14.55 inches; diameter of cylindrical part of casting under reinforce, 27.2 inches; diameter over reinforce 31.2 inches. The rifling consists of 7 grooves 1-10 of an inch deep, very slightly rounded at the corners, with one turn in 40 feet. The grooves vanish as they approach the chamber.

The most eminent European artillerymen now advise the use, for siege purposes or in naval battles with iron-clad vessels, of the elongated shell, like the Whitworth shell made sufficiently strong to answer the purpose of punching the walls of a fortification or the sides of an armored ship nearly or quite as well as the solid elongated shot, and the charging this shell with gun-cotton closely packed. The projectile thus charged has an explosive force many times greater than gunpowder, and destroys with terrific energy any thing and every thing around it.

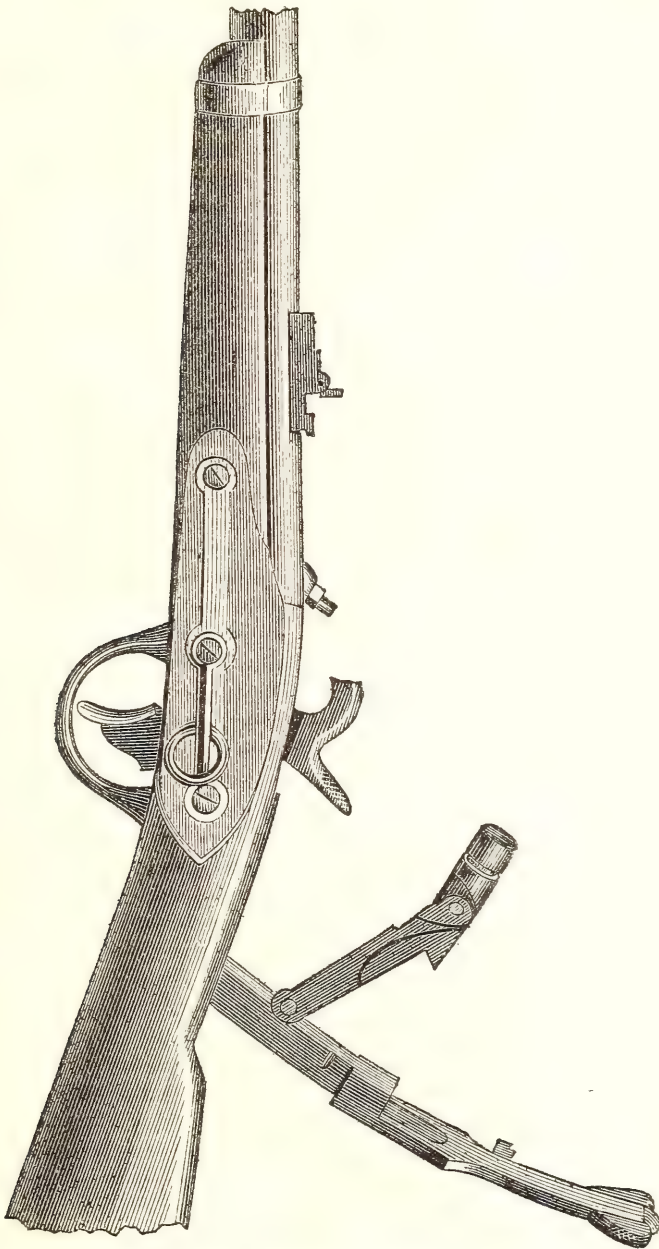
The gun-cotton, when enclosed in a strong iron box and fired by a fuse, is also of great service in making an opening through strong palisades, blowing-in the gates to fortifications, or destroying the strongest bridges, tearing the strongest and heaviest timbers into bundles of loose fibres, which have the appearance of having been chewed.

The improvements in the construction of small arms within the past few years, have

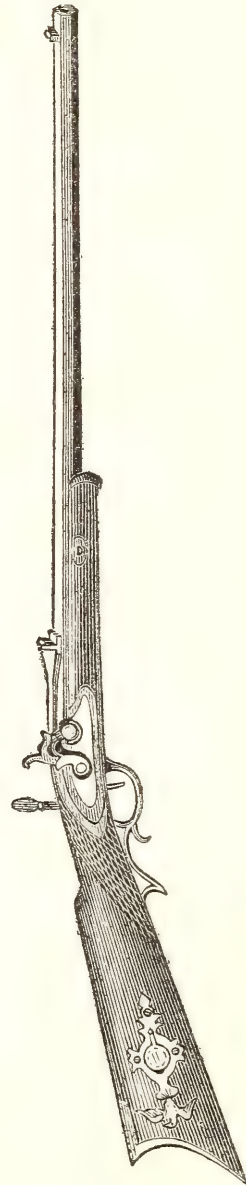
been even more remarkable than those which have been made in cannon. The old classification of breech and muzzle loaders is still maintained; but while, for the greatest possible accuracy in target-shooting, or that capacity for hitting with almost unerring certainty a small object at very long range, which has been displayed by some of our sharpshooters, the American target rifle, with its "telescopic sight," "false muzzle," and "starter," have no equal, the weapon is too heavy (weighing from 26 to 50 lbs.), and too delicately constructed, to answer for military service or for hunting, where it must be carried by the huntsman. The Springfield government rifle, a muzzle loading weapon without the adjuncts named, to insure perfect accuracy, is nevertheless as good a muzzle-loading rifle as can be made for military use, where weight, facility of carriage, and ease of handling are concerned.

It is worthy of note, however, that all the improvements in the rifle which have been made within ten years past have been confined to the breech-loading weapon. Breech-loading guns may be divided into two general classes, the first including those which may be loaded with loose powder and ball, or a paper, linen, or metal cartridge requiring a cap for its ignition, and the second those which use a metallic cartridge, having the fulminating composition in its base, which is fired by a blow of the hammer directly upon the cartridge itself. This last class may be further subdivided into those which use only a single metallic cartridge, and require reloading after each shot, and the magazine, or repeating rifle, in which a number of cartridges are inserted in a receptacle prepared for them, and which may then be fired in rapid succession till the magazine is emptied.

The metallic cartridge certainly possesses



Merrill Rifle in position for cleaning.



Merrill's Sporting Rifle.

some advantages over the ordinary paper or linen cartridge, or over the method of loading with loose powder and ball. It is water-proof, avoids the difficulty of loading in the ordinary way. Where, in the excitement of battle, the bullet is often put in before the powder, obviates the necessity of measuring the charge, does away with the ramrod, the priming wire, and the percussion cap, and enables the soldier to deliver his fire with great rapidity, without sacrificing precision or aim. The principal and most serious objections to them are their liability to premature explosion in the hands of the gunner (which seems to be obviated in some of the rifles using this cartridge), and the danger of their explosion from concussion, as by a serious blow on the cartridge-box of the soldier, or its being struck by a bullet or a fragment of shell.

The first of the breech-loading rifles which have come into very general use was SHARPS', a very simple but effective weapon, using ordinarily a patent cartridge with a conical ball, the cartridge enclosed in stout linen, but capable of being used effectually also with loose powder and ball. It may be fitted with Sharps' or Maynard's primer, or with a percussion cap. The rifle is small, light, and has a very long range, and is thus an excellent weapon for cavalry service, for which purpose it has been largely used.

The MERRILL rifle, the invention of a Baltimorean, belongs to the same class as Sharps', and like it uses the prepared paper cartridge and conical ball, or the ordinary round ball with loose powder. It is fired with the common percussion-cap. It is said not to be liable to fouling or to the escape of gas at the breach, and to possess a range fully equal to the Sharps'. It is so simple in its construction that muzzle-loading rifles of any pattern can be easily and without weakening transformed into breech-loaders, on its plan, and the Government have caused large numbers of rifles to be thus changed with great advantage. Two drawings are subjoined (see previous page), showing the construction of the military rifle and the sporting-rifle complete. The cavalry carbine of the Merrill patent weighs but $6\frac{1}{2}$ lbs. and the infantry rifle but 9 lbs.

ASHCROFT's rifle, another new weapon belonging to the same class, is highly commended by Mr. H. W. S. Cleveland, author of "Hints to Riflemen," and decidedly one of the highest authorities in this country on the subject of rifles for military or sporting use. "The breech block of this rifle is constructed with a cylindrical gas-check, which enters the breech of the barrel and shuts against a shoulder; and this gas-check being slightly concave in its external form, the effect of the explosion is to strengthen and thereby to lengthen it, so as to press it against the shoulder, and effectually to prevent the slightest escape of gas. The proof that it does so is afforded by the fact that it has been fired eight hundred times in succession without cleaning, and the working of the parts was as

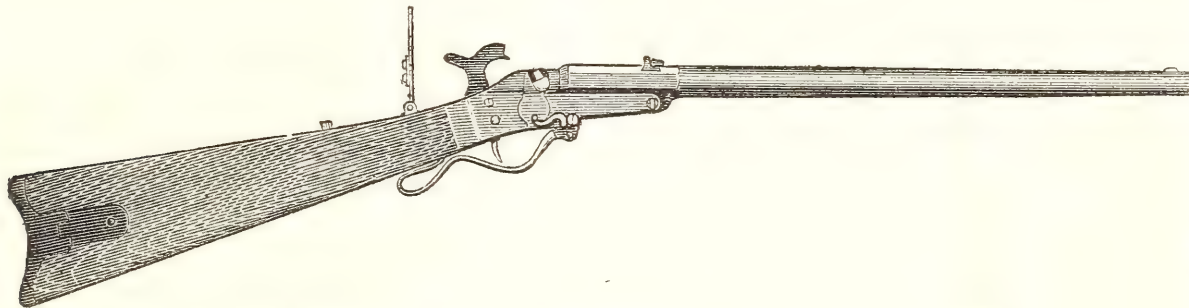
easy at the last as at the first, and the gas-check itself remained as bright and unsullied as before it was used, which would not have been the case had there been any escape of gas." . . . "The whole arrangement of the working parts is admirably simple and effective, and no breech-piece of solid metal could be more safe and unyielding than this when fixed in position; and by a very simple arrangement, it is impossible to fire the gun till this position is attained." Mr. Cleveland made a thorough experiment of the powers of this rifle, in comparison with several others, as to the penetration of the shot at thirty yards. The target was made of inch pine boards, free from knots and of even grain, and it exceeded all others except the Greene rifle, of which we shall speak presently, which was a much longer weapon, and used a heavier bullet and a much larger charge of powder. As compared with the Sharps' rifle of the same length and using the same cartridge, its average penetration was found to be one inch greater.

GREENE's rifle, patented by Lieut. Col. J. Durell Greene, United States Army, in 1857, and now manufactured at Worcester, Mass., is a weapon of great merit. Though a breech-loader, its construction is entirely different from any other rifle in the market. It has been introduced into the French and Russian service, and is regarded with great favor in both. This is the only rifle manufactured in this country on the Lancaster system of rifling, that is, with an elliptic instead of a grooved bore, which imparts the rotary motion by giving the longest diameter of the ellipse a turn of three-fourths in the length of the barrel. The bullet is round, but assumes the elliptic shape on entering the barrel, though the variation from a sphere is but slight. The peculiarities in the construction of the gun are as follows: a cylinder of iron containing a breech-plug, which slides backward and forward within it, is inserted at the breech of the barrel, and moved forward by a projecting knob, which moves in a slot on the top of the barrel till it closes the breech, when it is turned to the right and secured in place by shoulders. The knob is held by a catch, which may be loosened by pressing a pin at the breech of the barrel. The hammer is on the under side, in front of the guard, and the nipple is so arranged that the fire is first communicated at the forward end of the cartridge, thus insuring the ignition of all of the powder. The cartridge has the bullet in its base, with a greased wad between it and the powder, which, with the bullet, packs the joint perfectly at every discharge, and prevents the slightest escape of gas. After each discharge this bullet is pushed forward by the breech plug to the end of the chamber, the cylinder is then drawn back, and the cartridge inserted in the slot which is thus opened. The cylinder is then pushed forward, pressing the cartridge before it, and the knob being turned to the side and the nipple capped, the

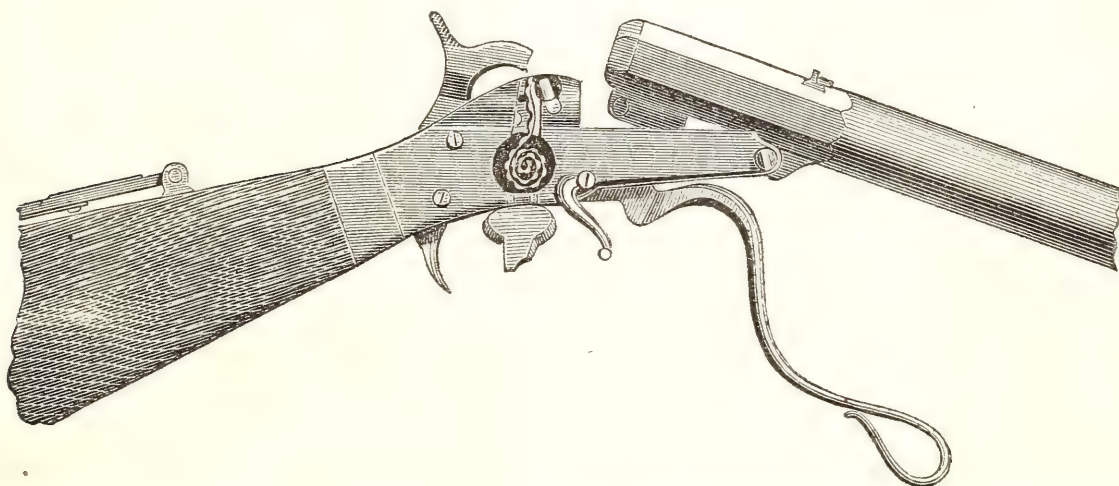
gun is ready to fire. The movements are perfectly simple, and all the parts are strong and well adapted to stand the rough usage of military service. The Greene rifle is made with a 36-inch barrel, and this size carries a bullet weighing 575 grains or $1\frac{1}{3}$ ounces, and requires a charge of 88 grains of powder. With this charge its power of penetration is greater at thirty yards than any other of the modern rifles with the possible exception of the Whitworth, in which a leaden bolt, not a ball, is used. In Mr. Cleveland's experiments with ten different rifles, this penetrated his target of pine boards thirteen inches, while the Ashcroft penetrated eleven inches, and the others ranged from six to ten inches. It is fair to say, however, that the others had all shorter barrels, ranging from twenty to thirty-one inches, and carried smaller bullets, the charge of powder being also less.

The MAYNARD rifle, invented in 1851 by Dr. Edward Maynard, of Washington, D. C., but since that time considerably improved, is a most ingenious instrument, and for efficiency, strength, and simplicity has hardly been equalled. It is remarkably compact, and without any sacrifice of strength. The barrel can be disconnected from the stock by the removal of a single pin, and the whole gun can then be packed in a case $20 \times 6 \times 1$ inch. Barrels of different calibre, either for shot or rifled, may be fitted to the same stock and changed in a

few seconds. Springs, bolts, and catches are not used in this rifle, but the ends required are attained by the careful adjustment and excellent finish of the several parts, which work with mathematical precision, and give it the solidity of a mass of steel, which is not affected by any strain to which it can be exposed. The ammunition is contained in a metallic cartridge, having an aperture in the base through which the fire is communicated from the cap. These cartridges are so constructed that when charged, by means of a very simple implement which accompanies every gun, the ball is not only of necessity mathematically exact in its position, but is held, without compressing the cartridge (as is done in the self-exploding cartridges) simply by being fitted to it, so firmly that it cannot be moved after being placed in the chamber (which is enough larger than the calibre to admit of the presence of the cartridge), in any direction except with a perfectly true delivery through the calibre. The cartridges can be used over and over again for an indefinite period, being loaded by the gunner himself. There is also an arrangement for using loose ammunition, the ball being first inserted at the breech, and followed by a cartridge or charger, which is simply filled from the flask at each shot. By a recent improvement the empty cartridge after firing is started from its place by the act of raising the breech for reloading, so that it may easily be withdrawn.



MAYNARD RIFLE.—Fig. 1. Showing Rifle loaded, cocked, and with back sight raised.



MAYNARD RIFLE.—Fig. 2. Showing Rifle in position to receive the cartridge, and with the magazine also opened, showing the primer.

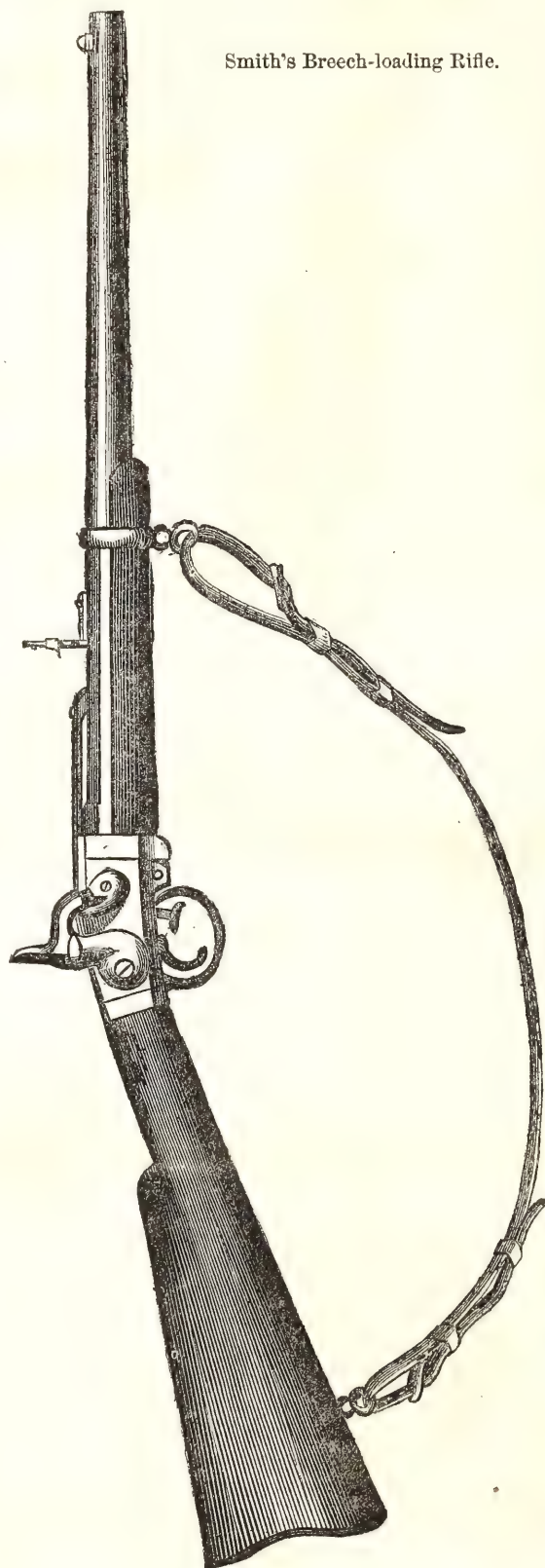
The Maynard primer, used in connection with this rifle, and invented for it by Dr. Maynard, consists of a narrow strip of varnished paper of double thickness, having deposits of fulminating powder in cells between the two, at equal distances apart. Each strip contains three dozen of these cells, equivalent to the same number of caps. The strip is coiled in a magazine concealed beneath the lock-plate, and brought up by the motion of a wheel in the act of cocking, so as to bring a cell directly upon the top of the nipple. The fall of the hammer explodes it and at the same time cuts off the paper behind, so that it is not seen again till the gun is again cocked. Mr. Cleveland, after long experience, prefers the smaller sized barrel ($\frac{3.5}{10.9}$ inch calibre) to the larger, which is of half inch calibre, as being better adapted to its charge. He says of this smaller calibre, "In accuracy and force I have never seen it surpassed by any gun fit for field service." We subjoin two cuts of this rifle, one showing it loaded, cocked, and with back sight raised; the other in position to receive the cartridge, and with the magazine opened, showing the primer.

The SMITH'S patent breech-loading rifle, manufactured by Poultney & Trimble of Baltimore, is another very simple, yet accurate and effective rifle. The cuts show its construction as completely as any description. There is nothing about it which can get out of order. Its range is 2,000 yards or more, and it can be fired ten times a minute. The cartridge used for this rifle is a metallic one, but the case collapses after firing, and can be withdrawn by a single motion of the finger. It has not the fulminating powder, but uses an ordinary percussion cap.

The BURNSIDE rifle belongs to the same class. It is now manufactured by the Burnside Rifle Co. in Providence, and is a breech-loader, having a breech-piece of wrought iron morticed to receive the chamber and movable breech-pin. The upper end of this breech-piece is screwed to the lower end of the barrel, which is of cast-steel and rifled with a gain-twist. The opening and closing the guard and its attachments are analogous to those of opening and closing a door by a thumb-latch and catch. The cartridge is similar to that of the Smith rifle; but by a slight peculiarity in its construction, and that of the chamber and perforated platinum case which fits to it, it is water and air-tight when loaded. It is fired with a common percussion cap.

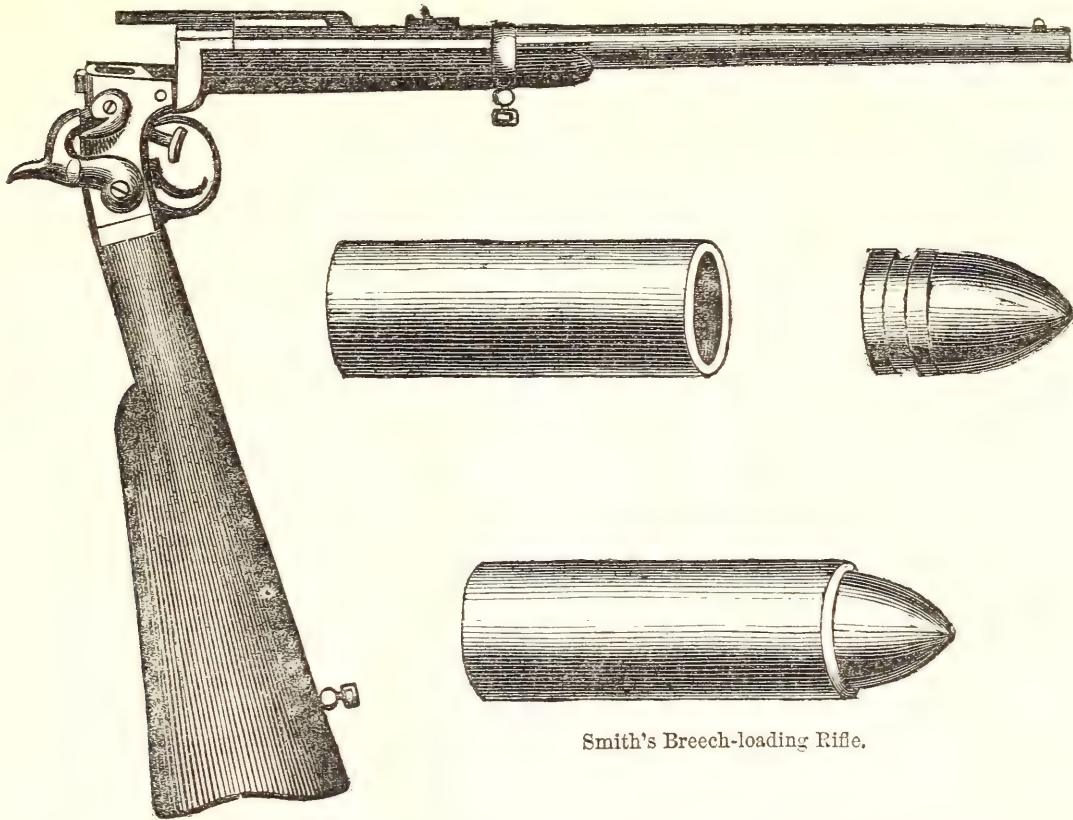
Of the rifles using the self-exploding metallic cartridge, two only have much reputation, among those which are not repeating guns, and must be recharged for every shot. These are F. Wesson's and Ballard's. The Wesson rifle is light, the 24-inch barrel weighing only six pounds, and the 28 and 34-inch barrels not over seven and eight pounds respectively. Dr. I. J. Wetherbee, of Boston, an experienced and skilful shot, gives the result of extensive trials of this rifle with others, and gives it the pref-

erence over all others in accuracy, penetration, and range, and thinks it equal in rapidity of firing to most others. The 28 and 34-inch barrels he regards as preferable to the 24-inch. At the Massachusetts State trial of breech-loading arms at Readville, the Wesson rifle placed twenty successive shots in the target at 200 yards, and 50 shots were fired from it in less than five minutes. The annexed cuts repre-



Smith's Breech-loading Rifle.

sent it in position for loading, and ready to fire. In loading, the breech is elevated by a movement somewhat like that of the Maynard. The empty cartridge is then withdrawn by hand, a new one inserted, and the barrel restored to its place, in which it is held by a

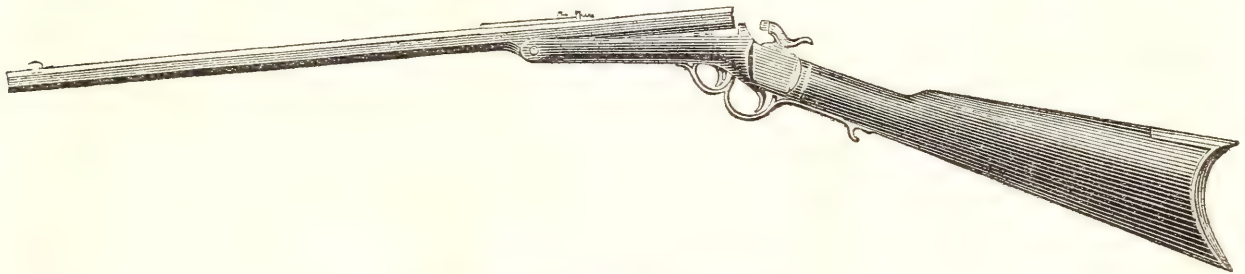


Smith's Breech-loading Rifle.

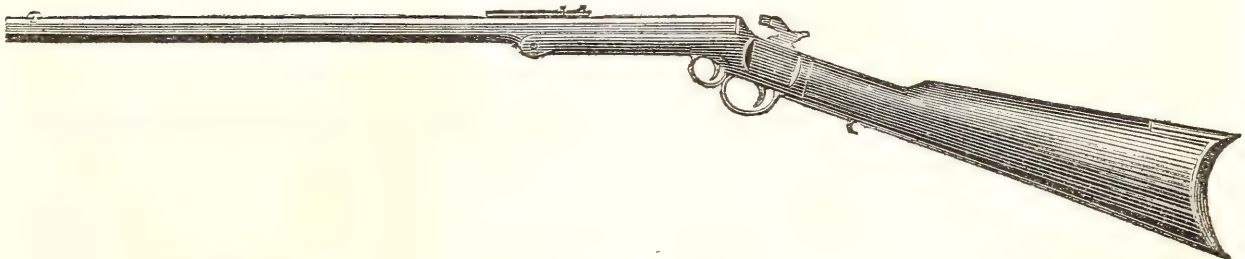
catch, which is loosened by a trigger in front of the one by which the piece is discharged. The hammer cannot be drawn back beyond half-cock till this catch has secured the barrel

in its place. The piece is remarkable for elegance of form and perfection of mechanical finish.

The BALLARD military rifle is so arranged



Wesson's Rifle in position for loading.



Wesson's Rifle ready to fire.

that it may be used with the metallic cartridge or with the ordinary soldiers' cartridge, to be fired with a cap. The breech of the rifle is opened for the insertion of the cartridge, by drawing down the guard, when the breech-

block sinks perpendicularly, carrying the hammer with it, and throwing it back to half-cock. The empty cartridge is then removed by means of a finger-piece under the barrel, attached to a slide, which pushes out the cartridge by

pressing against its flange, and is then restored to its place by a spring. The rifle shoots with great accuracy, putting every shot into a six-inch ring at four or five hundred yards, in the hands of a good marksman. The velocity of its shot is somewhat less than that of the Weston, Maynard, or Colt rifles.

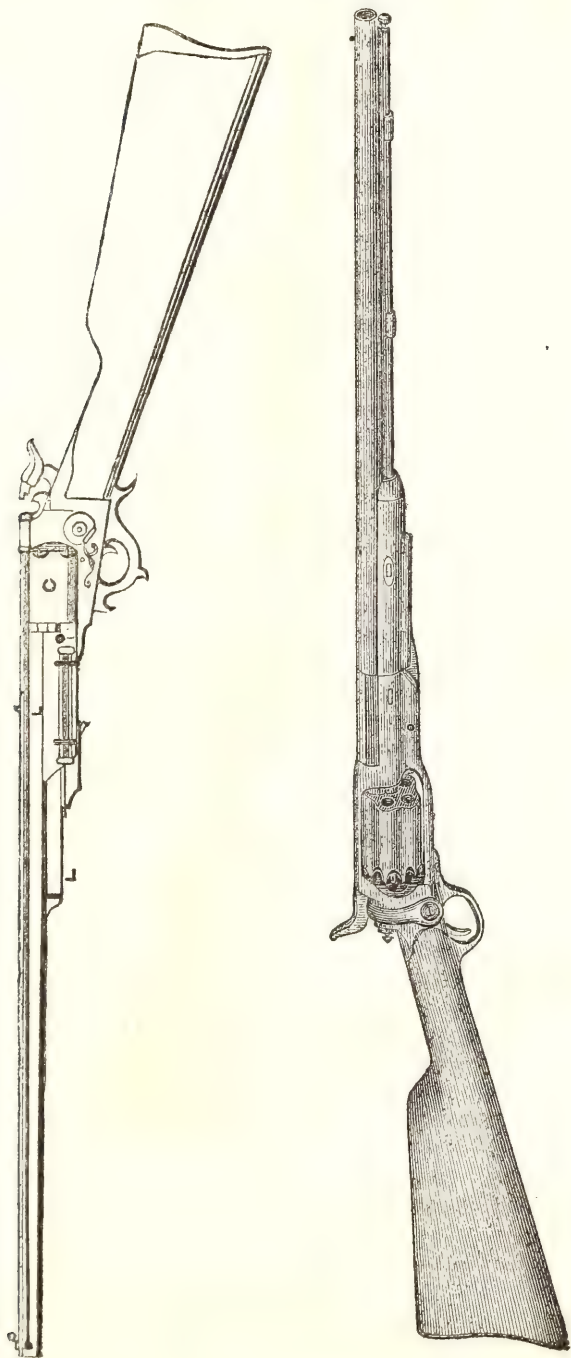
There are three models of repeating arms which have gained a high reputation: Colt's revolving rifles, and the Henry and Spencer repeating rifles.

The Colt's rifle is constructed on the same general principle as his pistols. A revolving chamber, fitted either for five or six shots, receives the charges, which may be either loose powder and ball or cartridges; a rammer, which

is moved by a lever, insures their being sent home perfectly true, and the balls fit so exactly to the bore of the chambers as to close them hermetically. The calibre of the barrel being .02 of an inch less than that of the chambers, the ball is necessarily forced to fit itself exactly to the grooves, which are seven in number, and cut with a gain twist (that is, revolving more rapidly toward the muzzle than toward the breech of the gun.) The charge is fired with a cap, and the working of all the parts is simple and exact. Like all of the weapons from this famous manufactory, the excellence of the material and workmanship are not surpassed. The annexed cuts give an idea of the construction of this rifle:

Mr. Cleveland states that he has with open sights placed ten successive shots from this rifle in a nine-inch ring at two hundred yards, and Lieutenant Hans Busk, of the Victoria Rifles, placed forty-six out of forty-eight shots inside a twenty-four-inch ring at four hundred yards, and the other two less than an inch outside, while eighteen of the forty-eight were inside a ring eight inches in diameter. He says: "For efficiency and strength of shooting nothing can beat it." General Marcy, U. S. A., pronounces it the most reliable and certain weapon to fire that he has ever used, and says, that if he were alone upon the prairies, and expected an attack from a body of Indians, he is not acquainted with any arm he would as soon have in his hands as this. The objections to it are, that it takes longer to load than any of the other breech-loaders; but when loaded, its five or six shots can be delivered with great rapidity; it is not so easy to clean as the metallic cartridge rifles, and is liable to be affected by dirt and rust in its working parts to an extent which would be objectionable to its military use. For hunting purposes it is admirable.

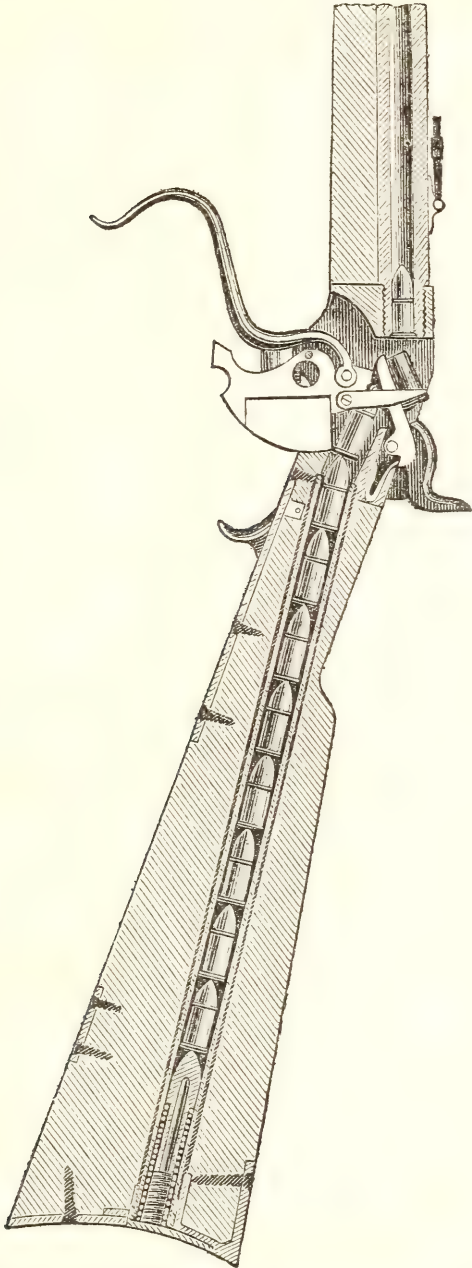
The SPENCER repeating rifle is a comparatively new arm, having been patented in 1860. It uses the metallic self-exploding cartridge, and has a magazine in the breech of the gun securely protected from all danger of accidental explosion, containing, in the army and navy rifle seven, and in the sporting rifle nine, cartridges, which are fed successively to the chamber by means of a spiral spring, and with such precision as to avoid the possibility of their not taking the grooves properly. An ordinarily skilled marksman can discharge the seven loads in twelve seconds, and whole platoons of soldiers waiting for the word of command can fire with good aim once in three seconds. When the seven charges are fired, the rifle is held with the muzzle pointing downward, and a tube being withdrawn, which contains the spiral spring which pushes the cartridges forward, they are dropped into the magazine and the tube replaced. The operation requires but a very short time, and the soldier or sportsman is ready to fire his seven shots again. The gun is not liable to foul or to get out of order,



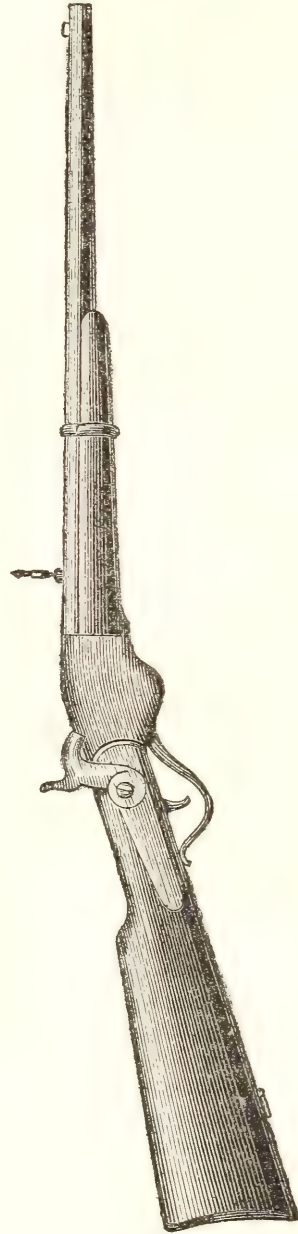
COLT'S RIFLE.

and its range and force are good. It will throw a ball two thousand yards, and will seldom miss its mark at from seven hundred to a thousand. At a distance of from thirty to fifty yards, it will penetrate a pine target to a depth of from nine to thirteen inches. It was used with terrible effect by the Union troops at Gettysburg and Chickamauga, and in some other battles of the war. At Gettysburg, it was said by eye-witnesses that the head of the column (opposed to the troops armed with this weapon), as it was pushed on by those behind, appeared

to melt away or sink into the earth, for though continually moving it got no nearer. Acting Brigadier-General John T. Wilder, of the Army of the Cumberland, in command of a brigade of mounted infantry armed with this rifle, wrote on the 28th of November, 1863, that at Hoover's Gap, June 24th, 1863, one of his regiments defeated a rebel brigade of five regiments, killing and wounding over five hundred, while their own loss was only forty-seven; and that from April to November his command had captured over 2,800 officers and men, losing as prisoners



Section of carbine, showing cartridges in magazine, with lever down and breech open.



Spencer Rifle.

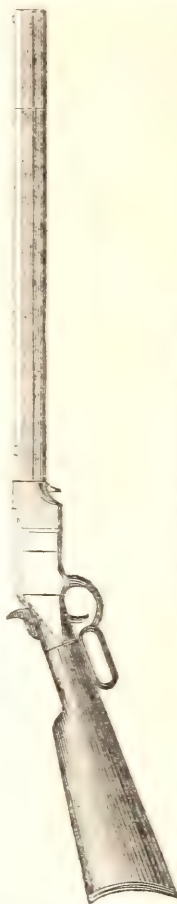
in the same period only six men. The sub-joined cuts exhibit fully the mechanism of the magazine and lock.

HENRY's repeating rifle is a still later invention, patented, we believe, in 1861. The principal novelty in this gun is the magazine and the manner of loading from it. It consists of a metal tube under the barrel, extending its entire

length, of sufficient diameter to admit the cartridges freely. A section of this tube near the muzzle contains a spiral spring to throw the cartridges upon a carrier-block in the rear, and by means of a metallic sleeve five inches in length, embracing the barrel of the gun at this point, can be revolved upon the axis of the bore so as to open the magazine, and admit the

introduction of the cartridges, of which it holds fifteen. Upon closing it, after filling, the spring throws a cartridge upon the carrier-block, which, by a forward movement of the trigger-guard, is raised to a level with the chamber, the hammer, by the same movement, being carried to a full cock. A reverse movement of the guard, bringing it to its place again, forces the cartridge into the chamber, and the gun is ready to fire. The ammunition is fixed, metal cased, with fulminate or cap in the rear. The hammer, upon falling, strikes a rod, or breech-pin, upon the front of which are two sharp points, which are driven into the rear of the cartridge, thus exploding it. The weight of the gun complete is about 10 pounds; it has six shallow grooves, each $\frac{1}{10}$ of an inch in width, with a gaining twist. The cartridge weighs 295 grains. In an experiment at the Ordnance Department, Washington, 120 shots were fired in five minutes fifteen seconds, including the time spent in reloading.

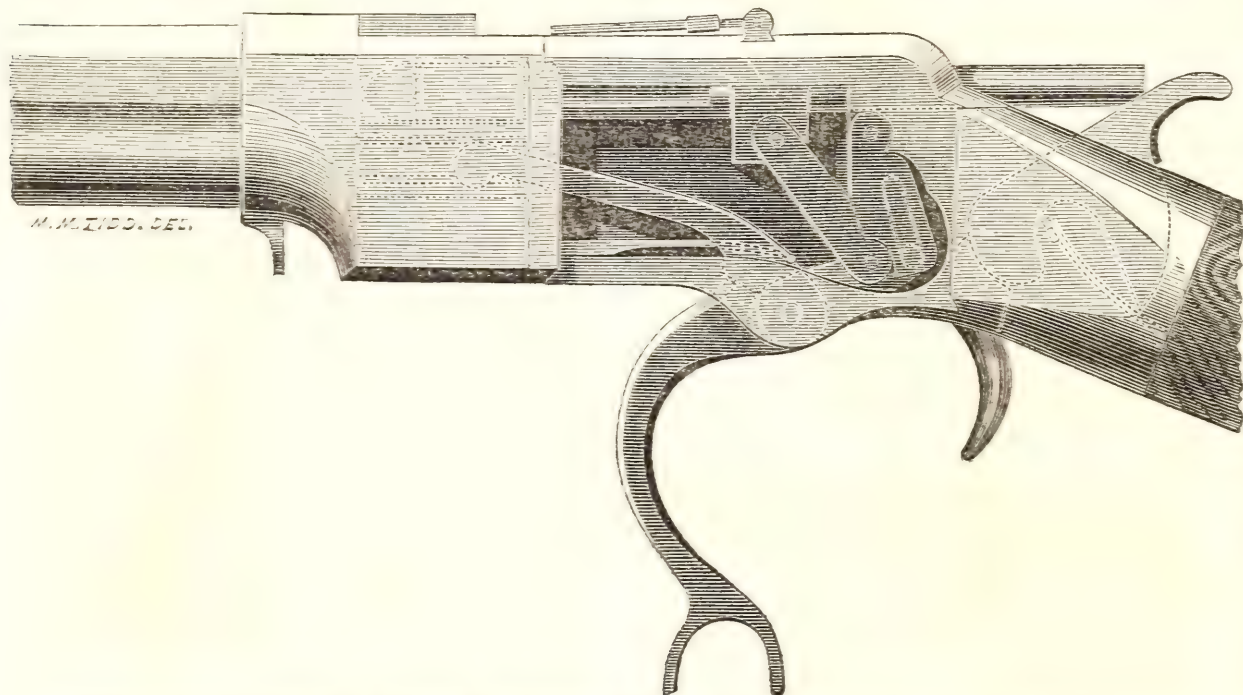
The following cuts show the construction of the rifle. The little projecting piece on the under side, in the first cut, directly in front of the shoulder, at the breech of the barrel, is the finger-piece connected with the follower on the end of the spiral spring. To load the magazine this finger-piece is drawn up to the lower end of the sleeve, which is then turned far enough to allow the follower to rest on the edge of the magazine, where it is held in place till the cartridges are dropped in.



Henry's Repeating Rifle.

This gun is not remarkable for accuracy at long distances, but at one hundred yards or thereabouts it is a very effective weapon. The sudden reduction of half the thickness of the barrel for five inches from the muzzle probably impairs its accuracy at long range. Its magazine, being in a thin metallic tube under the barrel, is liable to be indented by a shot or accidental blow, which would prevent the cartridges from sliding down, and as they cannot be easily introduced into the barrel in any other way, this would render the gun nearly useless. The necessity of leaving an open slit for the finger-piece to slide in exposes the contents of the magazine to the influence of dust and wet, which would tend to clog the passage and rust the spiral spring. Still this weapon has many excellent points, and in its method of loading, the capacity of its magazine, and its rapidity of firing, it surpasses any other repeating rifle. It is stated on

good authority that Col. Nelter, while raising a

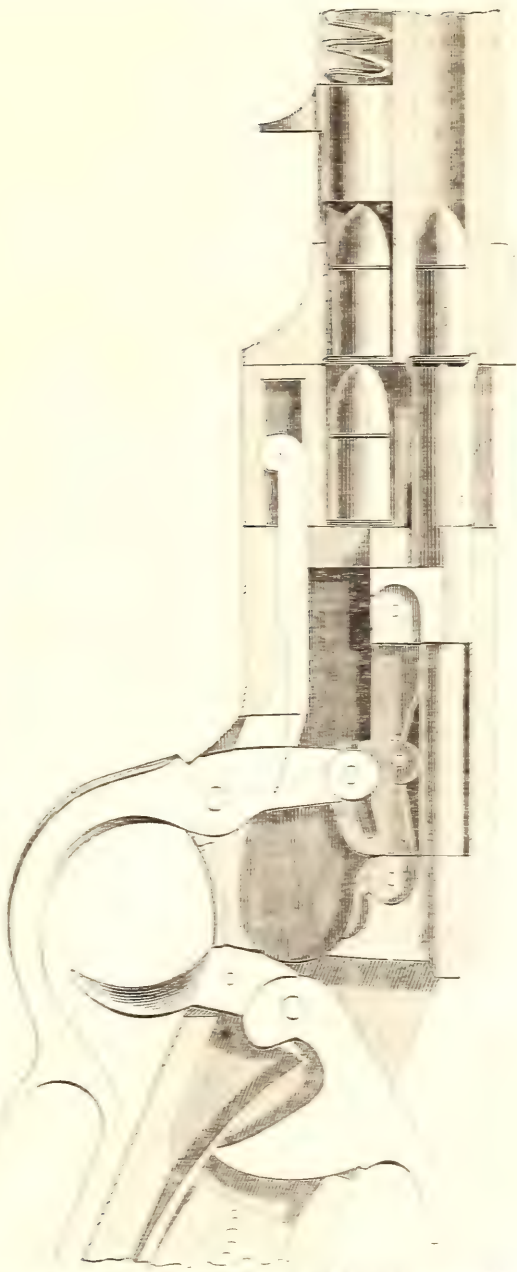


Sectional view of working parts, showing the operation of removing the empty cartridge and cocking the hammer.

regiment of Kentucky volunteers at Owensboro', Kentucky, sent out fifteen of his men armed with this rifle on a scout. They were attacked by a rebel force of two hundred and forty soldiers in an open lane where there was no shelter, and owing to their capacity to main-

tain a rapid and continuous fire, they successfully repulsed and drove from the field the entire rebel force. Capt. James M. Wilson, Co. M, 12th Kentucky cavalry, was attacked in his own house by seven mounted guerrillas armed with Colt's revolvers. He sprang for a log cabin

Revolving view of working parts, with guard reloaded to place, and ready to fire.



When the guard is closed the hammer falls on the cylinder, and the cylinder is locked in place, and the revolver is ready to fire.



Muzzle of the gun with guard open and magazine open to receive the cartridge.

of his assistants with the shot, the other two springing for their horses, one of them he disabled with his sixth shot and killed with the seventh; the other he killed with the eighth. The State of Kentucky, in consequence of this, soon armed his company with this rifle.

The Warrwean rifle, which is manufactured either as a breech or muzzle-loader is the only English rifle which fairly compares with our American breech-loaders. As a breech-loading rifle it has been manufactured only by Warrley Richards. It has a hemispherical bore and fires a hemispherical ball an inch and a half in length, though only $\frac{1}{2}$ of an inch in diameter. This weighs 37 grains. The bore is constructed with a complete turn in 24 inches, or one and a half turns in the length of the barrel, which is 40 inches. The charge of powder is 14 grains. It is a very efficient weapon of great range, though looking somewhat in proportion to the ball it discharges, which is made of copper, is of iron, and is not as of the ball is made of the same.

CHIEF JUSTICE. The area of this extreme north-western State is estimated at 141 square miles, and its population in 1870 was 12,000. It was admitted in 1894 to be a State. The Governor of the State is William C. Fisher, Secretary of State Samuel E. May, Treasurer Edwin W. Lusk. Their terms of office expire in the second Monday of September, 1898. Their full term of office is five years. The election for State and county officers took place in the first Monday of June biennially, except for the officers above mentioned. The last State election was held on June 8, 1896. The legislative assembly biennially at Salem, in the second Monday in September. The Senate is composed of sixteen members elected for four years and the House of thirty-eight members elected for two years. There are twenty counties in the State containing about 14,700 voters in 1894, the taxable property of which was estimated in 1892 at \$28,000,000. At the election in June 1896 our members of Congress, W. H. Harrison received 5,713 votes, and J. H. Kelly took, making the Harrison 11,426. Both House of the Legislature chosen in this election contains a Republican majority. At the Presidential election the vote of the State was cast for Lincoln 2,888, McClellan 647, majority for Mr. Lincoln 2,241.

There are eleven newspapers published in the State, two of which are daily, one daily and weekly, and the others are weeklies.

P

PATENTS. During the years 1890-92 the business of the Patent Office nearly recovered from the injurious effects which the breaking out of the rebellion in this country had upon all branches of arts and sciences.

During the year 1891 there were three thousand less applications than in 1890, and the expenses of the Department were \$84,000 more than its receipts.

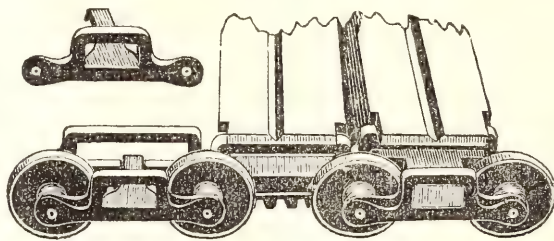
During the years 1892-93 and '94 there was

again an increase over the year 1861, until the end of 1864 showed that the receipts and number of applications were greater than ever before. The number of patents granted during the year 1864 were 4,638, being almost equal to the number granted in the year 1860.

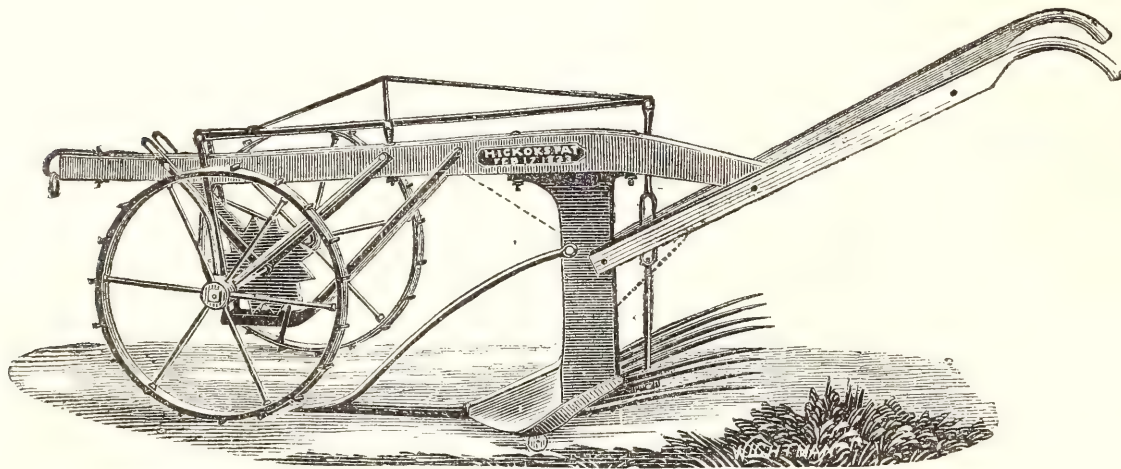
HORSE POWERS.—The horse-powers heretofore manufactured, in which the horse stands upon a travelling chain or platform upon an inclined railway, have been liable to unequal wear and injury in consequence of the small wheels at the sides of this travelling platform not being sustained on both sides, but rotating on the ends of transverse rods projecting beyond the wood platform.

The invention represented in the annexed cut overcomes the aforesaid difficulty, and consists in a metal end-piece set upon the ends of each section of the platform, and made so as to

support the wheels in bearings taking the cast-steel journals of the wheels. These are stronger, and run with less friction than those formerly made. The invention was patented by Seth Wheeler, of Albany, June 2d, 1863.



POTATO PLOUGH OR DIGGER, patented Feb. 17, 1863.—The illustration given below of this implement, will give a general idea of its character. The wheels in the front roll along



the ground as the plough is drawn forward; the projecting nose goes under the row of potatoes loosening them; the vines are held up by the curved bar extending from the nose to the main standard, so that the vines do not clog the plough, or become buried. The mould boards, at the base of the main standard, raise the potatoes and earth, and deliver them upon the set of fingers behind; these are vibrated by a connection to a toothed cam-wheel on the shaft of the wheels, so that the earth is sifted through the fingers, and the potatoes left on the surface of the earth, from which they are easily picked up.

This plough has been successfully employed, and leaves the earth finely pulverized, almost ready for another crop. S. S. Hickok, Buffalo, New York, is the inventor of this improvement.

CLASP, or Holder for Bank Bills, Napkins, &c., patented Aug. 9th, 1864, by Charles Perley.—A strip of sheet steel is bent into the shape of a flattened ellipse, the ends of the strip being formed as a pair of hooks, cut in the sheet metal and holding the clasp together, but allowing of its being opened by pressing the hooks apart sideways. These clasps make very neat and durable napkin holders, and they are

being manufactured with the names of the battle-fields of the present rebellion etched into their surface, in place of being numbered as napkin rings usually are, and they are plated both in silver and gold, making a very durable and handsome article, suitable for general use, and they carry with them reminiscences of the struggle through which this country has been passing.

SHIP MACHINERY.—Sailors are very slow in changing their notions; any new device on board of a vessel in former years was looked upon with disfavor, and Jack Tar desired only to use the same implements that he always had employed; hence the introduction of any improvements in ship machinery would not likely be adopted except in view of its intrinsic merit. Travellers on vessels doubtless have noticed that within the past fifteen years the large cumbersome wooden capstans and windlasses have given place to neat metallic ones, and that winches and heavers of various kinds are employed to do with ease, what in former years required all hands to be mustered and the assistance of passengers often employed. In this section of country no person has contributed more to the improvement of ship machinery than Charles Perley, of New York City; and

his name would become familiar to travellers if they inspected these metallic winches, windlasses, heavers, &c.

During the years 1863-'4 there were five patents granted to him for devices connected with vessels.

Vertical Windlass, patented May 5, 1863.—This consists in a capstan and two chain-wheels placed in a triangular position on a hollow iron base. The capstan can be revolved by hand-spikes, as usual, for drawing upon any rope or chain of the rigging, or it can be made to revolve (through the medium of gearing in the hollow base) either or both of the chain-wheels to draw in or let out the main chain cable of the anchor. These chain-wheels are formed with a groove or recess around them, notched to take the links of the chain, so that the chain cable does not require to be wound around several times as with the old horizontal windlass, but has only to pass about half around, coming aft on one side, going around the chain-wheel, and forward again to the opening in the deck, through which the cable passes to the chain locker below. This style of windlass is received with great favor.

Cathead Stopper (extended April 2d, 1864).—This invention, originally patented in 1850, has been of great value to vessels. It consists in a peculiar lock that holds a ring on the end of a short chain, which chain goes through the ring of the anchor. When the anchor is to be dropped, this lock is lifted—a child could do it—and the chain that held up the anchor is liberated in an instant. How different from the lashing by a rope formerly employed that passed five or six times through the ring of the anchor and over the cat-head, which was generally cut by the blow of an axe, as it was not safe to attempt to untie the rope with the weight of the anchor hanging upon it.

Windlass and Hearing Socket, patented November 13, 1849; extended November 13, 1863, and reissued January 12, 1864.—This invention allows for the removal of the cast-iron windlass head if accidentally broken, and the replacing, by the sailors, of a new one; and the socket that takes the handspike is at the inner or larger end, and out of the way in passing the rope or chain around the windlass, instead of being at the outer end of the windlass as usual before this invention.

Both the devices last named have been of so much value to the public, and so generally adopted, that the patents were extended seven years from the expiration of the first term.

Stoppers for Hawse-Pipes, patented August 9, 1864.—The introduction of vessels of war, almost submerged, as is the case with monitors and some of the gunboats in the navy of this country, has been attended with difficulty, because the chain cables to the anchors have in many instances to pass out below the water, the inner end of the chain or hawse-pipe as it rises, is but little above water line, and in a sea, or when in motion, the water flows into the

vessel through these hawse-pipes. The invention above named prevents this difficulty. A cone made in two pieces is provided, large enough to fit the inner end of the hawse-pipe, and the flat surfaces, where the two parts of the cone come together, are cut out to receive the links of the chain, so that by this conical stopper the end of the hawse-pipe can be closed perfectly water-tight around the chain. This invention has been already adopted on several vessels.

Naval Ram, patented November 14, 1864.—Vessels of war heretofore built have been protected by armor plates above the water-line, while below water the hulls are comparatively weak. This invention consists in a ram or horn fitted at the bows of a vessel, so that it can be drawn in or protruded, gates being provided to close the orifice when the ram is drawn in for loading a cannon that is employed on its end. This horn can be run into an enemy's vessel below the water-line, the cannon discharged to increase the hole, so that she will sink. The ram can then be drawn in, and the cannon at its end reloaded for an attack upon another vessel.

This invention will be mainly useful in protecting harbors against foreign war vessels.

UMBRELLAS—Tempering the Steel Ribs.—Almost all good umbrellas and parasols are now made with steel ribs in place of the whalebone formerly used. The durability of these ribs depends upon the tempering. The ribs are first hardened by heating them to a bright red heat and plunging them in oil; this renders them very hard and brittle, and to heat these long ribs uniformly, so that they will become a perfect spring from end to end and not liable to snap or to stay bent, is very difficult. A. S. Black, July 14, 1863, patented an apparatus that has been extensively and successfully employed for tempering these ribs. It consists of a cast-iron bar, in the surface of which grooves are planed lengthwise of the bar, and deep enough to receive the ribs; upon this bar a second one with a flat surface is bolted; thereby holes are left through this double bar, and this bar is placed through a small soapstone enclosure and heated by gas burners. When the bar is hot enough the ribs are passed endwise through the holes in said bar, and remain long enough to be tempered, then those previously introduced are pressed directly through and out of this tempering bar by the introduction of other ribs.

PIPES—Lead lined with Tin.—In former years attention was directed to the poisonous effects of lead pipe upon water passing through it, and many efforts were made to coat the inside with tin. It was, however, found that the coating was imperfect and of but little use. A patent was granted, March 10, 1863, to William A. Shaw, of New York, for an improvement in making this kind of pipe, that insures a perfect lining of tin. An ingot of tin is cast with a hole through it that fits over the mandrel employed

in making pipe by a hydraulic ram. The ingot of tin is introduced into the cylinder over said mandrel, and then melted lead is cast around the tin in the cylinder and the hydraulic press set to work as usual, to force out the metal between the mandrel and a round hole or die, to make the pipe. The lead and tin come out together in the form of a pipe, the tin forming a complete thin lining to the lead pipe, and when in use no portion of the lead is exposed to the action of the water, and the water remains free from mineral poisons produced by the lead.

LAMPS.—The introduction of petroleum has stimulated the inventive faculty to devise improvements that would allow of the universal use of this material in place of sperm, lard oil, camphene, etc. The large preponderance of carbon in petroleum has rendered it very difficult to burn without smoke, and any sudden motion of the lamp, or currents of air, cause flickering and smoke, and sometimes extinguish the light. To construct a kerosene lamp that would burn steady in a railroad car, regardless of agitation, has been the study of many inventors.

Among the large number of patents in this class may be named that granted April 14, 1863, to C. B. Lashar, of New York City, and which has gone into extensive use on the city railroads. The wick sets into a case made in the reservoir, there being but a small hole from the reservoir into this case, so that the oil shall always remain quiescent around the wick and not be agitated by the swaying about of the oil in the reservoir caused by the motion of the car; this insures steadiness of supply to the flame, and prevents the motion of the oil forcing the vapors in the lamp out through the wick and rendering the flame unsteady. The ram action of the oil as it sways about in the reservoir is apt to cause leakage at the supply plug; this is prevented by the use of a stationary feeding tube attached to the reservoir and passing down into the oil almost to the bottom of the reservoir, so that the agitation does not reach the plug that is inserted at the upper end of this tube. The air hole or vent on the upper part of the reservoir is formed with a conical cap soldered over it, having a small hole in its upper end, so that any jet driven out of the vents by the swaying of the oil, will be received in the conical cap and run back into the reservoir.

Various other improvements in lamps have been introduced, many of which were patented prior to 1863. The cone or deflector made of glass in place of metal, so as not to obstruct light, is now extensively used, and burners that do not require glass chimneys are manufactured in large quantities.

Several patents on lamps were granted during 1863-'4, to parties connected with Holmes, Booth, and Hayden's establishment, at Waterbury, Conn. One of these patents is for a lamp in which the deflector is made with a long slot over a round wick, so that the flame, instead of being round,

is spread out flat and much more perfect combustion produced.

Hinges are now extensively employed for connecting the burner and metal ring holding the chimney, so that the chimney can be turned back for lighting the lamp. It is important that the chimney should be sustained nearly horizontal, so that its upper end may not fall down against the table. L. J. Atwood, March 1, 1864, obtained a patent for a small wire rod or brace extending from the burner to the ring holding the chimney; this does not prevent the said ring being turned down to its place, but holds the ring and chimney from turning back too far when opened for lighting or trimming.

POINTING WIRE FOR PINS, NAILS, &c.—It has been usual heretofore, in pointing pins, needles, nails, and other small articles, to grind or file away the metal. This produces considerable loss of metal, besides which the points are generally soft and easily become blunt; Messrs. Orin Hopson, and Heman P. Brooks, of Waterbury, Conn., have invented a machine that compresses the points perfectly true, sharp, and smooth. A revolving shaft is fitted at its end with a divided die, the opening in which is of the shape of the point to be formed, and is on the central line or axis of said shaft; one-half of the die is stationary, the other is set in a jaw that can be opened slightly; around the end of this revolving shaft is a stationary ring carrying adjustable toes or cams; the wire to be pointed is entered between said dies, and as the shaft revolves, the dies are pressed together and released in rapid succession, by the moving jaw taking the stationary toes or cams. The action of this machine is very rapid and accurate; the jaws coming together reduce the wire and form a point; at the same time the metal is smoothed, compressed, and consolidated, so as to be much stiffer, and the point more durable, and there is no waste of metal. Letters patent for this invention were granted Aug. 9, 1864.

FORGE HAMMER, ATMOSPHERIC.—An air cylinder is reciprocated in slides, by means of a crank and pitman; in the cylinder is a piston, the rod of which connects to the hammer moving also in slides over an anvil; when moved slowly, the blow is light, but when reciprocated rapidly, the blow is powerful; this arises from the fact that the hammer is lifted by the air-spring formed under the piston in the reciprocating cylinder, and thrown down by the air cushion at the other end. If, therefore, the movement be rapid, the momentum causes the hammer to rise farther, and the increased compression of the air brings said hammer down with increased velocity and force. A small hole in the reciprocating cylinder near the middle, allows air to pass in and supply the place of any that may have been expelled by the piston near either end of its stroke in consequence of leakage.

These atmospheric forge hammers are in practical and successful operation for forging a variety of wrought-iron articles, and are particu-

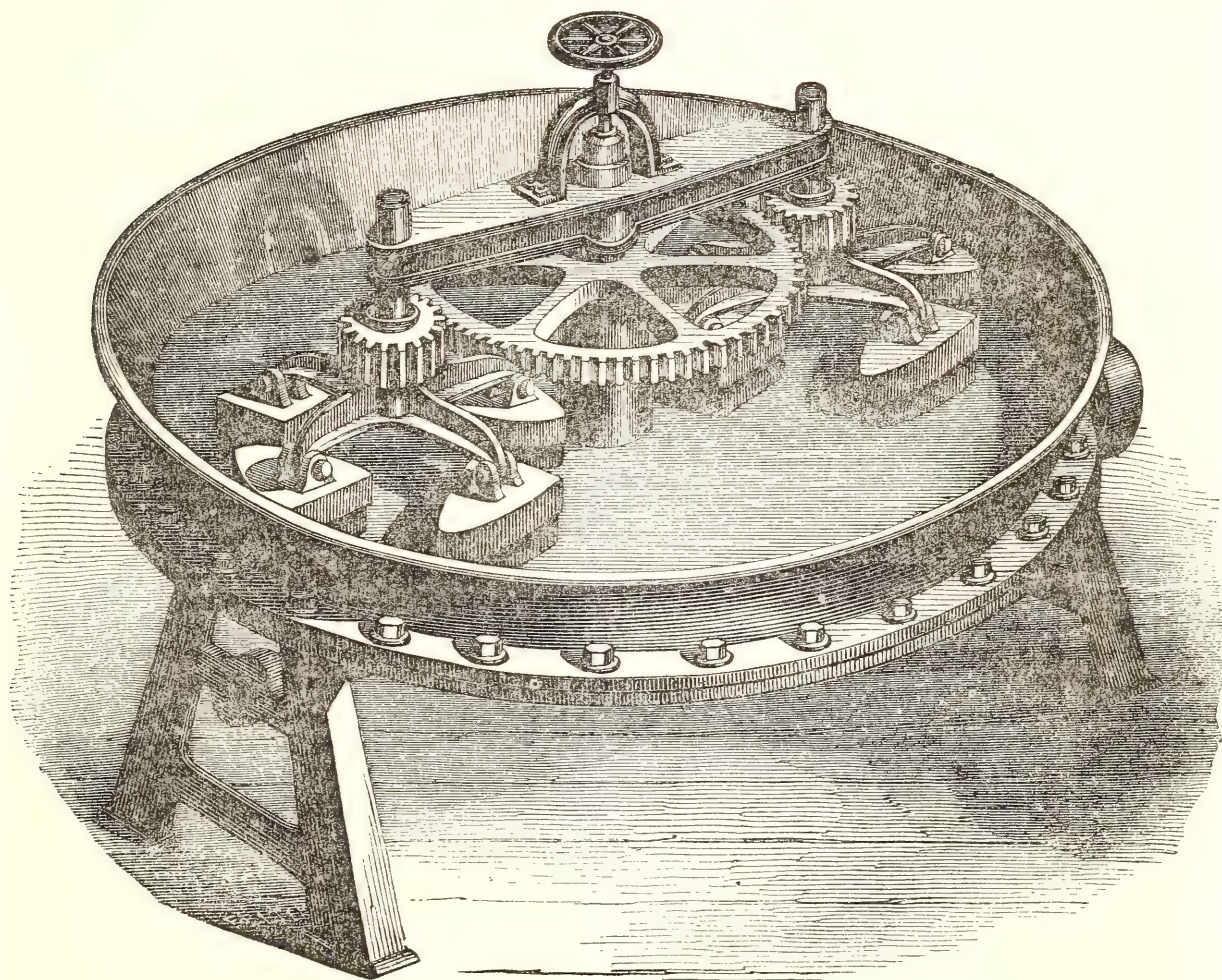
larly adapted to drawing down, swaging, and welding.

The original invention was made by Bennet Hotchkiss, and patented in 1859, and improvements on the same were patented by him, July 2, 1863, and May 3, 1864.

LARD.—Improvement in the manufacture of. It is a common practice to extract the fatty matters from refuse and scraps by a steam digester, but it is found that lard or tallow produced in this way, is not as pure and marketable as when extracted by fire heat in an open pan. George B. Turrell of New York City, has invented and patented, June 28, 1864, an apparatus for treating lard, tallow, &c., which renders steam-tried fats as pure and marketable as those tried out by fire heat; this apparatus consists in a range of horizontal pipes, one above another; the upper pipes of this range are heated by steam, while the lower pipes are cooled by a stream of water passing through them. The lard or tallow flows from the edge of a trough upon the top pipe of the range, and from one to another until it reaches the bottom. The heat of the upper pipes in this range of pipes, drives off impurities, and the air comes in contact with the thin stratum of heated fat for its purification; the lard is cooled by passing over the pipes in the lower portion of the apparatus,

and is received into a trough at the bottom ready for packing.

AMALGAMATOR FOR GOLD ORE.—One of the most common amalgamators is an iron pan into which the pulverized ore and water pass, and in this pan a pair of mullers travel around to rub and grind the fine particles of gold so that they may amalgamate with the mercury in the bottom of the pan. The revolution of these mullers produces a centrifugal action in the water, causing it to be highest at the outer edge, and hence the heavier metallic particles are more liable to escape with the tailings. Joseph Kenyon, of Black Hawk, Colorado, has invented an amalgamator which was patented July 19, 1864, and of which the cut below is a representation. The mullers are set on arms from shafts, upon which are pinions, taking the teeth of a stationary gear-wheel, so that the mullers are revolved upon their own shafts as those shafts are carried around by a revolving cross head. This apparatus is in practical operation to advantage in Colorado, and it is found that the mullers travelling in a cycloidal curve counteract the centrifugal action on the water, so that the metallic particles are not thrown off, and the amalgamation is rendered much more perfect than in the amalgamators heretofore employed.



KENYON'S GOLD AMALGAMATOR.

PÉLISSIER, AMABLE JEAN JACQUES, Duke of Malakoff and a Marshal of France, born at Maromme, near Rouen, November 6, 1794, died in Algeria, May 22, 1864. He was the son of a tradesman, and was educated at the military schools of La Flèche and St. Cyr. Shortly before the return of Napoleon from Elba he was commissioned a lieutenant in a regiment of the line, and four years later he succeeded, after a severe examination, in securing a position on the staff of the Corps d'Etat Major. He first saw active service during the Spanish campaign of 1823, where he gained the Cross of the Legion of Honor, and in 1826 he was promoted to a captaincy. After serving with distinction in the expeditionary corps in Greece in 1828, he went in 1830 to Algiers in the suite of Gen. Bourmont, and during the next two years saw much hard fighting. Returning to France on account of ill health in 1832, he went back to Algeria in 1839 with the rank of lieutenant-colonel, and for upward of sixteen years was incessantly engaged in the tedious and bloody campaigns which ended in establishing the French supremacy in the province. In 1843 he was promoted to a colonelcy, and during the insurrection of the Kabyles in 1845 he acquired an unenviable notoriety over Europe by suffocating six hundred of the Ouled Riah tribe of Arabs in a cavern at Dahra. The press of France and Marshal Soult, then Minister of War, condemned the act in strong terms, but Pélissier was in the end sustained by his Government, and the *Moniteur Algerien* of July 22, 1845, officially declared that he simply carried out the positive orders of his commander-in-chief, Marshal Bugeaud, who justified the act as a "necessity of war." In 1846 he became Maréchal-de-Camp, in 1848 Major-General and Commandant of the province of Oran, and in 1850 General of Division. For his brilliant daring in storming the desert fortress of Laghuat he was decorated by Napoleon with the Grand Cross of the Legion of Honor, and soon after the arrival of the allied English and French forces in the Crimea, was appointed to command the first corps under Gen. Canrobert. In May, 1855, the latter resigned his command in favor of Pélissier, who signalized himself by the capture of the Mamelon Vert, by his efficient coöperation at the battle of the Tchernaya, and finally by the capture of the Malakoff, September 8th, which practically decided the fate of Sebastopol. For these services he was made Marshal of France and Duke of Malakoff, and received from Queen Victoria the Order of G. C. B. He was also voted by the Corps Législatif a pension of 100,000 francs. He replaced Count Persigny as minister to England in April, 1858, but a year later was recalled to France to take command of the army of observation which was stationed at Nancy to guard against demonstrations from Germany during the Italian campaign of that year. In 1862 he was appointed Governor General of Algeria, the scene of his early career, where he managed

affairs with great skill and success until his death. He had previously been appointed a Member of the Privy Council, Vice-President of the Senate, and Grand Chancellor of the Legion of Honor. Pélissier was a good specimen of the soldier, honest, straightforward, and courageous, but ruthless when necessity imposed a severe task upon him, coarse and brusque in manners, and vain to excess. He made a poor figure as a diplomatist or courtier, and was only thoroughly at home in the camp or on the march.

PENNSYLVANIA. The uniform prosperity of this wealthy State experienced no change during the year except the destruction occasioned by the enemy in some of the Southern counties. Agriculture was prosperous and industry well rewarded. The internal system of improvements undertaken by the State some years ago created a heavy debt, the burden of which still continues. On Dec. 1st, 1864, it was as follows:

Amount of public debt of Pennsylvania, as it stood on the 1st day of December, 1863.....		\$39,496,596 78
Deduct amount redeemed at the State Treasury during the fiscal year ending with November 30th, 1864, viz.:		
Five per cent. stocks.....	\$104,722 73	
Four and a half per ct. stocks...	10,000 00	
Interest certificates.....	2,270 11	116,992 84
Public debt Dec. 1st, 1864.....		\$39,379,603 94
Funded debt, viz.:		
Six per cent. loans, ordinary ...	\$400,630 00	
Five per cent. loans, ordinary ..	35,605,263 72	
Four and a half per cent. loans, ordinary.....	253,200 00	\$36,264,093 72
Unfunded debt, viz.:		
Relief notes in circulation.....	97,251 00	
Interest certificates outstanding	13,086 52	
Interest certificates unclaimed.	4,443 38	
Domestic creditors' certificates.	724 32	115,510 22
Military loan, per act 15th, May, 1861.....		\$36,379,603 94
		3,000,000 00
Total public debt December 1st, 1864		\$39,379,603 94

The State holds bonds received from the sale of the public works, amounting to ten million three hundred thousand dollars. These bonds in the sinking fund reduce the public debt to \$29,079,603.

Some dissatisfaction was created among the holders of the State bonds by the refusal to pay the interest due upon them in specie. This is the second occasion upon which the State has considered it necessary to adopt this course. The embarrassments which the country experienced in 1837 caused a suspension of payment in specie by Pennsylvania; but in June, 1840, the Legislature passed an act which appropriated sufficient money to reimburse the bondholders for the difference in value between specie and suspended bank currency, and then declared by resolution "that hereafter the interest falling due on Pennsylvania stocks, shall always be paid in specie or its equivalent."

Upon this pledge the existing loans were made, and mostly at the low rate of five per cent. interest. A correspondence upon the subject took place between the State Treasurer and one of the English bondholders, Sir Henry Holland, in December, in which the Treasurer states his views of the necessity as follows:

The Legislature last year saw fit to alter that policy, and our interest is now paid in United States notes.

This action of our Legislature was induced by the extraordinary circumstances in which the nation was placed, and I am free to give it as my opinion that, although the United States have made their notes a legal tender in all transactions, and we have no State revenue in coin to meet our interest, that our justification in a departure from paying it in coin can only be found in one of those State necessities which vindicate a nation in temporarily postponing its obligations, in order to preserve the power to discharge them at a future day.

I am also free to say, that my feelings of sympathy for the holders of our securities in your country have been very much weakened by the action of your people since the expression of my opinion to the Legislature to which I have called your attention.

For four years our National Government has been struggling to put down a most wicked and causeless rebellion upon the part of some of the States of this Union, and the enormous expenses incident upon this war in which we have been engaged to preserve the life of the nation, must be met by the various States of the Union, and the amount of those expenses which has thus been thrown upon the citizens of our State would have paid the entire amount of our debt more than four times over.

In this struggle we looked for no assistance whatever from your people or your Government, and desired none; but we did hope and believe, and had a right so to believe, that your people and your Government would give no countenance or assistance to the rebels who were in arms against our Government and its authority. In this we have been disappointed; and I believe that but for the granting of belligerent rights to the rebels by Great Britain, and the assistance and countenance which they have received from her people, we should have long since put down this rebellion, and you would have had no occasion to "protest" against what you term "a repudiation of the obligations of a State."

It is true we have no positive evidence that the holders of our bonds in your country are among those who have given aid or countenance to our enemy, but it is also true that all the public expressions of sympathy in your country for our nation in this its hour of trial have come, with a few noble exceptions, from that class in your midst who are unable, from their position in life, to own public securities of any kind.

We have looked in vain for any openly-expressed sympathy for our nation from that class in your country who represent its wealth and official position, with the few exceptions I have before admitted, while we do know that our enemy has received so much aid, assistance, and sympathy from this class of your people, and protection in many instances from your Government, that it has needlessly prolonged this rebellion, and added hundreds of millions to the expenses necessarily incurred by the State in its suppression, besides largely increasing the sacrifice of life and the sufferings of the people.

While I do not offer these facts as an excuse for our State for the action she has taken, as she needs no excuse at my hands, I do allude to them as reasons why the holders of her securities in your country have much less cause for complaint than they otherwise would have, and why your protest does not carry that weight and force which, in my opinion, it would possess did these facts not exist.

The receipts of the Treasury during the fiscal year, ending Nov. 30th, together with the balance of the preceding year, were \$6,-880,644. The payments during the same period were \$4,938,441; leaving a balance of \$1,942,203. The revenue derived from a tax on banks during the year was \$539,606. So many of them are now becoming National Banks, that this source of revenue may now be considered as substantially extinguished.

The contribution of the State to the military service of the United States has been as follows:

Troops sent into service during 1864:	
Organizations for three years' term.....	9,867
Organizations for one hundred days' term.....	7,675
Organizations for one year's term.....	16,094
Volunteer recruits.....	26,567
Drafted men and substitutes.....	10,651
Recruits for regular army.....	2,974
Reënlistments of Pennsylvania volunteers:	
Infantry.....	12,862
Cavalry.....	2,834
Artillery.....	799
Accredited to other States.....	889
	<hr/> 17,876

91,704

Troops sent into the service of the United States since the commencement of the rebellion, including the ninety days' militia in the Departments of the Monongahela and Susquehanna in 1863:

During the year 1861.....	130,594
" " 1862.....	71,100
" " 1863.....	43,046
" " 1864.....	73,828
Reënlistment of Pennsylvania volunteers.....	17,876

336,441

The twenty-five thousand militia of 1862 are not included in this statement.

The system of bounties to volunteers was attended with serious evils in some parts of the State. In some counties and townships the bounty tax during the year is estimated to have exceeded the average income derived from the land. The large sums offered in some places in the competition for men have demoralized many of the people, and the most atrocious frauds connected with the system have become common. The men of some of the poorer counties have been nearly exhausted by their volunteers being credited to richer counties which paid higher bounties. Of the number of men to whom bounties have been paid, it is believed that not one-fourth have been actually placed in the ranks of the army, and even those who have joined it have probably not, on an average, received for their own use one-half of the bounty paid for them. The quota of the State under the call for 300,000 in December, 1864, was 66,999. The opinion of the Supreme Court of the State, declaring the conscription act unconstitutional, was by a change in the judges reversed. The question came up on a motion to dissolve an injunction granted at the time of the first decision.

An act was passed by the Legislature at its special session in August to enable the soldiers in the field to vote at elections. The first requisite for a voter, if a soldier, was that he should be assessed and pay a tax of ten cents in the township in which he belonged. This

tax was in lieu of all other personal taxes. The place of such election was thus designated :

A poll shall be opened in each company, composed, in whole or in part, of Pennsylvania soldiers, at the quarters of the captain, or other officer thereof, and all electors, belonging to such company, who shall be within one mile of such quarters on the day of election, and not prevented by order of their commanders, or proximity of the enemy, from returning to their company quarters, shall vote at such poll, and at no other place; officers other than those of a company, and other voters, detached and absent from their companies, or in any military or naval hospital, or in any vessel or navy yard, may vote at such polls as may be most convenient for them, and when there shall be ten or more voters at any place, who shall be unable to attend any company poll, or their proper place of election, as aforesaid, the electors present may open a poll, at such place as they may select, and certify in the poll-book, which shall be a record of the proceedings at said election, substantially in manner and form as hereinafter directed.

The officers of the election were to be chosen by the persons present, and the election was to be conducted as within the State, so far as relates to ballots, poll-books, challenges, &c., &c. The result, with the poll-book, was then to be sent to the prothonotary of the county where the voters belonged. Officers and soldiers on detached service, in numbers less than ten, were authorized to send their votes to a friend to be deposited by them on the day of election.

The entire vote of the State, at the Presidential election, was 572,702, which was given as follows:

	Lincoln.	McClellan.
Home vote.....	269,679	263,967
Soldiers' vote.....	26,712	12,349
	<hr/> 296,391	<hr/> 276,316

Majority for Mr. Lincoln on the home vote, 5,712; do. on the soldiers' vote, 14,363. Total, 20,075.

Of the members of Congress chosen at the election in October, 16 were Republicans and 8 Democrats.

The Legislature chosen at the election in October was divided as follows:

	Senate.	House.
Republicans	20	64
Democrats	13	36
	<hr/> 7	<hr/> 28
Republican majority.....	7	28

On July 3d a force of the enemy moved up the Shenandoah valley to invade Maryland. At that time Pennsylvania was called upon for volunteers to be mustered into the Federal service for a hundred days. Six regiments were thus organized in Pennsylvania, Maryland, and Washington and its vicinity, and a battalion of six companies. In the latter part of the month the regiments were withdrawn to Washington, and only the battalion remained.

On Friday, the 29th of July, the Confederate brigades of Johnson and McCausland, consisting of from 2,500 to 3,000 mounted men, with six guns, crossed the Potomac at Clear Spring Ford. They commenced crossing at ten o'clock, A. M., and marched directly on Mercersburg. There were but forty-five men picketed in

that direction, under command of Lieutenant McLean, U. S. A., and as the enemy succeeded in cutting the telegraph communication, which from that point had to pass west by way of Bedford, no information could be sent to Gen. Couch, by telegraph, who was then at Chambersburg. The head of this column reached Chambersburg at three o'clock A. M. on Saturday, the 30th.

The brigades of Vaughn and Jackson, numbering about 3,000 mounted men, crossed the Potomac at about the same time, at or near Williamsport; part of the command advanced on Hagerstown; the main body moved on the road leading from Williamsport to Greencastle. Another column of infantry and artillery crossed the Potomac simultaneously at Sheppardstown, and moved toward Leitersburg. Gen. Averill, who commanded a force reduced to about 2,600 men, was at Hagerstown, and being threatened in front by Vaughn and Jackson, on his right by McCausland and Johnson, who also threatened his rear, and on his left by the column which crossed at Sheppardstown, he therefore fell back upon Greencastle.

Gen. Averill, it is understood, was under the orders of Gen. Hunter, but was kept as fully advised by Gen. Couch as was possible, of the enemy's movements on his right and to his rear. Gen. Couch was in Chambersburg, where his entire force consisted of 60 infantry, 45 cavalry, and a section of a battery of artillery, in all less than 150 men. The six companies of men enlisted for one hundred days remaining in the State, and two companies of cavalry, had, unders from Washington, joined Gen. Averill. The town of Chambersburg was held until daylight, by the small force under Gen. Couch, during which time the Government stores and trains were saved. Two batteries were then planted by the enemy commanding the town, and it was invested by the whole command of Johnson and McCausland. At 7 o'clock, A. M., six companies of dismounted men, commanded by Sweeny, entered the town, followed by mounted men under Gilmore. The main force in line of battle, a demand was made for \$100,000 in gold, or \$500,000 in Government funds, as ransom, and a number of citizens were arrested and held as hostages for its payment. No offer of money was made by the citizens of the town, and even if they had any intention of paying a ransom, no time was allowed, as the enemy commenced immediately to burn and pillage the town, disregarding the appeals of women and children, the aged and infirm. Gen. Couch withdrew his command, and did not himself leave until the enemy were actually in the town. General Averill's command being within nine miles of Chambersburg, efforts were made during the night to communicate with him. In the mean time, the small force of Gen. Couch held the enemy at bay. Gen. Averill marched on Chambersburg, but did not arrive until after the town was burned and the enemy had re-

tired. He pursued and overtook them at McConnellsburg, in Fulton County, in time to save that place from pillage and destruction. He promptly engaged and defeated them, driving them to Hancock and across the Potomac.

On April 6th the Department of Monongahela was annexed to that of the Susquehanna, and Gen. D. N. Couch assumed command of both.

Some difficulties occurred in Clearfield County between persons who had refused to respond to the draft and the officers who were sent to apprehend them. One or two persons were killed. Recruiting agents from nearly every county in the State were appointed by Governor Curtin to obtain men from the insurrectionary States to fill the State quota.

The amount of hard and soft coal mined and sent to market within the limits of the State during 1864, is estimated as exceeding fourteen millions of tons. At seven dollars per ton, this staple brought ninety-eight millions of dollars. For the details relative to the development of petroleum, *see* PETROLEUM.

The question whether the law making United States Treasury notes a legal tender for debts, was applicable to the discharge of money due for ground-rents on a stipulation to pay the amount in coin, was several times before the courts of Pennsylvania, and was differently decided. In April a decision was rendered in the District Court of Philadelphia, in the case of *Mervine vs. Sailor*—being an action to recover damages for a breach of covenant. Defendant had covenanted to pay a yearly ground rent of \$570 "lawful silver money of the United States, each dollar weighing seventeen pennyweights and six grains at least." When the July rent became due, the defendant tendered the amount in United States Treasury notes, which plaintiff refused to receive, demanding silver dollars. Suit was brought, and the defendant pleaded tender as aforesaid. To this plea the plaintiff filed a replication averring that the defendant did not tender in silver dollars, etc., but in promissory notes or paper money of the United States, of the nominal value of \$285, but of 40 per cent. less exchangeable value. To this the defendant filed a special demurrer, averring that the promissory notes so tendered were lawful money of the United States and a legal tender in payment of all debts. The opinion of the court was delivered by Judge Hare, rendering judgment on the demurrer for the defendant, thus deciding that the treasury notes are a legal tender and should have been received in payment of the rent. Judge Sharswood delivered a dissenting opinion.

In May, Judge Agnew, of the Supreme Court, delivered an important opinion in the case of *Shallenberger vs. Brinton*, in which he decides that a ground-rent is a debt, and payable in legal tenders, in a case where the covenant was to pay the interest in "lawful silver money," and the clause of extinguishment stipulated for

the principal of the ground-rent in lawful money as aforesaid. Judge Agnew decided differently from Judge Allison in two similar cases in which he had delivered opinions.

In November, in the United States Circuit Court for the Eastern District of Pennsylvania—Judges Grier and Cadwallader on the bench—an opinion was delivered in the case of the Philadelphia & Reading Railroad Company *vs.* Chas. Moulson *et al.*, which was before the court in the shape of a bill in equity to compel the defendants to accept in extinguishment of the principal of certain ground rents, to the amount of \$300,000, the legal tender notes of the United States. The opinion of Judge Grier was as follows:

Coined money, in modern times, forms but a very small portion of the current money used in commercial transactions. Paper money representing credit has long been used as current and lawful money. But no one could be compelled to accept the promise of a bank to pay money instead of the coin itself. The notes of the Bank of the United States, issued under the authority of the Government, were current money, and lawful money, because issued by such authority, but were never made a legal tender for the payment of debt.

A contract made in the United States for the payment of a certain number of dollars would be construed as meaning, not Prussian dollars or Spanish milled dollars, but lawful coin of the United States. The addition of the description "lawful money of the United States" is entirely superfluous, and does not change the nature of the obligation. The statutes of Congress always make a distinction between a lawful or current money and that which shall be a tender for payment of debts. Hence, we find that when such is the intention, the language is, "And shall be a legal tender," etc.

Some coins of the Government are a legal tender below a certain amount, but not beyond. Thus, by act of 9th February, 1793, after the expiration of three years all foreign coins except Spanish milled dollars shall cease to be a legal tender. By act of April, 1806, "foreign gold and silver coins shall pass current as money within the United States," and be a legal tender for the payment of all debts, etc., at the several and respective rates following, etc. Again, by act of 28th June, 1834, "the following gold coins shall pass as current money, and be receivable in all payments by weight at the following rates," etc.

Hence we find that in all cases where other money than the coinage of the United States ordered to be received as current or lawful money, the statute carefully provides the rate and conditions under which they are made a legal tender for payment of debts. It is clear, therefore, that Congress has always observed the distinction between current and lawful money which may be received in payment of debts, if the creditor sees fit to accept it, and that which he may be compelled to accept as a legal tender. It is clear, also, that if Congress make any other thing than their own coin a legal tender, it may be used as such. Thus, in the act authorizing the National Banks, their notes are made a legal tender for certain debts due to the Government for taxes, etc., but not for debts due from one citizen to another.

The Treasury notes are made lawful or current money "and a legal tender for debts," etc., as between individuals. As this is the first act in which this high prerogative of sovereignty has been exercised, it should be construed strictly. It is doubtful in policy and dangerous as a precedent.

The only question then is whether this case comes within the letter of the statute. Is the money which

may be paid to extinguish a ground-rent within the category of the act? Is it a debt? The owner of the land is not bound to pay it. The owner of the rent cannot compel him to pay it. There is no obligation as between the parties. It cannot be converted into an obligation by the election of one of the parties without the consent of the other. A man may execute his bond to me voluntarily, but unless I accept it he does not become my debtor.

These ground-rents, in the nature of a rent service, are somewhat peculiar to Pennsylvania, and little known in other States. But the Supreme Court of the State has clearly settled and determined their nature. The cases are too well known to the legal profession to need a quotation. "A rent service (say the Court in *Bosler vs. Kuhn*—8 Watts & Sergeant, 186) is not a debt, and a covenant to pay it is not a covenant to pay a debt. The annual payments spring into existence, and for the first time become debts when they are demandable."

I am of opinion, therefore, that the tender offered by the bill in this case is not authorized by the statute, and that the respondents cannot be compelled to extinguish their estate in the land by such a tender as that now made. The bill must, therefore, be dismissed.

PERIT, PELATIAH, an American merchant, born in Norwich, Conn., June 23, 1785, died at New Haven, Conn., March 8, 1864. He was descended from a Huguenot family which sought a refuge in this country at an early period in the colonial history. His maternal grandfather was the well-known Pelatiah Webster, of Philadelphia, author of various financial essays which were published at the time of the formation of our National Government, and in his family the subject of our notice found an early home upon the death of his father. His preparation for college was made in Philadelphia and New Haven, and he graduated from Yale College in the class of 1802, spending the following year in teaching a private school in his native town, while considering the question of devoting himself to the ministry.

A weakness of his voice deterred him from this course, and he entered upon a life of business in Philadelphia. In 1809, choosing a commercial career, Mr. Perit removed to New York City, where he soon rose to eminence. In 1817 he became one of the partners in the well-known firm of Messrs. Goodhue & Co., shipping merchants extensively engaged in foreign commerce, and continued in that firm until its dissolution in 1863. From 1853 to 1863 he was President of the Chamber of Commerce of the State of New York, and in that capacity took a prominent part in the public affairs of the commercial metropolis. His life was not devoted to business alone, throughout its whole course he was an active supporter of the institutions of Christian benevolence. The American Board, the American Tract Society, the Bible Society, the Seamen's Friend Society, the Sailor's Snug Harbor, and the New York Orphan Asylum, were among the objects to which he devoted his special attention. He was also at one time a trustee of the New York University, and of the Union Theological Seminary. His philanthropic sympathies were strong and deep. During the terrible epidemic of cholera which

swept the city in 1832, and thousands were flying from danger, he saw the difficulty of filling the ward committees for the distribution of public charity, and sought, himself, a place among the number.

Residing in the Sixth Ward, the section which fell to his care bordered on the "Five Points," one of the most deadly portions of the city. Here he faithfully performed his work of love, relieving the distressed, ministering to the sick, and offering spiritual consolation to the dying. His characteristic sympathy for the poor and suffering led him to take an earnest and prominent part in the repeated movements in New York for the starving population of Ireland.

At the time of his death Mr. Perit was engaged in the preparation of a work for the Government on the Commerce of the United States, which was nearly completed.

PERU, a republic in South America. Its area is estimated at 508,986 square miles, and the population (in 1860) at 2,865,000; the majority of the inhabitants are descendants of Spaniards mixed with Indians.

The executive power is entrusted to a President, assisted by a Vice-President, both elected by the people for a term of six years. The Senate, in 1864, was composed of 36 members, and the House of Representatives of 86. The president of the Republic is at present General Don Miguel Anthony Pezet, elected Vice-President of the republic in April, 1862; succeeded to the presidency at the death of President San Ramon, April 3d, 1863.

The revenue of the republic, in 1861, amounted to \$21,245,832, about three-fourths of which (\$16,921,751) were derived from the sale of guano. It is calculated that the deposits on the guano islands, particularly the Chincha and Lobos Islands, contain about 16,000,000 tons, of the estimated value of eighty millions sterling. The amount of guano exported from the Chincha Islands in 1863, was 313,479 tons. The total amount of exports, in 1863, was \$32,598,610. The public debt on December 31st, 1863, amounted to \$34,288,243.

The army, in 1864, was composed as follows:

Infantry, 12 battalions of 700 men each.....	8,400
Cavalry, 4 regiments of 300 men each.....	1,200
Artillery, one regiment of infantry and one of cavalry, 1,000	
Gendarmerie (infantry 4,380, cavalry 1,028).....	5,408
Total.....	16,008

The fleet, in 1864, consisted of eight steamers and ten sailing vessels, together carrying ninety guns.

A highly-important discovery was made by the Peruvian steamer Morano, sent to explore the Amazon. It safely arrived at the Port Mayro, having solved the problem of the navigation of the grand pathway which unites the Atlantic with the Virgin and very rich mountains of Peru, and which opens a route for direct communication between Peru, Europe, and the eastern coast of the continent. Mayro is situated ninety-five leagues from Lima. The Morano draws seven feet of water, and from Nauta

to the mouth of the Pichio, where a port is to be established, the navigation is from eight to ten days, judging, however, with only an imperfect knowledge of the rivers explored. These eight or ten days are employed in going up rivers and only five in going down. Small steamers may easily go higher than Mayro. It has thus been established that vessels of considerable size have been able to penetrate the American continent to the foot of the Andes, at a distance of ninety-five leagues from the coast of the Pacific. The Morano, after having crossed the Atlantic from England, ascended seven hundred leagues of the great river Amazon, and two hundred leagues more of the Ucayli and the Pichitea, rivers which, until now, have never been navigated, save by the canoes of the Indians. The banks of these rivers are inhabited by tribes of savages, who may be easily conciliated by the adoption of proper measures to that end. As regards the mountains explored, they are rich beyond conception.

In March, the Peruvian Government became involved in a very serious difficulty with Spain. The Cabinet of Madrid sent Señor Mazarredo to Lima, in order to arrange with the Peruvian Government certain questions arising out of claims of Spanish residents against Peru. According to the Lima papers the claims of the Spanish Government originated in a local dispute at Talambo between some Peruvian land-owners and some colonists whom they had imported from the Basque provinces of Spain, leading to violence, in which two persons were killed and four wounded. The important point to be noted is that the Spanish Government interfered while the Peruvian courts of justice were still occupied with the matter. There was no pretence for accusing Peruvian justice of needless delay, as the conflict at Talambo only took place in August, 1863, and there had been a rapid succession of judgments and appeals, and the highest judicial authority had still to pronounce final sentence, when the Spanish Admiral Pinzon and Señor Mazarredo interfered in the name of Spain.

As soon as Mazarredo arrived in Lima, he claimed that the Peruvian Government should recognize his character of Commissioner with which he was invested. The Peruvian Government offered to assist the Commissioner in the fulfilment of his mission with all the means in their power; but at the same time, in order to avoid farther difficulties, it declared that it would be convenient to define the sense of the word Commissioner, as the international law does not recognize amongst diplomatic functionaries Royal Commissioners, a title which until now has been given to agents appointed by the Spanish Government to arrange a certain class of affairs in their colonies. To admit Mr. Mazarredo in the character of Commissioner seemed to admit that Peru was a colony of Spain. In order, however, that this demand should not be interpreted as a refusal

to enter into relations with the Spanish Commissioner, the Government of Peru declared that it would recognize Señor Mazarredo as Confidential Agent. This did not satisfy Señor Mazarredo, who retired from Lima, addressing to the representatives of the foreign powers a memorandum, in which the charges of Spain against Peru were summed up. On the 12th Señor Mazarredo left Callao in the Covadonga, and arrived at the Chincha Islands on the 14th in the morning, exactly at the same hour when the frigates Resolucion and Triunfo arrived from Valparaiso at the islands.

On the 16th the Spanish squadron appeared at the port of Callao with the intention to seize the Peruvian squadron which, not being in condition to accept the combat for want of munitions, put itself under shelter of the batteries of the fort "del Puente." Admiral Pinzon sent a despatch to the Minister of Foreign Affairs, in which he declared that the conduct of the Peruvian Government toward Spain had obliged him to take possession of the Chincha Islands until further orders arrived from the cabinet of Madrid, and furthermore that he retained as hostages several officers of the Peruvian navy to be answerable for any injury inflicted upon Spanish subjects. To this note was added a declaration, in which, after stating that truce only continued between Spain and Peru, the independence of Peru not being recognized, and that right of property to the Chincha Islands could be revindicated by Spain, Messrs. Pinzon and Mazarredo signified that they had resolved to take possession of all the islands and vessels of war of Peru.

Pinzon and Mazarredo having agreed together, and the Spanish vessels having anchored at the Chincha Islands, they summoned the Governor and the Commander of the transport Iquique to surrender, allowing them a term of fifteen minutes, and threatening to bombard the island in case of resistance. The Peruvian force on the islands amounted only to 150 men charged to guard 200 convict prisoners. The Governor protested in the name of the Government and the Republic against such an abuse of power, and the Spaniards landed to the number of 400 to 500, taking possession of the islands, hoisting the colors of Spain, and arresting the governor, the captain of the port, and the commander and officers of the Iquique.

The report of these outrages produced an extraordinary excitement throughout Peru. In Lima the different officers of State, the scientific bodies, the colleges, the societies of all kinds, the corporations of all trades, all classes of society, offered to Government their lives and properties in defence of their fatherland. The municipality and the functionaries of the courts of justice equally protested, and offered their services for the defence of the country. The Archbishop of Lima, the ecclesiastical Chapter, the regular and secular clergy, also gave proofs of great patriotism, offering their moral, and if

necessary, physical coöperation for the same purpose. All the religious communities made similar manifestations, and several of them placed their revenues at the disposal of the Government.

The foreign residents in Lima were equally unanimous in the manifestation of their sympathy. The citizens of the United States residing at Lima and Callao, met on April 27th, in the Cabildo of Lima, and unanimously passed the following resolutions:

1. *Resolved*, That the seizure of the islands, vessels, and citizens of Peru, by the naval forces of Spain, is a flagrant act of perfidy, a grievous outrage on the rights and sovereignty of Peru, and a gross violation of the rules of international law observed by civilized nations.

2. *Resolved*, That we regard the guano islands as a trust held by Peru, to be administered in the general interest of mankind, and that their possession by any strong maritime power involves the danger of an oppressive and uncontrollable monopoly, injurious to the agricultural world, against which it is the duty of industrial nations to protest, and, if necessary, interfere.

3. *Resolved*, That we see in this new act of aggression only another development of that unholy conspiracy against popular freedom, which not content with repressing the peoples of Europe, has fostered civil war at home, given up Santo Domingo to the cruelties of Spain, plunged Mexico into the horrors of war, and seeks to impose on her a monarchical form of government, in hostility to the wishes and welfare of her people, and which has, for its final and cherished object, the destruction of Republican institutions and the subversion and absorption of the American Republics.

4. *Resolved*, That past aggressions and impending dangers impose on the American Republics the duty of immediately combining in an effective union for mutual defence and protection, and for the preservation of the institutions bequeathed to them by a Washington and a Bolivar.

5. *Resolved*, That we deeply sympathize with the people of Peru in this the hour of their trial, and that while we commend to them the glorious example of the patriots of Santo Domingo, we cordially extend to them all the aid and assistance in our power compatible with our international obligations.

6. *Resolved*, That in the recognition of the *Monroe doctrine* consists the safeguard and only defence of the sister republics of this Continent; and that whilst the true policy of each of them is to throw open its ports to foreign emigration, that he who casts his future in a foreign land should be content to be governed by the same laws, and should, in times of public danger, hold himself liable to the same sacrifices, as those who by birth or their own free election have become citizens.

The British subjects of Lima and Callao met at the house of the British Chargé d'Affaires, and resolved to petition their Government for immediate intervention, in order to secure a speedy adjustment of the existing difficulties. Similar resolutions were passed by a meeting of French residents. The Italians and Germans were still more emphatic in their protest against the Spanish aggression, and organized companies of volunteers who placed themselves at the disposal of the Government. At a meeting of the Spanish residents, it was

Resolved, 1. To appoint a commission to ask of

Admiral Pinzon the deliverance of the Peruvians taken as hostages. 2. To express their gratitude to the authorities of Peru and to Peruvian society in general, for their noble and generous conduct toward them under the present circumstances. 3. To send a commission to Spain in order to present to Queen Isabella a statement declaring that the Spaniards residing in Peru are enjoying the most ample guarantees.

The Minister of Foreign Affairs as soon as he received the news of the seizure of the islands, addressed a note to the Diplomatic body, protesting before all civilized nations against the violent spoliation inflicted upon Peru, declaring, besides, that such a depredation argued nothing against the political personality of Peru, nor against her rights as a free and sovereign nation.

The foreign Ministers forming the Diplomatic body, taking into consideration the reasons adduced by the Minister of Foreign Affairs, and the declaration issued by Messrs. Pinzon and Mazarredo, met on the 20th with their senior, the Honorable Christopher Robinson, Esq., Envoy Extraordinary and Minister Plenipotentiary of the United States in the chair, and declared their regret that the Commissioner and Commander General had not been guided in their proceedings by international law, and that they did not accept the right of revindication invoked as one of the motives of the occupation, but would consider the islands as belonging to Peru.

In order to meet the necessities of the situation, the Government applied to the Permanent Commission of Congress, asking for authority to raise a loan of twelve millions of dollars, increase the navy up to twenty vessels of war, and the army to the strength that might be necessary. The Permanent Commission voted unanimously to authorize the Executive to raise a loan of fifty millions, augment the army to thirty thousand men, and the navy to twenty vessels, with the obligation to give an account of the use made of this authority to the ordinary Congress in July.

In virtue of this authority, the Government gave the order that every battalion of infantry and of marines be increased to the number of one thousand men, the regiments of cavalry to five hundred, and the corps of gendarmes to such a number as seemed necessary, calling all Peruvians wanting to take an active part in the national defence, to a voluntary enrolment. Active measures were taken to put the navy on a war footing.

The Government also ordered the organization of the National Guard all over the Republic, excepting from service only the individuals belonging to the army, navy, and gendarmes. At the same time the Government opened a subscription for a National Loan (*Emprestito Nacional*) for ten millions of dollars.

The excitement produced in the other republics of South America was equally intense, and on all sides offers of aid were made to the Peruvian Government. This was especially so in Chile, the Government of which republic

forbade the Spanish war vessels to coal in the ports of the Republic.

The Peruvian Congress met in July, and had a stormy debate on the Spanish question. After twenty days' discussion it passed the following law :

ART. 1. The Executive shall make use of every ordinary and extraordinary means and resources which are legally within its powers, to defend, by force, the integrity of the National territory against all aggression or usurpation already consummated, or which in future may be attempted to be consummated.

ART. 2. Congress resolves that the Executive power do make war against the Spanish government ("Haga la guerra al Gobierno de España"), as a last resource to obtain the most complete and honorable satisfaction for the injuries done by her agents to the Republic, in case the Chincha Islands are not dis-occupied and the National Flag saluted—the Executive being empowered to employ, in conformity with its constitutional attributions, every means allowed by the "Law of Nations" for entering into official relations with the above-mentioned Government.

The Government promulgated this law on September 7. The Ministry failed, however, to give satisfaction to Congress, and were replaced by another. The new Minister of Foreign Affairs, Señor Calderon, addressed a circular to the Diplomatic Corps, which more directly pointed to the commencement of hostilities. He thus interpreted the law of September 7 :

That law is both for war and for peace ; it is for war, because it requires the revindication of our property and the chastisement of the aggressors as soon as the Executive shall be ready for action and in possession of the necessary materials of war ; it is not opposed to peace, disposing terminantly the settling of the pending difficulties in a peaceable way, in case it may be obtained upon favorable terms, before or after the commencement of hostilities.

Soon the Congress, however, found out that the new ministry hesitated as much to go to war as its predecessor. Accordingly the following resolutions were passed on November 26th by a unanimous vote: 1. The Executive shall at once give the necessary orders for the removal of the Spanish forces from the Chincha Islands, and shall report to Congress within eight days. 2. The Executive Power shall not be authorized to treat with the Cabinet of Madrid until the recovery of the Chincha Islands shall have been effected.

In the meanwhile Spain had sent a new envoy to Peru, Gen. Pareja, who was the bearer of an ultimatum, in which the Spanish Government asked from that of Peru a prompt and complete satisfaction for all its grievances, threatening, at the same time, that if this demand should not be complied with, the Spanish squadron would take possession of the principal ports of the republic and destroy the Peruvian squadron.

The Peruvian Government, in this plight, sought counsel and aid from a Congress of South American republics, which met at Lima on November 16, and was composed of the representatives of Peru, Bolivia, Chile, the Argentine Republic, Ecuador, the United States of Colombia, and Venezuela. The proceedings

of this Congress were to be secret, but it was generally known that the first business taken up by the Congress was the difficulty between Spain and Peru, and that it was resolved to notify the Spanish admiral, that in case of a war, the other republics would make the cause of Peru their own. To this communication the admiral replied that he did not know a South American Congress, and could not recognize its authority to interfere in the matter between his country and Peru. Of the subsequent proceedings of the Congress nothing was divulged.

Negotiations were then again opened. Gen. Vivanco was despatched in the Peruvian steamer Chulaco on Dec. 29 to the Chinchas. He asked and obtained full powers from his Government to treat and terminate the difficulty, and it was understood that he agreed to most of the Spanish demands, receiving, on the other hand, the promise that the Spanish forces would evacuate the Chincha Islands, and the Spanish Government recognize the independence of Peru.

PETROLEUM, or ROCK OIL, is the name given in a general way to all the varieties of mineral or earth-produced oils: that is, to all those liquid or semi-fluid oily substances which, in various regions of the world, are found saturating or exuding from the soil or rocks, or rising in the manner of springs at the earth's surface, or are reached and procured by sinking wells, that pierce the cavities or porous strata within which, as in reservoirs, the oils have during some previous period become accumulated. The word *petroleum* (Lat., *petra* and *oleum*), signifies *rock oil*; and to the native oils in question have also been given such names as *earth oil* (*oleum terræ*), *naphtha*, *bank oil*, *carbon oil*, *coal oil*, and as obtained from particular localities or for particular uses, *Seneca oil*, *oleum Gabianum* (that obtained at Gabian, in Languedoc, called also red petroleum), &c.

Nature and Relations of Petroleum: General View.—The mineral or earth oils are invariably of mixed or complex character, and usually such in very high degree; since, apart from intermixed permanent gases, and from water, or other incidental foreign matters, each of them consists in the main of a collection of several distinct *hydrocarbons*. According to Mr. B. H. Paul, the most important and largest part of their material is a series of hydrocarbons homologous with *marsh-gas* (*i. e.*, light carburetted hydrogen, or hydride of methyle, C_2H_4), and of which series this gas is at once the first member and the type. This collection of hydrocarbons may be called the *marsh-gas series* of constituents of petroleum. It is exhibited in the following table, which is slightly abridged from one contained in the paper of Mr. Paul, on the subject of "Artificial Light and Lighting Materials," read before the British Association for the Advancement of Science, 1864 :

MARSH-GAS SERIES OF CONSTITUENTS OF PETROLEUM.

SUBSTANCES.	Chemical composition.	Condition at ordinary temperatures.	Specific gravities.	Boiling points.	Vapor densities.	Proportion of Carbon in equal volumes of vapor.
1. Methyl-hydride, .	C ₂ H ₄	Gas.	.....	.....	.554	.....
2. Ethyl-hydride, . .	C ₄ H ₆	"	.....	.....	1.04	.....
3. Propyl-hydride, .	C ₆ H ₈	Gas or vapor.	.....	.....	1.52	.....
4. Butyl-hydride, . .	C ₈ H ₁₀	Vapor.	.....	(about) 32° F.	2.01	.....
5. Amyl-hydride, . .	C ₁₀ H ₁₂	Liquid.	.628	(at) 86°	2.49	2.5
6. Hexyl-hydride, . .	C ₁₂ H ₁₄	"	.669	158°	2.97	3.
7. Heptyl-hydride, .	C ₁₄ H ₁₆	"	.699	198°	3.46	3.5
8. Octyl-hydride, . .	C ₁₆ H ₁₈	"	.726	243°	3.94	4.
9. Nonyl-hydride, .	C ₁₈ H ₂₀	"	.747	278°	.....	4.5
10.	C ₂₀ H ₂₂	"	.757	321°	.....	5.
11.	C ₂₂ H ₂₄	"	.766	359°	.....	5.5
12.	C ₂₄ H ₂₆	"	.776	408°	.....	6.
13.	C ₂₆ H ₂₈	"	.792	423°	.....	6.5
14.	C ₂₈ H ₃₀	"	.800	460°	6.85	7.
15.	C ₃₀ H ₃₂	"	.....	496°	.....	7.5
16. Cetyl-hydride, . .	C ₃₂ H ₃₄	"	.....	527°	7.825	8.
17.	C ₃₄ H ₃₆	"	.825	.....	8.37	8.5
18.	C ₃₆ H ₃₈	.....	.....	.....	.....	9.
19.	C ₃₈ H ₄₀	.....	.....	.....	.....	9.5
20.	C ₄₀ H ₄₂	.....	.....	.....	.....	10.
21.	C ₄₂ H ₄₄	.....	.....	.....	.....	10.5
25. Candle paraffine (?),	C ₅₀ H ₅₂	Solid.	.870	Melting points. 130° F.	12.19	12.5
27. Ceryl-hydride, . .	C ₅₄ H ₅₆	"	.....	136°	.....	13.5
30. Myricyl-hydride, .	C ₆₀ H ₆₂	"	.890	143°	14.61	15.
Olefiant gas (ethylene),	C ₄ H ₄	Gas.	.....	.....	0.97	1.

Of the hydrocarbons given in the table, the first is an extremely incondensable, or permanent gas; the next two in order are either permanent gases or possibly condensable by cold and pressure; and the fourth is, at ordinary temperatures and when free to volatilize, a vapor, liquefying at a little above the freezing point of water. Then follow a long succession of components that are liquid at common temperatures, *i. e.*, oils. Of these, it will be observed, the boiling points stand successively higher and higher; and their densities, either in the liquid or vaporous form (calculated, of course, at a standard temperature), at the same time progressively increase. Finally, at its (chemically) higher extremity, the series terminates in solids resembling spermaceti or wax, and of which *paraffine* is the most important.

The term *paraffine*, however, is frequently used as a general designation for the total of the solid hydrocarbons of petroleum. The melting point of coal-tar paraffine is stated by Regnault at 116°.6.; that of petroleum paraffine, by Ure, at 140°. Hydrocarbons belonging to other than the marsh-gas series, have been detected in some rock oils, in variable proportions; and in less amount, and more rarely, oxygenated oils also, which are more or less analogous to creasote. So small, however, is the entire proportion of oxygen in any rock oil, that chemists agree in regarding pure crude petro-

leum generally as consisting of two elements only—its approximate composition as a whole being C₂₄ H₂₄. The rock oils generally contain also more or less of pitch-like matter or bitumen, which is held in solution or suspension, and to which in many cases their naturally dark color is owing. In those oils which are got by distillation from coal, peat, and wood, the oxygenated component oils are present in greater quantity. Of some of the oils in the series above, from the fifth to the eighth inclusive, M. Schorlemmer gives the boiling points somewhat higher—ranging from 102° to 248° F. The question of the presence of the benzole series of oils in petroleum will receive notice in the section on *Refining of Petroleum*, &c.

It is not to be supposed that all the constituents of petroleum now referred to are present in every crude or native oil of the kind. Some of them will be wanting from one rock oil, others from another. From the lightest of these oils especially, known as (native) *naphtha*, the higher members generally of the marsh-gas series will usually be nearly, if not altogether, wanting. It will hereafter be more clearly seen how close is the connection between marsh-gas and petroleum—such, indeed, that in nature the oil almost invariably contains, and in its various locations is almost invariably accompanied with, the gas. Petroleum, as freshly discharged from the wells of Oil Creek,

Pa., and usually wherever it is of the lighter or less dense sorts, at once gives off considerable quantities of vapors of its extreme rarer components. Mixed with such vapors are commonly, doubtless, portions of the *first* and *second* members of the marsh-gas series, present as gases: while it may be considered equally certain that the vapors themselves are mainly those of the *third* and *fourth* members, with usually some part of the *fifth* also, of that series. The regular ascent of the degrees of temperature at which the more and more dense oily and solid constituents of crude petroleum boil, is availed of in the practice of distilling the oil, in the way of separating the latter roughly into certain portions such as are suitable for different and special uses; the method being, in fact, one of fractional distillation.

In their general chemical character, the crude rock oils are closely allied to the soft-solid and solid *bitumens*. The latter, as met with under somewhat differing forms, or in different places, have received a variety of other names, such as *natural* or *mineral tar*, *mineral pitch*, *Barbadoes tar*, *mineral caoutchouc* (*elastic bitumen*), and *asphaltum*, or *asphalt*. Of course the oils are thus closely related also to the bitumen which exists in solidified condition in the bituminous, including the cannel, coals, and to that which is infiltrated through, or collected within small cavities in, certain forms of rock. The name *bitumen*, indeed, correctly includes not only all the matters just indicated, but also the rock oils, the latter being, in such case, distinguished as the "liquid bitumens." The composite oils distilled from cannel coals, from peat, from bituminous shales, and from native bitumen or asphalt, or obtained by redistilling from the coal tar which results during the manufacture of coal gas, and in a less degree that afforded by distillation of wood, are nearly analogous to the crude rock oils, being like the latter severally composed in the main of series of hydrocarbons, liquid and solid; though to what extent the components of the former classes of oils are respectively identical with those of the latter, appears to be not yet fully determined.

As met with in different oil-yielding regions, and often as obtained from springs or wells near to each other in a given district, the various native or mineral oils passing under the name of *petroleum*, present a very great diversity, in color and general appearance, in consistency, and even in odor. In density or specific gravity they exhibit a wide range of variation.

To the very light and comparatively pure rock oils found in some parts of the earth, as in some of the springs in Georgia, near the Caspian Sea, and which evidently consist chiefly of the lower members of the hydrocarbon series, the Greek name *naphtha* is, for distinction's sake, still applied. It will be observed that native *naphtha* is here spoken of. Almost any form of petroleum, however, yields, when distilled, as

do the oils artificially procured from coal, wood, &c., when redistilled, and below a temperature taken by different operators at from 140° to 212° F., a mixture of lighter oils that, according to their source, may be distinguished as *coal naphtha*, *wood naphtha*, &c. The light oil thus separated from petroleum rarely takes any distinguishing name, save when termed "spirits of petroleum," being in commerce usually known as "crude naphtha." From it native naphtha would differ but little, and chiefly in the fact of containing some small percentage of the denser hydrocarbons. When the crude naphtha is distilled and properly rectified, it affords, and to the extent of a large portion of its entire volume, the pure or "refined naphtha." This is also known, though with less propriety, as *benzole*, or *benzine*. Of native naphtha the specific gravity may vary between about .700 and .850, water being 1. Quotations of refined naphtha in the New York market are for densities ranging between 60° and 63° of Baumé's areometer, *i. e.*, specific gravities of .745 to .734.

In the various forms of the areometer named, designed for liquids lighter than water, the density of water, 1, is indicated by 10°, and the ascending degrees of the scale from this point show densities which are continually less; so that, for example, 35° B. answers to sp. gr. .854, and 60° B., as just seen, to sp. gr. .745. As a consequence of the general use of these scales in testing densities of coal and rock oils, &c., the expression "high gravity" has come—in describing such oils—to signify their rarity, *i. e.*, in fact, *low* density or specific gravity; and "low gravity," on the other hand, to signify comparative heaviness, *i. e.*, high density or specific gravity.

The rock oils commonly met with in various parts of North America, and in some other parts of the earth, differ very obviously from such as would take the name of *naphtha* (native), in being generally darker in color, and always thicker and heavier. Their increased density is, of course, due to the circumstance of their containing proportionally less of the lighter component oils, and more of the heavier, and of dissolved solid hydrocarbons. But both the several oils and the solids which enter into petroleum proper, when pure, are quite devoid of color, the former as much so as pure water, the latter as pure spermaceti. Hence, a yellow, reddish, brown, greenish, or black color in petroleum always depends on and indicates foreign intermixtures or impurities of some sort. The completely purified and the purer native petroleum have the somewhat resinous, aromatic and agreeable odor now familiarly known in good refined burning oil and in benzine; but certain impurities in the crude oil, whether affecting its color or not, may quite change its odor, and sometimes render the oil highly offensive. Among the intermixed or foreign substances which may impart color or odor, or both, to crude petroleum, are, besides

the intermixed pitchy material already alluded to, and perhaps, in certain cases, imperfectly bituminized organic matters, sometimes also compounds of sulphur, as well as finely-divided carbon, sand, clay, &c. Owing to varying proportions of the light and heavy component oils, and of solids, which they contain, different specimens of crude petroleum will be found to have every degree of consistency, from that bordering on naphtha on the one hand, to that which approximates the condition of tar or soft bitumen, on the other. Density alone, however, is not an absolute criterion of the value of crude oils; although short of analysis or actual distillation, it is that which must be, and in practice is, chiefly relied on. The extreme range of density of the crude oils may be stated as from about 52° to 20° B., corresponding to specific gravities of from about .776 to .936. Among the gases contained in or associated with crude petroleum, as it exists in the natural reservoirs in the earth, and in addition to the methyle and ethyle hydrides, sulphydric acid gas (giving the sulphurous odor) is sometimes found; and olefiant gas, carbonic acid, and others, may probably also be present in certain cases.

It has already been seen, that when the rock oils first come to the surface of the earth they begin to set free both the gases and the vapors of their more volatile components; and these changes go on to a considerable extent if the oil is long exposed to the air, the evaporation in particular becoming very great in summer, and under exposure to a hot sun. The effect of these changes is first to render the oil more dense and thick, while its volume diminishes. But in the longer exposure that follows when the rock oils rise in springs, or escape from crevices in rocks, and flow out upon the surface of the earth, a further change sets in; the oils which do not evaporate, to some extent (according to Prof. T. S. Hunt) absorbing oxygen from the air; and they appear thus to acquire more nearly the nature of resins, or of pitch. Through the threefold change now indicated, the naphthas and petroleums of all countries, under the circumstances named, become converted into the more solid (surface) bitumens; and it would appear that, by a continuance of the same process, aided in some cases doubtless by the pressure of strata subsequently deposited above them, they may in time be changed to the hardest asphalt. Still, among the qualities distinguishing the materials now named from all the sorts of coal proper are, that the former only are almost completely fusible at a heat of from about 212° to 220° , and soluble in benzole and bisulphide of carbon. Among remarkable examples of the occurrence of bitumen or asphalt, may be named the viscous petroleum, or mineral tar, of the island of Barbadoes; the bitumen forming upon the waters and shores of the Dead Sea (*bitumen Judaicum*, or "Jews' pitch"); that of Pitch Lakes, the largest known being in the island of Trinidad; the *chapapote* of Cuba; and the vertical seam of asphalt found

in Ritchie Co., Va., near to the village of Cairo and to Cave Run, the waters of which flow into the north fork of Hughes River—an unstratified, black, and very hard bituminous mass, about four feet in thickness, and reaching to an unknown depth, and which yields upon distillation from 80 to 90 per cent. of oil.

For the statement of many points in connection with the history of discoveries and uses of rock oils, the mode of distilling and purifying as now practised, the modes of burning refined illuminating oils of this and similar character, precautions required in their use, &c., the reader is referred to the articles COAL PRODUCTS, NAPHTHA, and PETROLEUM, in the NEW AMERICAN CYCLOPÆDIA, and to sections of the articles on ILLUMINATION, in the volumes of this CYCLOPÆDIA for 1862 and 1863. See also ANILINE COLORS, in this volume.

Historical Items, with reference especially to the use of Rock Oils for Illumination.—As early as 1830, works for distilling oils from bituminous materials were established in France, and these are still in operation. In the extension of this manufacture, started somewhat later in England and other parts of Europe, one of the most influential pioneers was Mr. James Young, of Glasgow, who commenced in the year 1847 distilling the petroleum of a spring in Derbyshire, and, when this ceased to flow, turned his attention, about the year 1850, to the distillation of peats, lignites, shales, &c., and especially of the so-called "Boghead cannel," and whose works are probably still the first in Great Britain.

At a date much earlier, however, crude petroleum was to some extent burned in lamps by the settlers along the Little Muskingum River, in the State of Ohio, the oil being obtained from a well bored for salt near that river. In 1819, Professor S. P. Hildreth, of Marietta, found the oil so in use; and in an article upon the subject written in that year, but published as late as 1826, he predicted that this oil would yet be valuable for lighting the street lamps of the future cities of Ohio! But it was the new element (practically speaking) of *distillation*, then being, or soon to be, introduced elsewhere, that petroleum required, in order to render it generally serviceable for illumination, and for want of which it had in the main continued to be a waste article for so many centuries.

In the year 1854, although to some extent previously carried on here, the business of distilling coal and shale oils was in this country inaugurated on a large and highly successful scale by the "New York Kerosene Oil Co.," the works of which, in the outskirts of Brooklyn (Eastern District), are still among the first of the kind in the United States.

The first deep well bored with a view to test the existence of petroleum in strata below, in sections where oil appears at the earth's surface, was that undertaken by Col. E. L. Drake, on Oil Creek, about one and a-half miles from

Titusville, in Crawford Co., Pa., and in sinking which he "struck oil" on the 26th of August, 1859, at a depth of about 71 feet. This well at once yielded several barrels of oil daily; and under improved pumping arrangements the quantity was increased. Before the close of 1860, there were 2,000 wells opened, 74 of which were alone yielding 46,600 gallons of oil daily. While, also, many refineries at once sprang up in towns in or adjacent to the newly developed oil territory, the year 1860 not only witnessed the opening of a large export trade in the crude and refined oils from New York and other ports of the country, but before its close showed that the importation and distilling of American petroleum had already become important items with European manufacturers and dealers. Many of the deeper borings completed in the course of the year 1861 struck upon reservoirs of oil and gas, from which the pressure of the latter at first for a time caused the oil to be ejected with great force, and in some instances to a height of many feet above the surface; and the wells of this character, known as "spouting" or "flowing," in distinction from "pumping" wells, resulted in rapidly increasing the total yield of oil; while they have, even up to the present time, considerably modified the course of the oil-business, at least in the northwestern Pennsylvania region.

North American Oil Regions.—The most important of such regions are those of Pennsylvania, northwestern part of the State; West Virginia, northern and westerly portion; Ohio, chiefly the southeastern part; Canada West, in the peninsula lying north of Lake Erie; and southern California. Petroleum has long been found in New York, in the southern counties of its western portion; in parts of Mexico and Texas, and in Canada East, near Gaspé Bay. More recently, it has attracted attention, or has been newly discovered, in Kentucky, Michigan, Indiana, Colorado, and Oregon, and from some late statements it would appear, also, in Tennessee, Illinois, Missouri, and Montana.

PENNSYLVANIA.—Venango County is the heart of the most important oil region of this State. Oil Creek, along which the wells were first sunk, received its name from the appearance of mineral oil at points along its course and upon its waters. The creek flows in a generally southerly course through the eastern part of Crawford County, and south and southwest through the middle of about the northern half of Venango, emptying into the Alleghany at a point a little to the east of a line due north from Pittsburg. On the right bank of this creek, at its mouth, Oil City has lately sprung into existence.

Venango County is, on the north, separated from the southern line of New York by Warren County (eastward) and Crawford County (westward), while north of the latter, again, Erie County extends from it to Lake Erie. To

the west of Venango County, Crawford and Mercer Counties reach from it to the Ohio line; and nearest to Mercer and Venango Counties on the south are Lawrence, Butler, Armstrong, and Clarion Counties. Within the counties now named, with the exception perhaps of Butler, the principal part of the great oil territory of the State, as now worked and in course of development, is situated; though it appears that recently the borings for oil are being extended into the more easterly counties of Forest, Elk, and Jefferson; and that as a portion of the same general territory must be reckoned the district, of much less extent, which makes its appearance in the adjoining counties of Trumbull and Mahoning, in northeastern Ohio. In the great northwestern Pennsylvania oil regions, the borings are as yet chiefly confined to the low lands bordering the course of streams.

Of course a certain proportion (and sometimes a large one) of the wells bored are finally abandoned, from the fact of their proving unproductive, or yielding so little as not at any time to afford a profit on their working. The most important of the wells of Oil Creek which have been or are now "flowing," have discharged each from 500 to 2,000, and in one case 3,000 barrels of oil daily. They are situated within a stretch of the valley, extending from about four to nearly ten miles above the mouth of the creek.

Of flowing wells, the yield, as a rule, undergoes a great diminution with time; and while some wells never produce, others which are pumped fail sooner or later; and still others which would yield have, at least up to a quite recent period, not been pumped, on account of the abundant supply of the flowing wells and its effect on the price of the oil. It appears that in 1861 and 1862 the total yield of the northwestern Pennsylvania oil region amounted to an average of nearly 8,000 barrels a day. From this point considerable diminution occurred; the total yield was generally stated at between 5,000 and 6,000 barrels daily; but during the summer of 1864, it fell to 4,000 barrels, or less. Since that time the yield has again augmented, and it is now nearly 6,000 barrels daily, though still, notwithstanding the great increase in the number of wells, in reality no greater than it was two years ago.

WEST VIRGINIA.—The oil territory of this State is much more extensive than that of northwestern Pennsylvania, and, in fact, with the immediately adjacent districts of southeastern Ohio, along the opposite shore of the Ohio River, constitutes but one great oil region, and, so far as yet positively known, the largest on the continent. The proximity of the northeastern extreme of this region, in Wetzel Co., Va., to Greene and Fayette Counties, Pa., would suggest that possibly the oil lands in the latter constitute but an outlying portion of this great oil-basin. The chief commercial focus of the West Virginia oil region is the city of Parkers-

burg, the county seat of Wood Co., situated at the junction of the Little Kanawha with the Ohio River.

Wood County stretches along the Ohio above and below Parkersburg. To the northeast from it lie along the river, in succession, Pleasants, Tyler, and Wetzel Counties. East from Pleasants and Wood are Doddridge and Ritchie Counties; while to the southeast of Wood, and like it divided by the Little Kanawha, is Wirt County, in which the celebrated "Burning Spring Run"—the original centre of the oil interest in this State, as was Oil Creek in Pennsylvania—flows from the north into the river just named. In all the counties thus far mentioned, with the exception, perhaps, of Doddridge, petroleum is obtained; while, to the south and southwest from these, it is found also in at least the counties of Kanawha, on the Great Kanawha River, and Cabell, south of that river on the Ohio, and perhaps in many or all the intervening counties of Putnam, Mason, Jackson, Roane, and Calhoun, as it has lately been declared to be also in the more eastwardly counties of Gilmer and Braxton.

Burning Spring Run was so named from the existence along it, in former years, of one or more gas-springs, yielding a stream of gas sufficient to maintain a constant flame. The oil district upon this and on the river just below it is small, being only about one mile square; and the part of the State out of this district, in which thus far the productive borings, and those in process of sinking, are most numerous, is a strip of variable width stretching north from the springs to the Ohio River at the Horse Neck district, a distance of about forty miles. From the Burning Springs, if not from points still farther south, a line of upheaval of strata is easily traced, its course being nearly due north. This is the middle line of what is called the "great oil-belt" of the State, and which is by some estimated as about thirty miles in width. Thus far, however, no portion of the State has equalled in production that of the best parts of the northwestern Pennsylvania oil region.

OHIO.—The Virginia line of upheaval, and the oil-bearing territory extending to greater or less width on both sides of it, alike reappear on the northern side of the Ohio River, the latter being found along the bottom-lands of many creeks and rivers tributary to the Ohio, from about Pomeroy, in Meigs County, on that river, up to, if not beyond, the Little Muskingum, in Washington and Monroe Counties. Marietta, at the mouth of the Muskingum River, and about twenty miles above Parkersburg, is the commercial centre of the Ohio oil territory. Washington County, of which it is the county seat, and which stretches along the Ohio opposite Wood and Pleasants, in Virginia, produces probably more largely than any other part of the State, among its most important districts, not yet named, being those on the Ohio, near Marietta, and those of the Paw-Paw, Long,

Morse, Eight-Mile, Fifteen-Mile and Cow Runs. Oil is found around Washington County, in those also of Monroe, Noble, Morgan, Guernsey, and Athens, and south of the latter in Meigs. In Morgan County, oil is found about McConnellsville, forty miles above Marietta, on McConnell's and Doudas's Runs; and also on Wolf, Federal, and Sandy Creeks. The considerable extent of the oil region to the northwest, along the Muskingum, and to the south along the Ohio, while the line of upheaval already referred to crosses into the eastern part of Washington County, suffices to show that in this State, as in West Virginia, the oil-producing lands do not constitute strictly a "belt," but in fact a territory of quite irregular form. Indeed, indications of petroleum have been found and borings commenced in many counties of the State other than those just named.

The yield of the principal Ohio region has at no time been near as large as that of the northwestern Pennsylvania region; but the Ohio oil, like that of West Virginia, averages a much greater density than the latter, and commands, as the rule, a higher price.

CANADA WEST.—The oil supply in this province seems also to have relation to a line of upheaval, and which here runs nearly east and west through the peninsula lying north of Lake Erie. The most productive oil districts, thus far, are found in a southeasterly direction from Sarnia, or Port Sarnia, which is near the foot of Lake Huron, on the St. Clair River. They are not far from the Thames River, and lie principally in the township of Enniskillen, and in that of Bothwell. In Enniskillen occurs a small surface deposit or lake of bitumen. A large number of wells have been sunk in the southern part of Enniskillen, along Black Creek, and about ten miles further north, on Bear Creek. One account states that in Nov., 1862, the supply of oil obtained from the wells in this section amounted to 3,000 barrels a week. In the Bothwell district, up to a recent date, about thirty wells had been sunk, and some of these with success, into the strata of high bluffs. The oil product here, up to near the close of 1864, is stated at 7,714 barrels, the largest daily yield from a single well being from forty to fifty barrels. Wells are quite recently being sunk in Barton, south of Hamilton.

The petroleum district of Canada East is on and near St. John's River, above Douglastown, and not far from Gaspé Bay.

CALIFORNIA.—Springs and large surface wells of rock oil (often or usually of thick and tarry character), and which are frequently accompanied with surface collections of asphaltum, are found in many sections of this State; these, chiefly confined to the coast range and adjacent valleys, to some extent appear in the northern part, but are more extensive in the southern, and especially so in the counties of Santa Barbara and San Luis Obispo. A very remarkable region of the kind alluded to is that near Buenaventura, Santa Barbara County, about

320 miles southwardly from San Francisco. The range of bituminous shales in which the oil-springs near Buenaventura occur, extend at intervals for 150 miles farther south, and also at intervals to the north as far as into Santa Clara County, eighty miles from San Francisco.

The most productive district here is included within one immense estate of 18,000 acres, known as the Ojai Ranch. It is situated on the northern slope, and in the valley adjacent to it, of a mountain ridge, lying ten miles north of Buenaventura, its greatest height being about 2,000 feet, its length thirteen miles, and its course nearly east and west.

Among the natural oil wells on it, the largest is thirty feet in diameter, full of tarry oil, and boiling with the escape of marsh-gas. This and several less points of outflow are in the midst of a very large expanse of asphaltum, doubtless resulting from evaporation of the oil so long escaping here, and which is estimated as equal in entire volume to a mass one mile square and one yard in depth. The large well was foul with the decomposition of numerous cattle that had been mired and drowned in the petroleum—an accident said frequently to occur in the dry season when the animals are parched with thirst. It has recently been questioned to what extent the rock oils of California are identical with the petroleum of the more easterly regions. (See REFINING OF PETROLEUM, etc.)

NEW YORK.—Oil and gas springs, and other appearances now regarded as indications of the existence of subterranean collections of petroleum, have long been known, and in a few instances still exist in parts of this State, chiefly within the counties of Chatauqua and Cattaraugus, and to some extent in those of Erie, Alleghany, Ontario, etc. The work of boring for oil has lately been begun on Cattaraugus Creek, in Ontario County, and at some other points.

KENTUCKY.—Of the principal oil region in this State, portions lie in Cumberland County, and, it would appear, in others adjoining and not far from this, as about Scottsville, in Allen County. This oil territory is said also to be connected with a line of disturbance, which stretches north-west from Cumberland, through Russell, Casey, and Lincoln Counties. It thus lies in the southern part of the State, and but little east of its middle portion.

In Michigan, gas springs and other indications of oil, have for some time been known in St. Clair County—a district which would appear to be part of the same one which has been longer worked on the opposite side of the St. Clair River, in Enniskillen. In Indiana, oil and tar springs have, it is said, been known for many years in Crawford County, near the middle of the southern tier, on the Ohio River. Wells have here been commenced on some of the tributaries of Little Blue River, especially on West Fork and Otto Fork. An oil spring, yielding about a barrel of oil a day, and other indications, have been found near Cañon City, in

Colorado. In Oregon, oil is said to be found in the vicinity of Astoria. Besides occurring so abundantly in the island of Trinidad as to have formed the great Pitch Lake, or natural deposit of bitumen there found, and in Barbadoes, petroleum is found near Havana and at many other points in the island of Cuba, and in fact also in many other of the West India islands.

Geological Relations of Petroleum.—Nearly, if not quite all the series of stratified rocks, as well as volcanic and metamorphic formations, are found in some parts of the world to discharge mineral oil, or to be charged with this oil, or with the allied solid bitumen. The following simple table will show the general order of succession of the stratified rocks:

STRATIFIED ROCKS—FROM THE MOST RECENT,
DOWNWARD.

1. Recent (alluvium).	} <i>Post-Tertiary, or Quaternary.</i>
2. Post-Pliocene.	
3. Newer Pliocene.	
4. Older Pliocene.	} <i>Tertiary, or Cainozoic.</i>
5. Miocene.	
6. Eocene.	
7. Cretaceous.	} <i>Secondary, or Mesozoic.</i>
8. Jurassic.	
9. Triassic.	
10. Permian.	} <i>Primary, or Palæozoic.</i>
11. Carboniferous.	
12. Devonian.	
13. Silurian.	
14. Cambrian.	

Although petroleum and bitumen are in Europe and Asia sometimes found in the lower stratified or palæozoic rocks, yet throughout those continents they are for the most part confined to the strata of newer secondary, or even of tertiary age—the latter, it is stated, in the Bakoo region, in Georgia, on the west coast of the Caspian Sea; and also in Italy, and in the Rangoon district. The bitumen of Trinidad, and of Venezuela are said also to be found in connection with tertiary strata, and not lower than the miocene. Prof. Silliman speaks of the oil-bearing beds of the coast of California, as being pretty certainly “cretaceous or tertiary.” The strata composing the mountain ridge on which the Ojai Ranch is situated are very regular, and all stand at an angle of from 10° to 20° with the vertical. The oil-bearing strata—bituminous shales and schists—are at the surface usually weathered whitish, or are red or yellow, from presence of iron or sulphur; but under the hammer they break black, like coal shales.

With the exception of that of the California region, there does not appear to be any precise statement as to the character of the strata within which petroleum is found, in the more westerly oil regions of the continent. In respect to the more easterly oil regions of the United States and those of Canada, it is certain that the oil strata are those situated low in the series, and of palæozoic age, being probably in no case higher than the horizon of about the middle of the *carboniferous* series. This is distinctly true of the three great oil territories thus far chiefly developed; namely, that of West Virginia and south-eastern Ohio, which stands highest in the order

of strata; that of northwestern Pennsylvania, which stands next in order; and that of Canada West, which has a still lower place; though even the last named is not so low in the entire series as the geological position of certain single springs or limited oil districts. In fact, the three great oil territories of the eastern part of the continent lie, in succession, within the coal measures, and below them as far down as nearly or quite to the lower devonian. Their place in the general

series of strata is thus seen at a glance [table of stratified rocks, preceding]; but the more special relations which they severally bear to the strata and groups making up the two series of the carboniferous and devonian, that contain them, will be better understood by aid of the following table, extracted from the more extensive one given in the NEW AMERICAN CYCLOPÆDIA, and embracing the particular series under consideration :

PRIMARY OR PALÆOZOIC ROCKS—FROM THE SUMMIT, DOWN THROUGH THE DEVONIAN.				
Permian.	Magnesian limestone.	Found in southeastern Illinois, Iowa, north-eastern Kansas, &c.	[Prof. Rogers's Series.]	
Carboniferous.	Coal measures.	The anthracite and bituminous coal-fields, except those of Richmond, Va., and N. Carolina.	{ Seral.	
	Millstone grit, or conglomerate.	The floor of the eastern coal-measures.	Umbral.	
	Carboniferous limestone.	Sub-carboniferous limestone and red shales.	{ Vespertine.	
	Upper.	Grey sandstone.	{ Catskill group.	
		Red sandstone.	{ [Sandstones and shales.]	
		Chemung group.	Vergent.	
		Portage group.		
Devonian.	Middle, [Upper Hel-derberg.]	Hamilton group.	{ Genesee shale.	Cadent.
		Corniferous limestone.	{ Moscow "	Post-meridian.
			{ Marcellus "	
			{ [Devonian limestone.]	
	Lower.	Schoharie grit.		
		Cauda-galli grit.		
		Oriskany sandstone.	Meridian.	
Silurian (upper).	Ludlow and Wenlock beds.	Nine strata or groups, mostly limestones.	Pre-meridian and Scalent.	

In West Virginia and southeastern Ohio, petroleum is found in the carboniferous strata, and, it would appear, to greater or less extent in the coal measures. Upon these, in fact, the oil-producing counties of Ohio are located; while many parts of the oil region in the former State, show veins of bituminous and of cannel coal. According to Mr. Richardson's statements, in Virginia, the coal seams commonly lie above the oil-bearing rocks. The same writer states also that where dry splint coal—the bituminous constituents of which are partly eliminated—is most abundant below water-level, there, in the shales beneath the coal, oil is most extensively diffused.

Prof. Andrews, speaking of the oil region now considered, divides its rocks into three classes: those nearly horizontal, those which have a dip of from 15 to 40 feet in a mile, and those which are broken and dislocated by upheaval. From the Ohio River at Parkersburg, up the Little Kanawha, to within a few miles of the great oil wells, the strata are nearly horizontal, and probably contain few fissures, except those due to shrinking; and there appear to be no productive wells in this region. But on the Great Kanawha, and also about Pomeroy and in Washington County, Ohio, as well as in the counties around the latter already named as yielding petroleum, the rocks have more or less dip; and in these sections they probably also, as a result of the uplifting force, contain many fissures. Prof. Andrews had traced the line of upheaval and dislocation already referred to, from the eastern part of Washington County, Ohio, to beyond the Little Kanawha at Burning Springs, its direction being nearly north and south, and making with the general course of

the Alleghanies an angle of about 40°. In Ohio, the anticlinal axis is generally well marked.

The important part which vertical cleavage planes, or fissures in the strata, are likely to play in connection with the oil supply and discoveries of it, will be understood when it is recollected that, through the variety of their forms, branches, and communications, such openings could receive, and in case of such parts of them as were closed below, so as to act as "pockets," retain the oil, whether it entered them as a liquid at or from above their own level, or whether it ascended as a vapor from strata lower down, and which held the bituminous or organic matters that were its source. But besides fissures or rents through strata, there may obviously be cavities of other sorts also, and of greater or less size. Such, in particular cases, could be formed either by the wearing or the solvent action of water, or perhaps in some instances by the greater or less horizontal separation of disturbed strata; and, as produced through any of these or similar agencies, cavities of the nature of small caverns, such as are known to exist in the rocks in multitudes of cases, can readily be supposed to be among those which are pierced by the successful wells of oil districts.

Whatever the origin or character of oil-containing cavities, it appears that they must often be more or less vertically situated, and that usually they are not of great horizontal extent. For neighboring wells seldom strike oil at the same depth, either in horizontal or inclined strata; while the oil from wells near together may be of very different qualities; and it is only in a certain proportion of cases that even

wells near together interfere in the way of drawing the one from the other. "It is," says Prof. Evans, "one chance out of many to strike oil at all, even in the neighborhoods where it exists in abundance. The drill, as it enters the cavity, sinks variously from four or five inches to as many feet, sometimes sticking fast, as if between the oblique sides of a narrow fissure. But there are facts connected with the history of oil wells, particularly in their intermittent action, and their interference with one another, which serve to show the existence, in many cases, of systems of cavities connected together by channels of communication more or less free, running sometimes along the strata, and sometimes across them. The productiveness of a well depends on its entering either one of the main reservoirs, or some one of its important connections."

Speaking generally, the contents of oil-containing fissures or other cavities, and whether single or communicating, will be, *water* at the bottom, *oil* floating upon the water, and *gas* filling the space above the oil, the three standing thus in the order of their specific gravities. By natural outlets to the surface, from one or other of these parts, there may result either a gas or an oil spring, or one of mixed water and oil. In sinking wells, a more or less vertical fissure may be struck at any point, the well entering the portion filled either with gas, oil, or water. In the first case, gas is at first discharged, and, if it has been subjected to great pressure, with proportionate violence; while, if water from communicating crevices below then rapidly enters the fissure, the oil may next be forced into the lower end of the tubing and be pumped out; and later, oil and water mixed will be obtained. If the well enters the part of the fissure holding oil, this, by the pressure of the gas above it, may be raised toward the mouth of the well, or projected into the air, and sometimes to a height of many feet; but this action of the gas after a time becomes exhausted; and the flow is then, of course, no longer maintained. After the flow of oil from such a well has ceased, and the pump is resorted to, it is likely sooner or later to bring up a mixture of oil and water. If the well directly enters the water, unless the gas has sufficient tension to force out the water, and then oil, the latter can only be obtained by pumping out so much water as, if possible, to lower the water-surface to the point at which the boring enters the fissure, when, usually, oil and water mixed will be obtained. It is probable the wells may be intermittent from several causes, connected with the gradual accumulation of gas, oil, or even water, in the fissures pierced; but with pumping wells the most common cause must be supposed to be the time required for oil to collect from surrounding porous rock, or small crevices.

Any pressure, as of gas, air, or a head of water, will raise oil to a height as much greater than that to which water would be raised, as

the specific gravity of the former is less; *i. e.*, in round numbers to a height comparing with that of a water column under like circumstances nearly as 5 to 4. While the oil wells thus far vary in depth from 50 to near 800 feet, it is stated that the deepest are as likely to raise water to the surface as the shallowest. By the occurrence of rains, the production of some wells is increased, while that of others, with less gas, is impaired. The very large quantities of oil in some cases delivered, the fact that borings near together may reach oil at very different depths, and other facts, go to show that the somewhat popular idea of an "oil rock" to be reached is a mistaken one; and, although the supply of oil is sometimes, and in some districts to a greater extent than in others, contained in pores, or very small cavities in the rock, it is more commonly doubtless found in cavities of larger size, single or communicating.

Not only is the supply of oil, geologically speaking, higher in West Virginia and southeastern Ohio than in the northwestern Pennsylvania region; but thus far, at least, most of the wells in the former region go to much less depth than in the latter. The wells in Ritchie County are said to be usually from 150 to 200 feet deep; those of Bull Creek, 75 to 250 feet; and particular ones on and near Horse Neck Run, from 160 to 380 feet in depth. It has been supposed that a gain in production might be secured by sinking wells in parts of West Virginia to from 350 to 500 feet. In southeastern Ohio the wells are usually no more than from 150 to 300 feet deep: but the fact that two wells lately sunk, on Duck Creek and Cow Run, to depths of more than 700 feet, have each struck a good quality of oil, has led to the opinion that in this region deep as well as surface supplies of oil exist.

The transition from the region last considered to that of northwestern Pennsylvania and northeastern Ohio is, in a geological point of view, a transition only from the carboniferous strata to some of the higher members of the devonian, which lie next below. The Catskill group of sandstones may be said to be confined to more eastern parts of the State of New York; and in eastern Ohio and northwestern Pennsylvania, both these and the strata known as carboniferous limestone are wanting; so that, in the parts of the country last named, the conglomerate of the coal measures comes very nearly, if not in fact directly, over the Chemung and Portage groups of sandstones. Some beds of coal from the great Pennsylvania coal-fields come out on the hill-tops some miles to the southward of parts of the Alleghany River along which there are now productive oil wells, and some of more limited extent are found on hills even in the oil region. In the higher country of this region, in fact, the surface rocks are still mostly carboniferous; and on the hills near to some of the oil-producing valleys, the conglomerate floor of the coal meas-

ures lies in some cases 100 feet thick. The rocks of the valleys here, however, are devonian, and are those of the Chemung and Portage groups. The beds of these rocks lying along and beneath the course of Oil Creek dip at a small angle to southward, but so that they pass 500 to 600 feet below the coal measures. In fact, the outcrop of strata from under the great Pennsylvania coal-basin spreads out toward the west and north somewhat in fan shape; and the eastern or inner line of the outcrop of the Chemung and Portage sandstones (known in the Ohio reports as the Waverley sandstones) is traced in a general way from Portsmouth, on the Ohio, by Cuyahoga Falls, whence, taking a more easterly course, it passes through the southern part of Crawford County, Pa. Thus, northeastern Ohio and northwestern Pennsylvania, north of this line, and a portion of southwestern and southern New York, in some parts as far north as the southern border of Genesee County, have altogether or mainly the Chemung and Portage sandstones as their surface rocks.

The strata now in question have been described as "compact, close-grained white and gray flaggy sandstones, alternating with red and olive-colored argillaceous shales." Drillers have for convenience numbered the beds of sandstones 1, 2, 3, &c., beginning in the bottom-land on Oil Creek, below Titusville. Prof. Ridgway estimates the total mass of oil-bearing strata as 1,200 feet in thickness, extending from the overlying conglomerate down to the Genesee slates. It has already been seen that the outcrop of these rocks to northward extends over all the southern counties of western New York, and to the northwest beyond Trumbull County, Ohio. The Mahoning Valley region, lying to the southward of the limits already named, is in fact within the outcrop of the coal measures; though here the oil is found also in the underlying Chemung and Portage sandstones. The lowest oil-bearing sand-rock comes to the surface in the town of Waterford, Erie County, Pa. Unlike those of the Ohio River region, these rocks have been but little disturbed from their nearly horizontal position; though, according to Prof. Ridgway, some miles north of Titusville the inclination becomes as great as 10° to the south, while under that town occurs a synclinal trough, farther on near the Stackpole farm, $2\frac{1}{2}$ miles down, an anticlinal roll, and from this to the mouth of Oil Creek a series of small undulations and crimps in the strata.

In the borings along Oil Creek, and generally where the surface strata are similar, the "first sand-rock," a whitish sandstone, is met with at a depth of from 70 to 200 feet; and it is stated that the wells penetrating only this bed yield generally a thick oil. From 100 to 200 feet below this, after passing through soap-stone and perhaps slate, lies the "second sand-rock," of similar aspect to the first; and in or beneath this oil is again obtained, also heavy, though

less so than the former. From this rock proceed nearly all the wells of the Alleghany River; while, with few exceptions, the wells of French Creek descend only to the first rock. From 100 to 200 feet again below the second, there is a "third sand-rock;" and wells penetrating this more commonly yield a light and purer oil. To this rock descend most of the flowing wells; and in fact, most of the wells more recently sunk along Oil Creek. Though the wells have thus far been sunk chiefly in the valleys, there appears no reason why oil should not also be reached through the higher land, by boring proportionally deeper. So far as the oil supply of wells is that which slowly collects from porous rocks, or those filled with fine cavities, it should certainly be found under the hills as well as the valleys, and so far as it exists in large fissures or chasms, these too must probably to some extent underlie the hills. To the foregoing statements, and which substantially agree with those of a notice in the "American Journal of Science" for Jan., 1865, it should perhaps be added, that to the extent to which fissures of irregular position and height, and penetrating one or several successive layers of rock, serve as the reservoirs of petroleum, it cannot of course be intended to assert that entire invariableness of the quality of the oil at different levels, and of the depths at which it is found, which the statements as made would appear to imply. Further, so far as the wells of the northwestern Pennsylvania region receive their supply from such fissures, remarks similar to those already made respecting the wells of West Virginia will apply to them.

In whichever sand-rock the borings terminate, the southern dip of the strata requires that the wells shall go deeper in the same direction. The depth of the early wells of Mecca, Ohio, was from 30 to 200 feet; while along Oil Creek, from near Shaeffer's to its mouth, wells reaching the third sand-rock are of depths increasing from about 500 feet to 700 feet or more; and the depth of wells on the Alleghany below Franklin are also quite various, ranging from 360 to 750 feet.

As, proceeding northward, the Chemung and Portage groups of sandstones run out, the Hamilton group, next below, comes to or near the surface. The black inflammable shales of the devonian series in western Canada, and which over some parts of it appear highest, are considered as belonging to the base of the former, while the argillaceous shales and limestones underlying belong to the Hamilton group. The low broad anticlinal axis running nearly east and west through the peninsula north of Lake Erie, brings these shales and limestones in the township of Enniskillen nearly to the surface. At the base of the group occur the Marcellus slates or shales, which, as well as those at its summit, contain petroleum inclosed in very small cavities. Immediately below the group in question is the cor-

niferous limestone, also specially named "devonian limestone." The wells of the Enniskillen region, which reach oil at the depth of 120 feet and more, would appear to pass below the Hamilton group toward or into the devonian limestone, in which latter, in such case, the supply of oil in this region must be considered to be found. The devonian or corniferous limestones, in fact, at points where they come to the surface, both in Canada and New York, are found to be very generally impregnated with petroleum, or to contain it in small cavities (as is the case at "Black Rock," on the Niagara River), and sometimes also, it appears, to be charged with bituminous matter in the solid state. To reach these limestones, or the equivalent slates or shales, south of Lake Erie and in northwestern Pennsylvania, supposing such strata to be there continued, and to be as at many other points charged with petroleum, would of course require wells of far greater depth than any yet attempted in the last-named region, though probably not greater than that of some artesian wells already in existence. It is questionable, however, whether the corniferous limestone is continued beneath the regions mentioned; and if it be so, or not, whether in that part of its distribution also petroleum would still be found. The producing wells of the Bothwell (Canada) district are of a depth of 270 feet and upward; and some that were in process of being sunk in 1864 had already reached depths of from 350 to 500 feet.

In the cliff limestone (devonian) of Ohio, as well as in the corniferous limestone at Black Rock, petroleum occurs in cavities, generally in the cells of fossil corals. The Niagara limestone (silurian) in Monroe County, New York, contains bitumen. Still farther down in the series, almost all the lower silurian rocks are found, where exposed, to contain petroleum. The oil is either infiltrated in small quantity through the rock, or fills small cavities in it, as is seen in parts of Canada; or it makes its appearance at certain points in springs, as in case of the long known petroleum spring of the town of Guilderland, near Albany, and that on Great Manitoulin Island.

In respect to the *origin* of petroleum, space will here allow of nothing further than the statement that, undoubtedly, like all the varieties of coal, the oil has in all cases had its source in the bituminous transformation of collections of preëxisting organic matters—these, in case of the oil, having usually been of vegetable, but sometimes, perhaps, of animal character; while the direct production of the oil has probably taken place sometimes from the resulting bitumen as appearing in coal-beds, and sometimes from the allied bitumen infiltrated through or collected in certain rock strata.

Indications of Petroleum.—As the most important of the natural indications or "signs," in any section, of the existence of rock oil beneath the surface—should be named the following: *gas-springs*; *oil-springs*, the oil either flowing

pure or mixed with water; *appearance of oil* on the surface of the ground, of rocks, or of pools, creeks, etc.; surface collections of *bitumen*; the so-called "*show of oil*," from strata through which wells are being sunk, or on the water raised from them; *salt-water wells* or *springs*, in some cases perhaps, and especially where oil or gas also appears; and in a geological point of view, the fact of *lines of disturbance* in strata not far below the surface, affording increased probability of numerous cavities within the rocks, as well as also, in certain instances, the *nature* of the strata that come next below the surface—as, whether they are such as have elsewhere yielded oil, or such as are in immediate proximity to bituminous strata, which appear at some other points to have been the source of oil in large quantity. Among the indications named, the least fallacious of all, it would appear, should be those of free-yielding oil-springs and the surface bitumen which they sometimes deposit, as the former was shown in the early history of the western New York and northwestern Pennsylvania regions, and as both have appeared in those of Canada and California.

One among the surest signs of subterranean collections of oil, nevertheless, is afforded by *gas-springs* or *jets*, the gas coming up from an opening in the surface, or through the water of a spring, or escaping from fissures in rocks. Springs of unflammable gas, however, as carbonic acid—and Mr. Richardson states that such are numerous in the boggy bottom-lands which he examined in West Virginia—could so seldom be supposed to have their origin in connection with supplies of oil, if even they ever did so, that they would be of no real value as indications. An inflammable gas will doubtless invariably consist of or contain *marsh-gas*; and this, from its intimate relation in composition and in origin with petroleum (as previously shown), is the valuable criterion. Prof. Andrews states that, in our bituminous coal-measures, a gas-spring without doubt indicates petroleum, and he adds, "in the rocks below;" but Mr. Richardson argues that gas may sometimes travel to a considerable distance laterally, along horizontal or irregular fissures. When it does so, the gas-spring can show no more than that oil is somewhere in the vicinity. Hence, instead of sinking a well directly at or near the vent, the explorer should endeavor first to ascertain the nature, position and peculiarities of the subjacent and surrounding rocks, so as to determine the probable place of the oil fissures or basins. The greater buoyancy of the gas, however, and its elasticity and consequent upward pressure, while the oil can only flow at its level, render the former the less likely of the two to wander very far laterally before finding an exit to the surface. But again, Prof. Hunt, speaking of the Enniskillen wells, says: "The inflammable gas which issues from the wells is not necessarily connected with the petroleum, inasmuch as it is an almost constant

product of the decomposition of organic matters, and is copiously evolved from rocks which are destitute of bitumen. It is similar to the gas of marshes and to the fire-damp of coal mines." Accepting this view, even an inflammable gas would not show beyond question the existence of petroleum; and especially in marshy places such a gas may arise only from the bottom of the pools in which it appears. Still further, a well may penetrate a fissure and release from it a large volume of gas, when the oil is contained in a lower one to one side, and is not reached by the same well. But while it is thus always necessary to examine into the character and source of gas-springs, in order to determine their value as a sign of oil, it is well known that in some of the great oil regions of both hemispheres where inflammable gas-springs are most abundant, there petroleum is likewise so. To the examples of the Alleghany region, and those of West Virginia and Canada, in this country, it seems that we should add that of western New York. As to the last-named, however, since the surface oil was there long since mainly exhausted, while some of the gas-vents have been kept supplied to a recent date or to the present, the inference would seem warranted that there are supplies of oil in strata deeper than those yet penetrated in or near that region—perhaps entirely beneath the Chemung and Portage sandstones. Finally, to quote again from Prof. Andrews: "The great majority of these gas-springs are unknown, since they are seldom discovered, except when they appear in streams; and," he continues, "probably the same may be true of oil-springs, since the soil would absorb the oil, and in only a few cases would it be detected."

Little further need be said in regard to *oil-springs*, with or without water, and the *surface bitumen* which shows the former or present place of such springs. These are, indeed, unquestionable signs of the past or present existence, as the case may be, of accumulations of oil somewhere beneath the surface, and usually not very far removed from the place of outflow. The important questions in these cases are, the direction, and the probable depth, from which the supply may come. A little oil on the surface of a spring may prove a deceptive sign; for the water feeding the spring may have borne the oil to a great distance from its hidden reservoir; or again, such oil may be the last drainage of long standing oil-cavities. But continued gas-jets, on the other hand, *if connected* with oil supplies, quite certainly indicate that the quantity of oil is large at the time, though it has been suggested that they may show only a greater depth of the oil.

Surface oil, exuding upon rocks, or in the soil, or on pools or streams, is a sign quite generally regarded as trustworthy, and one that is much sought. It was one of the marked signs in all the great oil regions of this continent that have, so far, been developed; as in the

Oil Creek and surrounding districts, in Ennis-killen, on Hughes River, and elsewhere; and it is said to be now abundantly met with, at least at some seasons, on the waters of parts of the Great Kanawha and Elk Rivers, and of some of their tributaries. As to the exact promise, however, of particular spots or locations, this sign may prove wholly fallacious. Thus, the oil on pools or streams, where it may appear either as an oily scum or as a thin film of oil, and often reflecting the prismatic colors, may be the slow washings from alluvium or cavities in which little of it finally remains. The Rev. Mr. Eaton states that some of the most unsuccessful operations in the whole Oil Creek valley have been in the midst of the ancient pits there found, though undoubtedly these were at some past time dug with profit for the oil that then filled the very surface earth where they were made. Again, petroleum on the surface or in crevices of rocks may, as previously seen, indicate no more than its presence in small cavities within the rock, or even simply that the rock is itself bituminous. An instance of the former kind is the oozing of petroleum from broken surfaces of the dark-colored limestone at Black Rock; and examples of the latter kind, it appears, are found in its appearance upon sandstones quarried in Erie County, Pa., and limestones in Monroe County, N. Y., and in Canada.

The "*show of oil*" sometimes obtained in the course of wells going down, is not so much as formerly considered decisive as to a successful result. A good show of oil near the surface or still lower may disappoint, since the oil so found may be from small fissures or veins that are not with any certainty in the course to, or connected with, the large collections of it; and on the other hand, productive wells have been obtained with no intermediate "show." The value of this show as a sign, however, according to Prof. Evans, increases with the depth at which it occurs.

Salt water, in springs or wells, taken alone, has little value as a sign of petroleum; since the salt may be from seams or deposits of that material, and, as in springs and wells, generally, it may emerge or be struck at some distance from its source. One of the earliest facts in the course of discovery of rock oil in this country was its very frequent appearance on the water of wells bored for salt, and often to so great an extent as to be regarded as a nuisance, or even to lead to the abandonment of such borings. It was thus found on the water of salt wells, on the Great Kanawha, and on numerous tributaries of the Alleghany and Ohio Rivers within and near the limits of the present oil regions. And in any case, salt water becomes a more important sign when it occurs in the vicinity of gas-springs or surface oil.

Finally, it appears that no infallible criteria or rules as to whether petroleum is or is not present in remunerative quantities in the strata beneath any district, can yet be laid down.

Evidently, the prospector will be aided by a knowledge of the geology of, and the history of explorations in, the various oil regions, as well as by experience. Almost any of the signs already named may be considered as affording, where met with, a *presumption*, more or less strong, of the existence of oil deposits; and the supposition thence arising requires then to be tested by examination with reference to the other indications.

The Sinking of Oil Wells.—The processes involved in the sinking of wells for oil, and which, with the exception usually of some feet depth of superficial alluvium, must penetrate mainly or altogether in the way of drilling through rock, are substantially those resorted to in the case of artesian wells generally. The place for a well having been fixed upon, a derrick of some thirty to sixty feet height—its frame being chiefly four strong upright posts, standing some ten feet apart below and about five feet above—is erected over the spot. The distance from the surface to the rock is at the present time usually traversed by driving down into the earth a strong cast-iron pipe, of an internal diameter of about five to seven inches. This is forced down in the manner of pile-driving. The power for this purpose, and for the subsequent operations, including those of drilling and pumping, is now commonly that furnished by a steam-engine of some eight to twelve horse-power. The cast-iron pipe is in sections of a few feet length, which are successively jointed on above as required, till the rock is reached. Drilling tools may be used to loosen up the earth within the pipe; and the water entering it from above converts this mass, as it penetrates it, into a paste or mud: a “sand-pump”—a three to five-inch copper tube, six feet long, with a simple valve in the lower end, opening upward—is then let down into the muddy water, agitated until it fills, and raised; and these operations are repeated until the whole depth is cleared.

Of the complete drilling apparatus, consisting essentially of the rope socket, of two heavy intermediate links, or “jars,” the purpose of which is to jar the tools loose when they might otherwise stick fast in the rock, and of a “sinker bar” and “auger stem,” to the lower end of which last is finally attached the “centre bit,” for cutting, or the slightly larger “reamer,” which is blunt and used for rounding and finishing the opening made by the former, the total weight is commonly not less than from seven hundred to nine hundred pounds. By the socket above the apparatus is attached to the rope, which again is now commonly made to receive its motion from that of one end of a working-beam suitably erected near the spot, having a stroke of thirty to thirty-six inches, and actuated by the steam engine. The centre-bit has an edge of about three to three and a half inches, and the reamer somewhat larger, brings the boring to near the calibre of the pipe above; the drilling is with both performed sim-

ply by the force with which the tools are let fall. As often as the boring has been carried down a few inches, so that the *débris* would clog the tools, these are withdrawn, and a somewhat smaller sand-pump is used to clear out the comminuted rock by aid of the water which is always present in the boring. It is said that in gravelly or shaly formations a progress of from three to ten feet a day is made; in rock, of from one to three feet. Judicious operators commonly keep a record of the strata passed through, their thickness, the place of veins of water or oil, etc. Among the difficulties in the way of sinking the iron pipe, are the meeting of boulders, which then usually have to be drilled through, the fracturing of the pipe, etc.; and in the way of drilling, the breaking of the bits, or rarely, their sticking so that they cannot be removed, etc.; and from causes of this sort the borings, even when far advanced, must sometimes be abandoned altogether. And again, wells which have consumed months of labor, may in the end prove unsuccessful.

In ordinary wells, as soon as the boring has struck oil, and in flowing wells, so soon as the flow so far remits as to allow of the process, the tubing of the well is to be performed. Sections of a copper or iron tube, two to three inches in diameter, are screwed together to the required length, a pump-barrel containing two valves always forming the lowermost joint; and the tube so formed is lowered within the larger pipe and boring, so as to enter the liquid in the subterranean cavity. A long jointed pump-rod is inserted within the tube, having at its lower end a metallic valve-box, with its valve opening upward. The pumping of the oil or water from the well is effected, subject to the control of the operator, by connecting the rod with the working-beam or other device for imparting motion to it. In order to arrest the downward flow around the tubing, and into the oil cavity, of water from veins pierced in boring the well, a sort of packing is made use of, in form of what is known as a “seed-bag.” This, a leathern tube some eighteen inches long, partly filled with flax-seed, and closed at the ends, is, before sinking the tubing, bound about it near the lower end: once in place, the water soon swells the flax-seed so as to close the space about the tube, and thus the further access of water from above is prevented. The upper end of the coiled seed-bag being more slightly tied, this readily ruptures whenever an effort is made, from any cause requiring it, to raise the tubing. When two or more wells belonging to different owners enter the same oil cavity, or are in any way connected below, the drawing of the tubing of one of the wells, allowing as it does the water to flow freely down into the oil reservoirs, floods the connected wells also, usually rendering them quite worthless for the time. In this way the proprietors of one well have, in some instances, compelled those of others near, and more profitably yielding, to come to their terms,

either to purchase or dispose, wholly or in part. Against undue advantages of this sort, and for some other points connected with oil mining, it has been supposed that some new legislation will probably yet be required.

In case of a few of the flowing wells it appears that the tubing has been made so to extend above the surface as to accommodate the force of the discharge, and to allow the oil to flow into elevated tanks. As the oil can flow spontaneously only in consequence of the pressure of a head of liquid or of a body of gas, it has lately been attempted, and it appears with success in some cases, to aid a failing gas pressure, or to establish (independently of such action) an upward current, by passing down a second tube outside that for oil, and forcing down air by means of a powerful air-pump, worked by the engine. The added tube is turned up at its lower end so as just to enter the oil-tube, and the force with which the injected air rises—the pump sometimes being worked under a pressure of 200 to 400 lbs. to the square inch—brings up also the oil and water entering the tube. It is anticipated that this method may also restore the productiveness of some wells which have ceased to be pumped with profit. In some cases in which the tubing or the opening into the oil-cavity has become clogged by paraffine, the former being likely to occur during the cold months, a jet of steam forced down the tube for a sufficient length of time, is said to have removed the difficulty. In order to cheapen and facilitate the boring of the rocks, it has been proposed to bring the “diamond drill” into use. This drill is in tube form, its edge being set with a sort of cheap or “block” diamonds; and being caused to revolve, it somewhat rapidly cuts a “core” into the rock to a certain depth, which could then be broken off and hoisted out, and the process repeated. An invention of still more recent date than the last, and unlike it, designed expressly for oil-boring, is that of Col. E. A. L. Roberts, of New York, and known as the petroleum torpedo. It appears intended for use, when necessary, to clear the borings from paraffine and sediment, but more particularly to fracture the rock laterally about the place of its explosion, so as to open up communications with surrounding oil cavities, which often, though very near, are completely shut off by the compact and unbroken condition of the surrounding rock. A cylindrical tube, four feet in length, and made to fit the bore of a well, is filled with gunpowder, and suitably closed, and this is lowered by a wire into a well to be operated on, to any desired point. It can then be exploded either by percussion, as by a weight let fall along the wire, or in other ways. It is anticipated that by its action wells previously unproductive may in many cases at once be brought to yield abundantly.

Oil wells are at present (beginning of 1865) sunk in the sandstones of the N. W. Pennsylvania region, by contract, at \$3 per foot. To

this item of the cost of sinking a well, amounting, for a depth of 600 feet, to \$1,800, must be added many other outlays; as, at present prices, for an engine of ten horse-power, delivered, about \$2,000; derrick, working-beam, and appurtenances, \$150; band-wheel, belting, &c., \$100; set of tools, \$400; 1½ inch hawser and small rope, \$100; 600 feet tubing, at \$1.10, \$660; 50 feet driving pipe, \$350; 500 bushels of coal, \$380; pump-barrel and valves, \$37; wrenches, clamp, &c., \$40. These may be regarded as approximately correct estimates of expenses, at the time, in currency, incidentals not being included. To their total, \$6,017, however, at least 25 per cent. should be added for unforeseen and contingent expenses.

Qualities of Crude Petroleum.—The oil at first appears as a dirty or muddy stream, in which, along with petroleum, earth or sand, and often water, are mixed. If, later, other intermixture ceases, water commonly continues to be brought up with the oil, perhaps in increasing proportion. The mixed liquid is discharged or conveyed from the pumps into tanks, of capacities of from 30 to more than 1,000 barrels, and allowed to stand for some time. The water, being heavier, now mainly separates, and sand if present—these sinking to the bottom of the tank. The crude oil thus becomes collected by itself, floating upon the water, and acquires its characteristic appearance. That of the Oil Creek region has commonly a greenish hue, sometimes, it is said, changing in the lighter qualities to reddish. It is stated to be generally of different gravities according to depth, the deeper wells giving the lighter and purer oils. The oils of the bituminous coal-fields are generally of a brown color. This is commonly the color of the oils of West Virginia and S. E. Ohio, and to some extent, though not invariably, also of those of Canada West. Most of the last named possess a strong odor of sulphur-compounds; and they have generally proved very difficult of refining.

To a great extent the oils of the West Virginia and S. E. Ohio region, as were those of the Mecca district, are of the distinctly low gravity sort known as (crude) “lubricating” oils; and, whenever not unusually impure, such are as yet commercially more valuable than the very light oils, such as those of most of the wells of Oil Creek and some other parts of the N. W. Pennsylvania region. Some oils of the latter region, however, as those of French Creek, are also of low gravity, and are prized accordingly. The most abundantly yielding wells of Oil Creek (*i. e.*, those reaching the third rock), afford the lightest oil; and the rule is, in fact, a general one. On the other hand, the wells affording a heavy oil, are almost without exception those the yield of which is comparatively limited. Indeed, the higher price which the heavy oils command, may be said to depend on the fact that as yet they do not in quantity so nearly meet the existing demand growing out of the purposes they serve, as is the case with

the oils of higher gravity. On Duck Creek, O., wells very near each other sometimes show a difference of 10° B. in the gravity of the oils they afford; and this fact is of course paralleled in many other locations.

General statements place the crude oil of Oil Creek, as the rule, at gravities of from 40° up to 47° , and sometimes 50° B. (sp. gr., .829 to .785); about Franklin, at 30° to 32° (sp. gr., .879 to .869); of Burning Spring Run, at 33° to 41° (sp. gr., .864 to .825); about Horse Neck Run, at 28° to 42° (sp. gr., .890 to .820); about Cow Run, O., at 40° to 41° ; at Mecca, O., at 26° to 28° (sp. gr., .901 to .890). Prof. Andrews states that oil from the coal measures may vary in gravity from 20° to 52° B. (sp. gr., .936 to .777). He also speaks of a crude oil from near Pomeroy, O., which shows 51° B. (.781), and burns freely and with a brilliant flame, without refining.

The temperature fixed by custom as the standard for testing the gravity of rock and coal oils, crude and refined, is 60° F. As at temperatures below this the density of the oil is increased, while at those above it becomes more rare, it is necessary, in testing oils at other temperatures than 60° , either to make allowance for the difference, or to bring a sample to the standard temperature. Buyers now require that a fair sample of any tank or lot of crude petroleum in question shall be brought to the standard temperature before testing.

As among the important chemical properties of petroleum, it may be remarked that the oil—crude or refined—does not unite or properly blend with water, though it imparts to the latter its peculiar smell and taste. It combines in all proportions, however, with strong alcohol, with ether, and with common oils, both the essential and the unctuous. It dissolves sulphur, phosphorus, iodine, camphor, most resins, wax, and fats, and softens rubber into a glairy varnish. These qualities serve to explain some of its uses yet to be named. (URE's *Dictionary*.)

Refining of Petroleum: Separation into Distinct Products.—While standing in tanks, the crude oil loses much of the gas it may have held as brought up from the wells. It also loses by evaporation, and to a greater extent as it is allowed to stand longer, portions of its lower or most volatile constituent hydrocarbons. Where the oil is raised by pumping, the jet of gas is often visible as it shoots out horizontally from the pump, with each discharge of oil; and over the tanks into which oil just raised has been run, it is not uncommon to see a sort of tremulous or glimmering appearance, like that sometimes observed where heated air is rising, and due to the presence of a scarcely visible cloud of escaped oil-vapors. In consequence of the rapidity with which the evaporation sometimes goes on from light oils when first raised, the remaining body of such oil is, in some cases, cooled almost or quite to freezing. Almost any crude oil, however, will still retain some portion of gas and of the lightest con-

stituents, as well as usually some water, and, of course, other impurities.

To free the crude oil from remaining admixtures such as those already named, is one object of the refining process; another is, at the same time, to separate from one another—though not in an exact and perfect manner—certain groups of the entire series of component hydrocarbons, each group intended to contain such of these as are suited to some particular use or uses. The groups so separated constitute so many complex materials, somewhat differing in their composition, and in certain of their sensible qualities. The means of such separation are afforded in the successively higher boiling points of the component oils, and in the circumstance that some of the constituent hydrocarbons are in reality solids, and which the oily components merely hold in solution.

Thus, in order to obtain from petroleum a suitable burning oil, it is necessary to cut off both the extremes of the hydrocarbon series. The points of separation in the series could be determined by the *density* of the oil as it is carried over from the still, or perhaps by *temperatures*. In refining and separating the burning oil, in this country, the points of cutting off are usually determined, the lower by the *density*, and the higher by the same, or by the *color* of the oil flowing from the still. Thus, as the heat imparted to the crude petroleum placed in the still is gradually raised, the portion which at first distills over, and above a point of gravity which different refiners take variously at from about 65° down to 58° B.—as tested, of course, by bringing samples to 60° F.—is set aside, and constitutes the *crude naphtha*. It is most common to cut off the naphtha at some point in a range of from 63° to 59° B. Many refiners separate first of all the lightest naphtha, down to about 80° B.; to this the name of *gasolene* has been given. In the first refining of petroleum, the practice in determining the point of cutting off at last, *i. e.*, from the heavier components, is perhaps still more various. It appears that in some refineries a separation is at once made between the burning oil proper and a denser or lubricating oil; and those who desire to produce a refined petroleum of the best qualities, collect the oil for such purpose toward the last no longer than it continues to run "light," or, at farthest, a (whiter) "light straw;" or, when determined by density, to about 42° to 35° B. If beyond such point the distillation be kept up, and the product separately collected, this will consist of a lubricating oil, but which also holds some *paraffine*. Here, again, the distillation may be stopped while the thicker residue in the still, and which is commonly known as the *residuum*, is yet only of the consistency of very thick oil or of a fluid tar; and in such case, the residuum will still contain much paraffine and some lubricating oil. In other cases, the first distillation in refining petroleum is kept up so long as any dark and heavy oil continues to go over; and the only residue at the last is then the hard and

compact mass known—somewhat improperly—as *coke*, and which, largely composed of earthy matters and of carbon, is nearly or quite combustible.

At refineries in the oil regions it is a quite common practice not to separate a lubricating oil, but to run off into one receptacle the entire product obtained below a certain gravity at the outset; while it appears that at some of these the oil is cut off at about 42°, and the residue then mixed with crude oil and redistilled. Hence, from circumstances which have now been indicated, it is often true that a refined petroleum contains yet constituents both too light and too heavy for use in burning, and so requires to be refined again. If, upon testing a refined oil with the coal-oil pyrometer, its vapor would explode below 110°, it was for some time customary to pronounce such oil unsafe for burning. At present, however, many dealers and consumers regard as safe oils of which the explosive point, correctly found, is as low as 100°. If a refined oil yields vapor in quantities which readily explode below this point, it is beyond question not suited for general use as an illuminant, but requires redistilling, a further portion of naphtha being separated. According as its naphtha has been cut off at points ranging from 65° to 58° B., a refined oil will show an explosive point of from about 90° F. up to 115°, or even to 120° or more. The lower the point at which the naphtha is cut off, the higher is the explosive point, and up to a certain degree the greater the safety of the oil, while the density of the latter and its illuminating value are at the same time increased. Again, if at first the petroleum was distilled well-nigh or completely down to a heavy residuum or to coke, more or less of lubricating oil may then also be separated at the last, in a second distillation.

Through variations in the comparative purity of different crude oils, and in the care of refining and the point to which the distillation is pushed, it results that the refined petroleum reaching the markets is of many grades of quality and value. It is evident that where much heavy oil, quite or nearly colorless, can be obtained, this will allow of retaining more of the naphtha, and may yet show about a usual density; and, indeed, naphtha and heavy oil are sometimes so mixed as to afford an oil having the density of that of the best quality, while the oil actually of such quality would have its constituents more nearly in the middle of the hydrocarbon series. It will thus be seen that, for the quality of refined oils, density alone is not a sure criterion; as it is not, further, of their safety. Thus, dealers at present depend, for determining the quality and value of refined oils, almost entirely upon their color, and the indications of the fire-test; while, for crude oil, they are left to be guided in the main by density alone, and for naphtha, by density in connection with odor and color. Of refined oils, the best quality is that known as "prime

white," and which under the fire-test shows from 115° to 120° or upward; while after this in order follow "standard white," "light straw to white," "light straw," "straw," "lemon," etc. These varieties of color, taken alone, are not, as has already appeared, positive tests of density, of safety, or of illuminating value. The fire-test now generally required in refined oils for exportation, is 110° and upward; in those for home consumption, it may be stated at from 100° to 110°.

The burning oil obtained from petroleum has in this country become generally known as *kerosene*, although this is properly the name (as originally applied by Dr. Gesner) of the analogous burning oil separated from crude shale or coal oil. So far as burning oils are obtained from petroleum, the term *kerosene* applied to them must be regarded merely as a trade-mark, the proper name, as yet, being refined petroleum. Of course, in the separation of this product, no rule as to the proportion which will be set aside in form of the lighter and heavier constituents, can be laid down for oils generally; and the practice of different refiners being, as already seen, quite various, considerable differences will exist in different burning oils in the respects of density and the total quantity of light they can afford. It has been stated that the proportion of the limpid, merchantable illuminating oil, in different specimens of the crude, will vary from about 30 up to 90 per cent. Mr. Paul states that from crude coal and shale oils not more than from 5 to 15 per cent. requires to be separated; from Canadian petroleum not more than 10 per cent.; and from American petroleum (the writer having in view, perhaps, the lighter oils from the Oil Creek region) 20 to 25 per cent. He further states that burning oil from coal and shales has usually a specific gravity of about .825, *i. e.*, 41° B., while those from petroleum have rarely a specific gravity of above .800 (about 46° B.), and sometimes stand as low as .780 (51° B.). It is still a question, however, whether by retaining (so far as is safe) the lighter constituents, and so getting an oil of less density but in greater volume, the total quantity of light, and so, the total value obtainable from a crude petroleum, is not increased. Prof. Silliman quotes Mr. Gilbert as putting the loss in refining of crude California petroleum at 10 to 15 per cent., and as giving the following statement of the products of distillation: Naphtha, 5 per cent., at 65° B.; burning oil, .50, at 30° to 32° B. (much too low); light machine oil, .20, at 25°; heavy oil and paraffine, .25, at 18° B.

Professors Brewer, of Yale College, and Whitney, of California, appear to insist upon a radical distinction between the petroleum of the eastern oil regions and the thick oil or mineral tar of the natural wells of California; and the former, at least, doubts whether this tarry oil will afford good illuminating and lubricating oils. Writers in California journals also have

recently declared that no illuminating oil comparable with that of the east has been, beyond question, produced from the wells of that State. On the contrary, besides Prof. Silliman, Prof. A. K. Eaton and other chemists have found the California oil examined by them to be petroleum, and to yield fair percentages of both illuminating and lubricating oils. The great evaporation due to a hot climate would doubtless render the more surface oils of less value than such as might be obtained by deep borings. The question of value for distillation of the California asphaltum can be determined only by actual experiment.

As to the process of refining, it may be said briefly that where this and the separation of the products are effected in the same course, the naphtha is first run off into one receptacle, and the illuminating oil next conveyed into another, while the heavier products which follow may be discharged together into a third, or separated into lighter and heavier lubricating oils. Having been run into the large tanks intended to receive it, the burning oil is purified by agitating successively with sulphuric acid, with water, with alkali, and then with water again; and it is then by suitable treatment further decolorized, and, as it is termed, deodorized—the latter expression, however, implying chiefly the removal of odors due to foreign admixtures remaining in the oil, and not altogether of its own specific odor. It is important that the oil should be wholly freed from the chemicals employed in its purification, as otherwise it is liable to grow darker, and at the least to lose in market value, with age. The heavier oil is sometimes by itself redistilled, yielding a further portion of burning oil; this latter is then often mixed with naphtha, producing a burning oil of inferior grade. But whether redistilled or not, the heavy oils being finally left to stand in vats, deposit in solid form a considerable quantity of paraffine. This, taken up from the vats, is freed from intermixed oil by pressure, much in the same manner in which the separation of the solid from the fluid fats is carried on in case of lard, tallow, &c.; and the impure solid paraffine, as thus procured, is subsequently remelted by itself, and purified. The crude naphtha is also commonly refined and deodorized. Within the stills there remains at the close of the process a dark, thick, tarry residuum, which still contains paraffine; or, if the process has been carried to the extreme, as before shown, only the hard cake or mass of coke, which is quite worthless. (See PETROLEUM, in the NEW AMERICAN CYCLOPEDIA.)

When the change from the distillation of crude coal oil to that of rock oil had once been made, it soon became general, the very low price at the time, at least in this country, of the latter oil, crude, serving wholly to exclude for the time, from competition with it, those obtained from coal, asphaltum, &c. The works of the New York Kerosene Oil Co., on Long

Island, established for the refining of coal oil, were among the first to be devoted to the working of the new material.

In some cases, the heavy crude or natural lubricating oils are not distilled, but are purified by applying heat and by the use of chemical agents, the purpose of which is to remove from them the grit, &c., including sometimes certain impurities of a gummy character, and which would tend to destroy their value as lubricants. The same unfavorable effect, indeed, would be exerted by paraffine, if left in very considerable quantity in the oils; and this must further be in part removed, as is accomplished by chilling the oils with ice, and then pressing them through porous materials. The city of Cleveland has thus far been one of the chief centres of manufacture, from petroleum, of lubricating oils.

In connection with the attempts now being made to produce many of the new dyes, hitherto known as the "coal-tar colors," or at least dyes closely resembling them, from petroleum, it becomes a very important practical question whether American rock oils, or at least some varieties of them, do or do not contain as constituents, the distinct chemical principles known as *benzole* and *toluole*; since it is from a combination of these, primarily, with nitrous acid, that aniline, the basis of many of the most valuable among the new dyes, is obtained. M. Schorlemmer has recently declared that in American petroleum he finds, to some extent, both benzole and toluole; but MM. Pelouze and Cahours, agreeing with Mansfield and other early authorities, explicitly contradict this conclusion; and in the views of the latter some chemists in New York coincide. Finally, Messrs. De la Rue and Muller, for some time engaged in an examination of the Rangoon petroleum, intimate that in it they find not only the series of hydrides already presented (see TABLE), but also the *benzole* series, as benzole ($C_{12}H_6$), toluole ($C_{14}H_8$), &c. In like manner it is still undecided whether petroleum contains to some extent *aniline* itself, though this also is doubtful, or *naphthaline*, or other constituents, light or heavy, which, for the color-manufacture, may serve as equivalents for the principles already named. (See ANILINE COLORS, in this volume.)

Through a combination of causes, a great and well-nigh unparalleled excitement has arisen in the money market, in connection with the subjects of oil lands and prospects, and with the value and transfers of property of the various companies, established and newly forming.

According to statements in an editorial article in the "New York World," of Jan. 11, 1865, there were at that time in the city of New York alone 112 petroleum companies (known) in existence and forming, their combined nominal capital being as stated in the subjoined table, which presents the known petroleum investments of the ten (in this respect) leading cities of the United States:

Philadelphia....\$163,715,000	Baltimore.....\$1,750,000
New York.....184,045,000	Chicago.....1,000,000
Pittsburg.....15,740,000	Cincinnati.....750,000
Titusville.....4,000,000	Washington.....700,000
Boston.....2,300,000	
Cleveland.....2,200,000	Total....\$326,200,000

It is also stated, that to this aggregate probably \$100,000,000 should be added for capital in like manner invested, in the same cities and elsewhere, in other companies and in private enterprises, but in amounts not publicly or not definitely known.

Uses of Petroleum and its Products.—The refined petroleum, of a gravity of 43° to 46° B., or higher, is the oil which is burned for illumination. As ordinarily burned, in suitable lamps, it affords a light superior in power and in quality to that of coal-gas flames of like size, the oil-flame being the more solid, soft, and through effect of the chimney, steady, as well as exceedingly white. According to Prof. Frankland's estimates, based on the relative cost of the various materials named in England, the light of coal or cannel-gas is cheaper than that of refined petroleum; but the latter, again, costs less than one-third as much as an equal quantity of light from sperm oil, in a yet lower ratio when compared with that from tallow or paraffine candles, and less than one-twelfth the cost of that from spermaceti or wax. (See ANNUAL CYCLOPEDIA, 1863.) When, however, the relatively higher cost in this country of coal and coal-gas is taken into the account, it becomes quite certain that here petroleum affords a cheaper illuminant even than gas. Its economy for general use, and particularly where gas cannot be had, is thus obvious; although its convenience of use is somewhat less than that of sperm-oil.

The *lubricating oil*, of a gravity usually of about 28° to 33° B., stands next in general importance. As a lubricator, this oil is superior to most, if not all others, in the circumstances that it does not readily oxidize, so as to form a gummy or tenacious deposit upon axles and the surface of bearings to which it is applied, and that, if properly purified in the outset, it need not contain any such adhesive matters; so that it hence works free and smooth. In practice, in order (as it is termed) to give it "body," the heavy petroleum is very commonly mixed with a portion of sperm or other oils. It is stated that the heavy oil is also used as a polish for furniture, and as an ingredient in a paint oil, being in this way employed in mixture as a partial substitute for linseed oil. Its want of a marked oxidizing tendency, and hence of "drying" property, however, unfits the heavy refined petroleum for use except for comparatively rough or cheap work.

The *paraffine* obtained from petroleum is without doubt, to some extent, a different material from that afforded by the tar from coal, shales, peat, &c. As already seen, this paraffine can be obtained directly from many crude oils, especially the heavier, by chilling them so as to congeal and solidify it, and then pressing

through porous materials, which allow only the oil to escape, as well as also by treating the ordinary residuum in the like manner, or perhaps by chemical agents, and from the deposits at the bottom of the vats into which refined oils are run. When purified, the paraffine is a whitish, tasteless, and inodorous substance, somewhat resembling spermaceti, and of a specific gravity of about .870. It appears to be used as yet, chiefly as a hardening ingredient with tallow, spermaceti, &c., in the making of candles; and it is stated also, to some extent, in mixture with beeswax and spermaceti, for the purposes answered by those materials.

Naphtha, or benzine, which when crude may range in gravity from about 58° to 65° B., or upwards, and which, after refining, is quoted at 60° to 63°, has been put to a variety of uses, to prevent its being a waste material, though it is not in all of these yet made to serve to the best advantage. It appears to be an excellent article for cleansing wool, and when refined, also for cleaning soiled fabrics or garments, and without impairing their colors. It has been employed as a solvent of various gum-resins, and particularly of India-rubber. In the preparation of varnishes and of paints, it has been to some extent used as a substitute for spirits of turpentine; but the latter article being in fair supply, and being as yet preferred, the naphtha has not come into the general use for these purposes that had been anticipated for it. ("Shipping List" annual review, 1864.) The lighter oils have been to some extent also burned in vapor lamps, the oil being contained in a reservoir to which heat must first be applied, to commence its evaporation. It may be remarked that with some refiners, and perhaps to some extent among dealers, it is customary to make a distinction between the lighter and heavier naphtha; but such distinction has not become general.

An oil is prepared from petroleum for curriers' use, in finishing leather, and which is said to be preferable for such purpose to the fish and neats-foot oil hitherto commonly employed. Soaps for toilet use have been to some extent prepared, in which, along with the fat or oil and alkali, refined petroleum is incorporated. Such petrolized soap has been said to have some advantages, as in protecting and favoring a healthful condition of the skin; but among the difficulties in the way of the manufacture has been that of securing a petroleum sufficiently free from odor, and this application of the oil can scarcely yet be said to be successfully carried out. To the subject of ANILINE COLORS, reference has already been made. A process has been patented in New York, for producing from some of the dyes recently obtained from petroleum a set of inks, for the printing in colors of show-bills, etc.

The *residuum*, besides being sometimes made to yield paraffine and to some extent the material for dyes, has been employed with success in the manufacture of illuminating gas (see pre-

ceding volume); and it has already been to some extent turned to account in this country as a fuel, being thus used under the refining stills. It is probable that for both these purposes this material, as well as some sorts of crude petroleum, may yet be in considerable demand. So soon as suitable apparatus shall have been invented for their consumption, and, in case of the crude oils, wherever the cost of these shall be relatively less than that of coal, the economy both of space and material, and the convenience of employment of fuels of this sort, must lead to their extensive adoption in practice, and especially as a source of heat for the boilers of locomotives, in ocean steam navigation, etc. Both as a fuel and as material for lighting gas, the supplies of petroleum and bitumen on the Pacific coast, where coal is very costly, and steam fuel of any kind for marine use extremely scarce, are likely to prove of great importance. It is stated that at the Downer refinery, in Corry, both the residuum and naphtha have been experimented with by use of a new apparatus intended for their consumption, and that they have thus afforded a heat as powerful and regular as that from bituminous or anthracite coal. Finally, it has recently been found that an oil of low gravity still remains in the residuum as usually left; and certain parties in New York and Brooklyn have distilled from it an excellent lubricating oil of a density of 28° to 30°.

The principal uses to which varieties of crude petroleum have been put, or for which some of them obviously promise to be largely useful, the former including the direct use of some pure light oils for burning, the employment of the oil from many particular locations as a remedial agent, and that both for internal and external use, etc., and the latter including especially the office of fuel, and of a material for gas manufacture, have already been incidentally alluded to. The applications, however, of petroleum and its products are still constantly extending; and of some of their minor uses, or such as are yet only in course of development, it is not necessary here to speak.

Duties on Petroleum.—The Government tax of twenty cents per gallon on refined petroleum, and the same on naphtha, went into effect July 1st, 1864; but the full influence of the tax upon the prices of bonded and free oils was not reached until December.

Commerce of Petroleum.—The New York wholesale prices, per gallon, of crude petroleum, of refined—free, and in bond—and of refined naphtha, in the first weeks of January, April, July, and October, 1863 and 1864, with the averages for those two years, and the prices in the first weeks of January and March, 1865, were as below. The qualities of oil quoted are of crude, gravity of 40° to 47° B.; of refined, "light straw" to "white"; of refined naphtha, gravity of 60° to 63° B. Very high or very low gravity crude, or "prime white" or "straw" refined, would vary from the rates given.

Dated.	Crude. Petroleum.	Refined. Free.	Refined. In Bond.	Refined Naphtha.
	Cts.	Cts.	Cts.	Cts.
1863. Jan. 3.....	25 @ 27	45 @ 50	42½ @ 47½	30 @ 35
" April 1.....	20 @ 21½	33 @ 37	30 @ 34	30 @ 32
" July 1.....	32 @ 33	63 @ 65	54 @ 57	24 @ 25
" Oct. 3.....	34 @ 36	65 @ 67	55½ @ 56	28 @ 30
1864. Jan. 2.....	31 @ 31½	50 @ 52	45 @ 47	20 @ 25
" April 2.....	33 @ —	55 @ 63	51 @ 52	33 @ 35
" July 2.....	51 @ 53	98 @ 100	90 @ —	42 @ 49
" Oct. 1.....	38½ @ 39	73 @ 74	63½ @ 64	45 @ 47½
1863, average.....	28.13	51.74	4.15	28.59
1864, ".....	41.81	74.61	6.03	30.54
1865. Jan. 4.....	51 @ 52½	92 @ 94	73½ @ 74	53 @ —
" March 1.....	43 @ 44	87 @ 88	66 @ 67	51 @ 53

The following exhibit presents the total quantities received of crude and refined petroleum, at New York, in 1863 (nearly accurate), and 1864:

Stock on hand, Jan. 1, 1863, in all the yards.....	165,100 bbls.
Received in 1863, as reported.....	686,260
Probable additions required, for omissions, &c.....	34,500
Total receipts.....	720,760
Total supply.....	885,860
Deduct export from N. Y., in 1863.....	488,690
Stock on hand, Jan. 1, 1864.....	82,709—571,899
Remainder, taken for consumption from New York in 1863, including shipments to California.....	314,461 bbls.
Equal to an average per month, of.....	26,205 "
Stock on hand, Jan. 1, 1864, of all kinds.....	82,709 bbls.
Received in 1864.....	720,100
Total supply.....	802,809 bbls.
Deduct export from N. Y., in 1864.....	533,334
Stock on hand, Jan. 1, 1865.....	27,228—560,622
Remainder taken for consumption from New York, in 1864.....	242,187 bbls.
Equal to an average per month, of.....	20,182½ "

The Question of Durability of the Oil Supplies.—The natural accumulation of petroleum in each given region, and that of the bitumen in any given stratum which may have been its source, being of course some limited and (at any given time) definite quantity, and the rate at which—if at all—fresh supplies of the oil can be evolved, being very slow, it must follow that, by working any region, its available oil-supplies will be gradually and steadily exhausted. But the duration of the commercial supply of the world will be greatly protracted by the discovery of new regions, and by the development of such as are remote and yet neglected; perhaps also in some cases by sinking wells into collections of oil in strata deeper than those which in the same districts have yet been penetrated. These presumptive conclusions appear to be sustained both by general facts in the history of petroleum regions, and by some special facts already noted in course of working the regionsthe most fully developed on this continent.

The yield of oil from the numerous springs of the Rangoon district, on the Irrawaddy, has become greatly reduced in quantity. The oil springs of Agrigentum, in Sicily, and of Derbyshire, England, have nearly ceased to flow.

The large and wide-spread surface supply of petroleum of a past age over northwestern Pennsylvania and the southern part of western New York has long since, save at a few points, disappeared. It is stated that few, if any, of the old salt wells of the Sandy, Kanawha, Alleghany, Muskingum, and other valleys in which these have been worked, have been kept at a good yield, except by deepening them from time to time; and that, at such times, usually new supplies of gas and oil, as well as of brine, have made their appearance. It is already noted that along Oil Creek fewer of the new borings afford spouting wells than was the case in 1861 and '62; while, further, the most violent blowing and spouting wells of that period have become comparatively quiet. It may be added, that generally the flow of the best flowing wells has not continued more than about eighteen months. Though in a good proportion of cases the pumping wells of the Oil Creek and contiguous districts are quite regular in their yield for a long time, yet very many such that once yielded largely have finally given out. Indeed it is found that, as a general rule, all the older wells, flowing or pumping, have tended gradually to a greatly diminished yield of oil, while many, as just intimated, in time fail altogether. In some instances, productive wells suddenly cease to afford oil.

It appears safe to state that, as a rule, the value of oil-producing property is materially impaired by any causes which lead to the consumption or discharge of large quantities of the imprisoned gas, or which, as in the case of the inflow down abandoned wells, allow of the free introduction of water into the oil reservoirs.

In addition to authorities already named, some information upon many points touched on in this article, has been derived from the volume entitled "All about Petroleum" (New York, 1864), and some also from other sources.

PHYSICAL FORCES. The investigation into the nature and relations of the physical forces continues with unabated and increasing earnestness. It seems to be generally agreed that the *dynamical* aspect of natural phenomena is the one to be mainly considered in future. Facts of force and power have been long and closely observed; they now require to be *combined*. The need is felt for a philosophy of energy sufficiently valid and comprehensive to explain the connections of the forces, and reach propositions of sufficient universality to cover all the cases of the exercise of power.

The general problem may be conveniently considered in a twofold aspect: *first*, respecting those movements of the minute portions of matter in which all molecular force is now believed to consist; and, *second*, the relations among the radiant forces.

As respects heat, it may now be regarded as well established that it does not consist in a peculiar fluid, but in the movements of the atoms or minuter portions of matter. Nothing needed to be added to the original and decisive

experiments of Count Rumford to show the complete futility of the old view, and fix the conviction that heat is precisely what he called it, a *mode of motion*. The conception of heat as a calorific fluid was abundantly adequate in the earlier stages of science, while yet material ideas were dominant, and the physicist held that his chief work was to determine the qualities and quantities of *matter*. But when conceptions of force had gradually grown into prominence, and from considering the characteristic properties of the various forms of energy the investigation advanced to questions of quantity, to the quantitative relations and equivalences of power, the whole subject assumed a new aspect, and the utter deficiency of the old hypotheses was at once apparent. Rumford's experiments were, no doubt, completely conclusive, but they have been reënforced by a train of varied and extended investigations through the last half century, which places the whole subject in a new and most interesting attitude. Having abandoned the idea that heat is a peculiar substantive *thing*, a view which cuts off all rational possibility of linking it to other dynamic agencies, the physicist holds that it consists essentially in atomic movements, and that all its phenomena are to be accounted for on this principle. *Thermotics*, in fact, or the science of heat, is at once but a branch of the greater science of molecular dynamics; as heat, like any other force, is never known, except through material movement. As its various efforts all resolve themselves simply into expansions or contractions, it certainly seems the most natural view to dispense entirely with the machinery of hypothetical fluids, and define it as simply a mode of motion in the matter which manifests it. Exactly what those atomic motions are in which heat essentially consists, cannot be considered as yet determined. The prevailing opinion, however, among scientific men is, that it consists in the simple oscillations of the atoms. It is more universally held that material atoms are never in absolute contact; that they are set at distances from each other, with comparatively large interspaces, which admit of free motion. Heating a body, then, would consist of imparting to it additional molecular motion, by which the atoms would be made to vibrate through larger distances, causing expansion of the mass. Cooling would be a loss of this vibratile motion by which the body contracts; while the communicability of heat in its various modes and conditions, is but the communicability of molecular motion.

It has long been held that *light* is but a mode of motion, as is shown by the universal acceptance of the undulatory hypothesis. Whether, as is commonly done, an ether be assumed as the medium of the undulatory movement, or whether, in accordance with the views of some, the conception of an ether be held as unwarrantable, and the undulations are assumed to take place in ordinary matter, it seems to be substantially

the same thing; light is resolved simply into a vibration, or an undulation of the particles of a medium. Of course the rejection of an ether implies the assumption of universal matter, which is maintained by Prof. Groves, who denies that there is any support for the notion of a universal vacuum in the celestial spaces.

But if heat and light are thus *modes of motion*, and science has undertaken to state what kinds of motion they are, it becomes obvious that all the allied forces are of a kindred nature; and the question arises, What are the several kinds of motion which constitute these various energies? This is the grand dynamical problem of the future, which it will require the coöperating scientific intellect of the world to solve. Nevertheless year by year progress is being made, and we may here call attention to an able and ingenious attempt in this direction which has been recently put forth. Herbert Spencer has put the question, "What is the particular mode of motion which constitutes electricity?" and favored us with his answer, which is so important as to have commanded extensive scientific approval. We condense his views.

That electricity is some kind of molecular vibration, different from the molecular vibrations which luminous bodies give off, must be generally admitted. Beyond those oscillations of molecules from which light and heat result, many would suspect that there will, in some cases, arise compound oscillations. Let us consider whether the conditions under which electricity arises are not such as to generate *compound oscillations*, and whether the phenomena of electricity are not such as to result from compound oscillations.

The universal antecedent to the production of electricity is the contact of heterogeneous substances. If, then, electricity is some mode of molecular motion, and if, whenever it is produced, the contact of substances having unlike molecules is the antecedent, there seems thrust upon us the conclusion, that electricity results from some mutual action of molecules, whose motions are unlike. What must this mutual action be? The answer to this question does not seem difficult to reach, if we take the simplest case—the case of contact electricity. When two pieces of metal of the same kind and of the same temperature are applied to one another, there is no electrical excitation; but if the metals applied to one another be of different kinds, there is a genesis of electricity. This, which has been regarded as an anomalous fact, a fact so anomalous that it has been much disputed, because apparently at variance with every hypothesis, is a fact to which an interpretation is at once supplied by the hypothesis, that electricity results from the mutual disturbance of unlike molecular motions. For if, on the one hand, we have homogeneous metals in contact, their respective molecules oscillating simultaneously, will give and take any forces which they impress on one another without producing

an oscillation of a new order. But if, on the other hand, the molecules of the one mass have periods of oscillation different from those of the other mass, then their mutual impacts will not agree with the period of oscillation of either, but will generate a new system, differing from and much slower than that of either. The production of what are called beats in acoustics will best illustrate this. It is a familiar fact that two strings, vibrating at different rates, for a time concur in sending off aerial waves in the same direction at the same instant; that their vibrations getting more and more out of correspondence, they send off their aerial waves in the same direction at exactly intermediate instants; and presently, coming once more into correspondence, they again generate coinciding waves; so that, when their periods of vibration differ but little, and when, consequently, it takes an appreciable time to complete their alternations of agreement and disagreement, there results an audible alternation in the sound—a succession of pulses of louder and feebler sound. In other words, besides the primary simple and rapid series of waves constituting the two sounds themselves, there is a series of compound waves resulting from their repeated conflicts and concurrences.

Now, if instead of the two strings communicating their vibrations to the air, each communicated its vibrations to the other, we should have just the same alternation of concurrent and conflicting pulses. And if each of the two strings was combined with an aggregate of others like itself, in such a way that it communicated to its neighbors both its normal and its abnormal vibrations, it is clear that through each aggregate of strings there would be propagated one of these compound masses of oscillations, in addition to this simple rapid oscillation.

This illustration will make it manifest, that where a mass of molecules, which have a certain period of vibration, is placed in contact with a mass of molecules which have *another* period of vibration, there must result an alternation of coincidences and antagonisms in the molecular motions, such as will make the molecules alternately increase and decrease one another's motions. There will be instants at which they are moving in the same direction, and intervening instants at which they are moving in opposite directions; whence will arise periods of greatest and least deviations from their ordinary motions. And these greatest and least deviations being communicated to neighboring molecules, and passed on by them to the next, will result in waves of perturbation propagated throughout each mass.

Let us now ask what will be the mutual relations of three waves? Action and reaction being equal and opposite, it must happen that whatever effect a molecule of the mass A produces upon an adjacent molecule of the mass B, must be accompanied by an equivalent reverse effect upon itself. If a molecule of the mass A

is at any instant moving in such a way as to impress on a molecule of the mass B an additional momentum in any given direction, then the momentum of the molecule of B in that direction will be diminished to an equal amount. That is to say, to any mass of increased motion propagated through the molecules of B, there must be a reactive wave of decreased motion propagated in the opposite direction through the molecules of A. See, then, the two significant facts, any *addition* of motion which at one of these alternate periods is given by the molecules of A to the molecules of B, must be propagated through the molecules of B in a direction *away from A*; and, simultaneously, there must be a *subtraction* from the motion of the molecules of A, which will be propagated through them in a direction *away from B*. To every wave of *excess* sent through one mass, there will be a corresponding wave of *defect* sent through the other; and these *positive* and *negative* masses will be exactly coincident in their times and exactly equal in their amounts. Whence it obviously follows, that if these waves proceeding from the surface of contact through the two masses in contrary directions are brought into relation, they will neutralize each other. Action and reaction being equal and opposite, these *plus* and *minus* molecular motions will cancel one another if they are added together, and there will be a restoration of equilibrium.

These positive and negative waves of perturbation will travel through the two masses of molecules with great facility. It is now an established truth, that molecules absorb, in the increase of their own vibrations, those rythmical impulses as waves which have periodic times the same as their own; but that they cannot thus absorb successive impulses that have periodic times different from their own. Hence those differential undulations being very long undulations in comparison with those of the molecules themselves, will readily pass through the masses of molecules or be *conducted* by them. Further observe, that if the two masses of molecules continue joined, these positive and negative differential masses, travelling away from the surface of contact in opposite directions, and mutually arriving at the outer surfaces of the two masses, will be flected from these; and, travelling back again toward the surface of contact will there meet and neutralize one another. Hence no current will be produced along a wire joining the outer surfaces of the masses, since neutralization will be more readily effected by this return of the waves through the masses themselves. But though no external current arises, the masses will continue in what we call opposite electrical states; as a delicate electrometer shows that they do. And further, if they are parted, the positive and negative waves which have the instant before been propagated through them respectively remaining neutralized, the masses will display their opposite electrical states in a

more conspicuous way. The residual positive and negative waves will then neutralize each other along any conductor that is placed between them; seeing that the *plus waves* communicated from the one mass to the conductor, meeting with the *minus waves* communicated from the other, each being mutually cancelled as they meet, the conductor will become a line of least resistance to the waves of each mass.

Carrying out this view with great ingenuity in the case of thermo-electricity and reaching by it an explanation of the thermo-electric pile, Mr. Spencer thus sums up the argument: May it not be said, that by some such action alone can the phenomena of electricity be explained, and that some such action must inevitably arise under the conditions? On the one hand, electricity being a mode of motion, implies the transformation of some preëxisting motion—implies, also, a transformation, such that there are two new kinds of motion simultaneously generated, equal and opposite in their directions—implies, further, that these differ in being *plus* and *minus*, and being therefore capable of neutralizing each other. On the other hand, in the above cases, molecular motion is the only source of motion that may be assigned; and this molecular motion must, under the circumstances, produce effects of the kind witnessed. Molecules vibrating at different rates cannot be brought in proximity without affecting one another's motions. They must affect one another's motions by periodically adding to or deducting from one another's motions; and any excess of motion which those of one order may receive, must be accompanied by an equivalent defect of motion in those of the other order. When such molecules are units of aggregates placed in contact, they must pass on those perturbations to their neighbors. And so from the surface of contact, there must be waves of excessive and defective molecular motion, equal in their amounts and opposite in their directions—waves which must exactly compensate one another when brought into relation. The cause alleged must certainly work some such effects as those described. In this discussion it will be seen that Mr. Spencer deals only with electrical phenomena, of the simplest kind; he, however, promises in future to show how this hypothesis furnishes interpretations of other forms of electricity.

Interesting results have also been reached during the past year in the field of radiation on the connection of the radiants. We are so accustomed to associate the word *ray* with the idea of light, that the terms dark, invisible, or obscure rays are not easy to realize in the mind. Yet much the larger portion of the sun's rays are of this invisible character, as was discovered by Sir Wm. Herschel sixty-five years ago. By passing a delicate thermometer through the solar spectrum, he determined the relative heating power, which he found to increase from the violet to the red, and to his surprise he also found that the dark space

beyond the red was hotter than the colored region. He hence concluded that beside the visible sunshine there is a vast outflow of perfectly invisible rays proceeding from the sun, and that, measured by their thermal power, the energy of these invisible radiations is greater than that of all the visible rays taken together. Forty years later these results were modified and extended by the son of the discoverer, Sir John Herschel, by a different method of inquiry.

The inquiry was taken up and pursued with remarkable success by Melloni. He achieved his admirable results first by the adoption of the thermo-electric pile as an instrument of research far more sensitive and perfect than the most delicate thermometer; and second, by the discovery that rock-salt is in a super-eminent degree pervious to the dark rays; it permits almost the whole of them to pass, and was hence termed the *glass* of heat. By the use of rock-salt prisms he showed that the dark heating rays, which are known as the ultra-red or Herschellie rays, formed an invisible spectrum at least as long as the visible one. He found, also, that the maximum of radiant thermal power lies as far on one side the red as the green light of the spectrum on the other.

Prof. Tyndall has pursued these researches at intervals during the last ten years, employing the thermo-electric pile and the spectrum of the electric light, produced by using the electric lamp of Duboscq. He finds that the augmentation of temperature beyond the red in the spectrum of the electric light is sudden and enormous. Representing the thermal intensities by lines of proportional lengths, and erecting these lines as perpendiculars at the places to which they correspond, when we pass beyond the red these perpendiculars suddenly and greatly increase in length, reach a maximum, and then fall somewhat more suddenly on the opposite side of the maximum. When the ends of these perpendiculars are united, the curve beyond the red representing the dark radiation, rises in a steep and massive peak, which quite dwarfs by its magnitude the radiation of the luminous portions of the spectrum. Interposing suitable substances in the path of the beam this peak may be in part cut away. Water, in certain thicknesses, does this very effectually. The vapor of water would do the same, and this fact enables us to account for the difference between the distribution of heat in the solar and in the electric spectrum. The peak in the spectrum of the electric light is much higher than in the solar spectrum; the latter having, probably, been cut down by the aqueous vapor of the atmosphere.

But how may these dark radiations be separated from the others? A portion of them may obviously be isolated by interposing an opaque screen so as to cut off the luminous portion of the spectrum—the dark remainder being still subject to reflection, refraction, and condensation. The attention of scientific men, however, from Sir W. Herschel to the present time, has been

directed to the discovery of some medium which should be opaque to light but transparent to heat—something which might strain or sift the ray of its luminous elements, while the thermal stream is allowed freely to pass. Dark-colored glasses were much used for this purpose, and latterly a perfectly black glass.

Prof. Tyndall's researches on the relations of radiant heat to various gases led him to the discovery that elementary gases were in a high degree transparent to the dark rays, while the compound gases, on the other hand, were in a great degree opaque to them. Starting with this clue, Prof. Tyndall was led to inquire into the behavior of various elements for this purpose. He found that sulphur dissolved in bisulphide of carbon, and also bromine, were eminently transparent to the ultra-red rays. He finally tried a solution of iodine in bisulphide of carbon, and arrived at the extraordinary result that a quantity of dissolved iodine sufficiently opaque to cut off the light of the mid-day sun was, within the limits of experiment, absolutely transparent to invisible radiant heat.

Concentrating by a small glass mirror silvered in front, the rays emitted by the carbon points of the electric lamp, a convergent cone of light is obtained. Interposing in the path of this concentrated beam a cell containing the opaque solution of iodine, the light of the cone is utterly destroyed, while its invisible rays are scarcely disturbed. These converge to a focus at which though nothing can be seen, even in the darkest room the following effects are produced: paper and wood are set on fire, cigars lit, charcoal ignited, and a mixture of hydrogen and oxygen exploded. Metals, as zinc and magnesium, are burned; and plates of charcoal or of copper, silver, or platinum with tarnished surfaces, are raised to incandescence. A plate of platinized platinum in the invisible focus is made white hot, and when looked at through a prism, its light yields a brilliant-colored spectrum. In this case there is an immediate and direct conversion of heat into light.

Some thirteen years ago Prof. Stokes published the important discovery that by the agency of sulphate of quinine and various other substances the dark ultra-violet or active rays of the spectrum could be rendered visible. These invisible rays of high refrangibility, falling upon a proper medium, are believed to cause the molecules of that medium to oscillate in slower periods than those of the incident waves. But in that experiment with heat there is a reverse effect. The dark thermal undulations consist of slower vibrations than the luminous. When these, therefore, fall upon a plate of platinum and raise it to incandescence, their periods of vibration are changed. But while in Prof. Stokes' experiment the invisible rays became visible by *lowering* their refrangibility, in Tyndall's experiment the dark rays became visible by *raising* their refrangibility. To the first Prof. Stokes has given the name Fluorescence,

and for the second Prof. Tyndall proposes that of Calorescence. Dr. Aikin claims the honor of first proposing the experiments which Prof. Tyndall has first successfully executed.

PNEUMATIC RAILWAY. The Crystal Palace grounds, at Sydenham, England, were, during August, 1864, the scene of a very interesting experiment. A series of trial trips on the model Pneumatic Railway, constructed there, under the superintendence of Mr. Rammell, C.E., took place. A brickwork tunnel, about ten feet high by nine feet wide, and capable of admitting the largest carriages used on the Great Western Railway, had been laid with a single line of rails, fitted with opening and closing valves at either extremity, and supplied with all the other requisite apparatus for propelling passenger trains on the pneumatic principle. The tunnel or tube extends from the Sydenham entrance of the grounds to the Armoury, near the Penge-gate, a distance of nearly six hundred yards. The object of laying down this experimental line was to afford, both to the scientific world and the travelling public, a practical demonstration of the applicability to passenger traffic of the motive power already employed by the Pneumatic Despatch Company in the conveyance of letters and parcels. The pneumatic principle of propulsion is very simple. The train is driven along in one direction by a strong blast of air, and drawn back again in the opposite direction by the exhaustion of the air in front of it. The train may be said, in fact, to be blown through the tube on the down journey, and sucked through it on the return journey. It must not, however, be supposed that the passengers are deposited at their destination with a sudden jerk. Such an inconvenience is entirely obviated by the mechanical arrangements employed. The motion is throughout smooth, easy, and agreeable, and the stoppages are effected gently and gradually. Indeed, when it is considered that the curve in the tunnel is unusually sharp, being of eight chains radius, and that the gradients are as high as one in fifteen (those of Holborn Hill being only one in eighteen), it is surprising that the motion should be so much steadier and pleasanter than ordinary railway travelling. The journey of six hundred yards was performed either way in about fifty seconds, with an atmospheric pressure of only two and a half ounces to the square inch; but a higher rate of speed, if desirable, can easily be obtained consistently with safety. Indeed, one great incidental advantage of this species of locomotion is that it excludes all risk of the collisions occasionally attendant on railway travelling; for it is plain that no two trains could ever run against each other where all the propelling force is expended in one direction at one time. The worst mishap which it is said could well happen is that, owing to some sudden failure in the machinery, the train might be abruptly brought to a dead stop in the middle of the tunnel, when the passengers would have to alight

from the carriages and grope their way as best they could out of the tube. Such a predicament certainly would not be enviable, but it might be more ludicrous than dangerous. Whether in such a contingency there is any possibility of another train being started before they had safely made their exit, or any risk of their sharing the fate of frogs placed under an exhausted air-pump, we do not venture to assert; but probably the scientific engineer could guarantee the traveller against any such novel peril. The train used consisted of one very long, roomy, and comfortable carriage, resembling an elongated omnibus, and capable of accommodating some thirty or thirty-five passengers. Passengers enter this carriage at either end, and the entrances are closed with sliding glass doors. Fixed behind the carriage there is a framework of the same form, and nearly the same dimensions, as the sectional area of the tunnel; and attached to the outer edge of this frame is a fringe of bristles forming a thick brush. As the carriage moves along through the tunnel the brush comes into close contact with the arched brickwork, so as to prevent the escape of the air. With this elastic collar round it, the carriage forms a close fitting piston, against which the propulsive force is directed. The motive power is supplied in this way:—At the departure station a large fan-wheel, with an iron disc, concave in surface and twenty-two feet in diameter, is made to revolve by the aid of a small stationary engine at such speed as may be required, the pressure of air increasing, of course, according to the rapidity of the revolutions, and thus generating the force necessary to send the heavy carriage up a steeper incline than is to be found upon any existing railway. The disc gyrates in an iron case resembling that of a huge paddlewheel; and from its broad periphery the particles of air stream off in strong currents. When driving the air into the upper end of the tunnel to propel the down-train fresh quantities rush to the surface of the disc to supply the partial vacuum thus created; and, on the other hand, when the disc is exhausting the air in the tunnel with the view of drawing back the up-train, the air rushes out like an artificial hurricane from the escape valves of the disc case, making the adjacent trees shake like reeds and almost blowing off his feet any incautious spectator who approaches too near it.

When the down journey is to be performed the breaks are taken off the wheels, and the carriage moves by its own momentum into the mouth of the tube, passing in its course over a deep air-well in the floor, covered with an iron grating. Up this opening a gust of wind is sent by the disc, when a valve, formed by a pair of iron doors, hung like lock-gates, immediately closes firmly over the entrance of the tunnel, confining the increasing atmospheric pressure between the valve and the rear of the carriage. The force being thus brought to bear upon the end of the train, the latter, shut up within the

tube, glides smoothly along toward its destination, the revolving disc keeping up the motive power until it reaches the steep incline, whence its own momentum again suffices to carry it the rest of the distance. The return journey, as above indicated, is effected by the aid of the exhausting process. At a given signal a valve is opened, and the disc-wheel set to work in withdrawing the air from the tube. Near the upper end of the tube there is a large aperture, or side-vault, which forms the throat through which the air is, so to speak, exhaled, the iron doors at the upper terminus still being kept shut. In a second or two the train posted at the lower terminus, yielding to the exhausting process going on in its front, and urged by the ordinary pressure of the atmosphere from behind, moves off on its upward journey, and rapidly ascending the incline, approaches the iron gates, which fly open to receive it, and it emerges at once into daylight. Such is the mode in which the system works, and it seems capable of being adapted to railway communication within the metropolis and other large towns, or wherever tunnelled lines with steep gradients exist. The chief obstacles encountered in practically working the atmospheric railway, introduced some fifteen years ago, are considered to have been effectually overcome by the present modification of the principle. Under the former system the tube was of very small size, and fixed upon the ground; a longitudinal or continuous valve opening at the top, along which a rod, connecting the piston with the carriages, passed, and the valve closing behind the road as it moved onward. The amount of atmospheric pressure required to be exerted where the area of the tube was so small, was enormous, being from seven pounds to ten pounds per square inch; whereas upon Mr. Rammell's principle the pressure is only two and a half ounces per square inch, and, moreover, the great leakage and waste of power which rendered the old atmospheric system so costly in working are here in a great measure avoided. It need hardly be added that the worst drawbacks to traveling through tunnels—viz., the smoke and sulphurous vapors emitted from the locomotive, and the close, unwholesome atmosphere of the tunnels themselves—are in this case got rid of. Every train, in fact, carries its own supply of fresh air along with it, and also expels the foul air before it.

POLK, LEONIDAS, a bishop of the Protestant Episcopal Church, and General in the Confederate service, born in Raleigh, N. C., in 1806, died near Marietta, Ga., June 14, 1864. He was graduated at West Point in 1827, and appointed a brevet second lieutenant of artillery; but having, through the influence of Bishop McIlvaine, then chaplain at West Point, been induced to study for the ministry, he resigned his commission in December, 1827, and three years later was ordained a deacon in the Protestant Episcopal Church. From 1831 to 1838 he officiated at various places in the South, and

in the latter year he was consecrated Missionary Bishop of Arkansas and the Indian territory south of $36^{\circ} 30'$, with provisional charge of the dioceses of Alabama, Mississippi, and Louisiana, and the missions in the republic of Texas. In 1841 he resigned these charges, with the exception of the diocese of Louisiana, of which he remained bishop until the close of his life. The outbreak of the rebellion found him a strong sympathizer with the doctrine of secession. His education and associations were strongly southern, and his property, which was very considerable in lands and slaves, helped to identify him with the project for establishing a Southern confederacy. His familiarity with the Valley of the Mississippi prompted him to urge upon Jefferson Davis and the rebel authorities the importance of fortifying and holding its strategical points, and amidst the excitement of the time the influence of his old military training became uppermost in his mind. Under these circumstances the offer of a major-generalship by Davis was regarded not unfavorably, in spite of the sacred calling which he had followed during thirty years. He applied to Bishop Meade, of Virginia, for advice, who declined to give it, but referred him to Gen. Robert E. Lee, as one to whose judgment he might safely defer. Lee unhesitatingly advised him to accept the commission, and he at once did so. His first command extended from the mouth of the Arkansas River, on both sides of the Mississippi, to Paducah, on the Ohio, his headquarters being at Memphis; and his first general order, issued July 13th, declared that the invasion of the South by the Federal armies "comes bringing with it a contempt for constitutional liberty, and the withering influence of the infidelity of New England and Germany combined." It was under his general direction that the extensive works at Forts Donelson and Henry, Columbus, Ky., Island No. Ten, Memphis, and other points were constructed, and the skill with which they were selected for defence testifies to his thorough military training. He held this command until the spring of 1862, when, in consequence of the signal Federal successes in that part of the country, he was relieved and ordered to join Johnston's and Beauregard's army at Corinth. As commander of a corps he participated in the battle of Shiloh, and in the subsequent operations ending with the evacuation of Corinth. He afterwards held a command in the army of Gen. Bragg, took part in the battle of Perryville during the invasion of Kentucky in the autumn of 1862, and saw much hard fighting at the stubbornly contested battle of Murfreesboro. Still serving under Bragg, he fell back with him beyond Chattanooga before the steady advance of Gen. Rosecrans in the campaign of 1863, and had a share in the victory of Chickamauga. For disobedience of orders in this battle, whereby, as was asserted by Gen. Bragg in his official report, the Federal army was alone saved from annihilation, he was relieved

from his command and ordered to Atlanta under arrest. He was soon after appointed to command the camp of rebel prisoners paroled at Vicksburg and Port Hudson, and in the winter and spring of 1864 had temporary charge of the Department of the Mississippi. By skilful dispositions of his troops he prevented the junction of the Federal cavalry column under Gen. Smith with Gen. Sherman's army in southern Mississippi, and caused the campaign undertaken by the latter in February to result in no permanent advantage. His prestige being thus restored, he received command of one of the three corps of Gen. Johnston's army, which in the spring of 1864 attempted to withstand the advance of Gen. Sherman toward Atlanta. After participating in the chief engagements previous to the middle of June, he was killed by a cannon shot while reconnoitring on Pine Mountain, a few miles north of Marietta. About a year and a half before this he had been commissioned a lieutenant-general in the Rebel army. Gen. Polk never resigned his diocese, and, it was said, intended at the close of the war to resume his Episcopal functions. He had labored zealously in behalf of religious interests previous to the rebellion, and was described by his friends as of manly bearing, frank and cordial manners, and impressible and easily kindled temperament. He never held a high rank among the Confederate generals, being more appreciated for his ecclesiastical influence than for his military talents, and is said not to have been generally popular with his soldiers.

PORTER, Commodore WILLIAM DAVID, an officer of the United States navy, born in New Orleans, La., in 1810, died of disease of the heart in New York City, May 1st, 1864. He was a son of Commodore David Porter, and elder brother of Adm. David D. Porter. He entered the service from Massachusetts, Jan. 1st, 1823, and was connected successively with the Franklin, Brandywine, Natchez, Experiment, United States, and Mississippi; and in 1843 was ordered to the home squadron. In 1849 he commanded the storeship *Erie*, and in 1851 was made commander of the *Waterwitch*. He projected and was the founder of the present light-house system, served through the Mexican war with distinction, and in 1855 was placed on a retired list by a secret Navy Board; four years later he was restored to his rank as commander by President Buchanan; was ordered to the United States sloop *St. Mary's*, and did important service on the Pacific coast. On the outbreak of the war he was ordered home, and though he had property in Virginia, and several of his family were in the rebel service, he proved faithful to the Government, and, laying aside all personal considerations, tendered to it his aid, and was assigned to the superintendence of the building of the iron-clad *Essex*, at St. Louis, which he named after his father's ship. In the attack on Fort Henry he commanded the *Essex*, and during the engagement

was severely scalded by the steam issuing from the boiler, the thick plates of which had been penetrated by a ball. He also commanded the *Essex* at the attack on Fort Donelson, and fought his way in the same boat past all the batteries from Cairo to New Orleans. He caused the destruction of the ram *Arkansas*, above Baton Rouge, in Aug., 1862, and during the following month bombarded Natchez, attacked the Vicksburg batteries and Port Hudson. On the 16th of July, 1862, he was promoted from captain to commodore, after which he did but little active service, owing to an enfeebled state of health, which, as already stated, eventually resulted in heart-disease. Commodore Porter has two sons in the Confederate service.

POTTS, Rev. GEORGE, D.D., an American Presbyterian clergyman, born at Philadelphia in 1801, died in New York City, September 15, 1864. His father was a venerable Presbyterian clergyman of Philadelphia, who emigrated from Ireland to this country not far from the close of the last century. The subject of this sketch was fitted for college under some of the ablest teachers, entered the University of Pennsylvania at the age of fourteen, and graduated in 1819. After his graduation he spent a year in general studies, preparatory to entering upon his theological course. In 1820 he entered the Theological Seminary at Princeton, where he took the regular three years' course, and in 1823 became the pastor of a church in Natchez, Miss., where he remained nearly twelve years. Thence, in consequence of the enervating influence of a Southern climate, he removed to the North, and in May, 1836, became the pastor of the Duane Street Church, New York City. Upon the completion of the new edifice in University Place, he accepted a call from that church and continued its pastor until his death. His name was brought prominently before the public several years since by a controversy with the Rev. Dr. Wainwright, on the rites and discipline of the Episcopal Church. He was firm in his attachment to the doctrines and to the faith and order of his own Church, and while he promoted its own institutions with intelligence and zeal, he was of catholic spirit and ready to acknowledge the followers of Christ in every communion. During his whole ministry he was connected with various literary, religious, and benevolent institutions, in each of which he improved the opportunity of rendering important service to the varied interests of humanity, though his distaste for public demonstration led him to operate for the most part in a quiet way. He was a man of remarkably commanding and stately form, of graceful and dignified manners, and of great oratorical powers. His death was the result of an attack of paralysis.

PRESBYTERIANS. The General Assembly, known as the Old School Presbyterian, met at Newark, N. J., on May 19th, and organized by electing the Rev. Dr. Wood, President of Han-

over College, Indiana, Moderator. This Assembly, for the first time since the beginning of the war, had a thorough discussion of the slavery question. On Tuesday, May 24th, Judge Matthews, (under President Buchanan District Attorney of Ohio) presented a report from the Committee on Bills and Overtures, which gave a historical review of the action of former General Assemblies on the subject, and recommended the expression of a cordial approbation of the measures taken by the national and State authorities for its extirpation. After elaborate speeches by Judge Matthews, the Rev. Dr. Nevlin, Hon. Martin Ryerson, Rev. Dr. Rose, and others, the report was, on May 28th, adopted by a unanimous vote.

The Assembly showed itself very favorable to a union with the New School Presbyterians. A paper unanimously passed by the General Assembly of the latter body (see below) respecting this subject, was received and heartily concurred in. A report from the Committee on Memorials, expressing similar sentiments, was adopted, together with three resolutions to this effect: 1. That this Assembly has witnessed with satisfaction the happy influence of correspondence between the two bodies; 2. That it is not expedient at present to propose any additional measure; and 3. That fraternal intercourse be maintained between the two bodies.

A large number of ministerial and lay members of the Assembly formed an association to promote the union of the two bodies, and recommended to the synods, presbyteries, and congregations of the Church, a number of measures, by which they might promote the desire for a reunion and smooth the way for its consummation. With regard to foreign missions, it was resolved that \$300,000 be raised the coming year. The Executive Committee reported the receipts for 1864 to have been \$222,397.13; expenditures, \$221,609.93—leaving a balance in the treasury of \$788.20.

The Board of Domestic Missions have 452 missionaries serving in twenty-four States and territories. The receipts were \$82,684.29, being \$11,473.51 more than during the previous year. The report of the committee, which was adopted by the Assembly, recommended, among other resolutions, to carry the light and blessings of religion to the multitudes emancipated from slavery.

The interesting case of the complaint of Dr. S. B. McPheeters, against the Presbytery of St. Louis, for causing his preaching there to cease, was decided adversely to Dr. McPheeters. Although this case was said to stand upon its merits, imputations on the loyalty of the complainant were generally believed to have influenced the decision.

On March 10th, 1864, the following order was issued by the Secretary of War at the joint application of the Board of Domestic Missions and of the Presbyterian Committee of Home Missions:

WAR DEPARTMENT, ASSISTANT ADJUTANT GENERAL'S }
OFFICE, WASHINGTON, March 10th, 1864.

To the generals commanding the Military Division of the Mississippi and the Departments of the Gulf, of the South, and of Virginia and North Carolina, and all generals and officers commanding armies, detachments, and posts, and all officers in the service of the United States in the above-mentioned departments: The Board of Domestic Missions of the Presbyterian Church, and the Presbyterian Committee of Home Missions, enjoy the entire confidence of this Department, and no doubt is entertained that all ministers who may be appointed by them will be entirely loyal.

You are expected to permit such ministers of the gospel, bearing a commission of the "Board of Domestic Missions, or of the Presbyterian Committee of Home Missions" of the Presbyterian Church, who may convince you that their commissions are genuine, to exercise the functions of their office within your command, and to give them all the aid, countenance, and support which may be practicable, and in your judgment proper, in the execution of their important mission.

By order of the Secretary of War,

E. D. TOWNSEND,
Assistant Adjutant-General.

In August, a meeting of the Presbytery of Nashville, Tenn., was held, at which it was resolved to rescind a resolution passed in August, 1861, by which this Presbytery was formally transferred to the General Assembly of the Confederate States. This resolution leaves the Presbytery where it formerly was—in connection with the General Assembly of the Presbyterian Church in the United States.

In Kentucky the majority of the ministers and laymen of the presbyteries of the Old School Presbyterian Church assumed a decidedly hostile attitude toward the General Assembly, on account of the views of the latter body on the slavery and loyalty questions. The Louisville Presbytery, at its meeting at Owensburg, in April, severely censured the application from two boards of the Church to the Secretary of War, for a reoccupation of the Southern churches, by passing the following resolution:

Resolved, That in thus asking and accepting from the State, and more especially from the War Department, an indorsement of the commissions given to the ministers of Jesus Christ, sent to preach the gospel as missionaries of the church in connection with the Board of Domestic Missions, this board have transcended in an alarming degree the powers with which they are vested, as the agents of the Church, and have acknowledged such a subordination of the Church of Jesus Christ to the State, as is contrary to the constitution of the Presbyterian Church, contrary to the ancient testimonies of the faithful witnesses of the Church in all the past time, contrary to the whole teaching of the word of God. It is a practical surrender of the freedom of the commonwealth of Christ, and denial of the supreme kingly authority of Messiah in his own kingdom.

The efforts made by some members of the Church to cause the secession of the Kentucky churches from the General Assembly, were, however, fruitless. The Synod of Kentucky, at its meeting, in August, adopted the following action concerning the views of the General Assembly touching slavery:

The General Assembly, at different times, but especially in the years 1818 and 1845, set forth the

opinions and views of the Presbyterian Church of the United States on the subject of slavery. By these deliverances this Synod was willing and is still willing to abide, and any further or different utterance on that subject by the last General Assembly was, in the judgment of this Synod, unnecessary, unwise, and untimely—*unnecessary*, because the former deliverances were sufficiently expressive of the views of the Church, and had been acquiesced in with great unanimity for many years; *unwise*, because the whole country was excited upon the subject of slavery, and the means adopted by the President of the United States for its destruction, in regard to which there was great division of sentiment in the public mind; and the Assembly could not take any action on the subject without at least seeming to cast its influence with the one or the other political parties which divided the country. Moreover, the minute of the Assembly was peculiarly liable to this interpretation, because in the latter part of it some of its expressions may be misunderstood, and others may be taken in the sense of a political, if not partisan statement.

The action of the Assembly was untimely, because times of high political excitement are not proper occasions for ecclesiastical courts to express opinions upon the topics which constitute the party issues of the day. The mission of the Church of Christ is spiritual, and any interference with matters purely political is a departure from her duty, and without the pale of her authority as conferred upon her by her Divine head.

The New School Presbyterian General Assembly met at Dayton, Ohio, on May 19, and elected Rev. Thomas Brainerd, D.D., of Philadelphia, Moderator. On May 29th the Assembly unanimously adopted the following paper:

1. That this Assembly cordially welcomes all signs of increased love and union among those who hold to the same facts and doctrines of the gospel, and bears its solemn testimony with self-humiliation against whatever fosters alienation and genders strife among the disciples of our Lord.

2. That the tendencies of modern society, the condition of Protestant Christianity, the increase of infidelity, the progress of Romanism, and the present and prospective state of our country, afford powerful arguments against further subdivision, and in favor of that union and unity of the Church into which it is to grow, and which is to be its consummation; and that we record with unfeigned gratitude our profound conviction that the spirit of disunion and of sectarianism is waning, and that the spirit of brotherly kindness and mutual confidence is largely on the increase.

3. That in an especial manner are those churches bound to foster this spirit who adopt the same standards of faith and order, and whose decisions are local, personal, and incidental, and for whose reunion there is only needed a wise deference to each other's rights, and a higher measure of Christian charity. Adopting the same formulas of faith and form of government, all that is needed is to receive them in the same spirit. That it is our united and fervent prayer to our common Master, that he would so remove all hindrances, or to make a plain path for our feet wherein we may walk together, being of one heart and mind in the ways of the Lord.

4. That as the churches represented by this Assembly did not inaugurate separation, so too they would hold to no principles and views, and would impose no terms inconsistent with a full and cordial reunion, whenever and wherever the great Head of the Church, as indicated by Divine Providence, may open the way for us all to meet together again on the same basis on which of old our fathers stood, and that we should rejoice in such reunion.

5. That while we do not deem it expedient now to

appoint such a committee as that asked for in the memorial of the St. Lawrence Presbytery, yet that this expression of our principles and convictions with our heartfelt Christian salutations, be transmitted to the General Assembly of the Presbyterian Church now in session in Newark, New Jersey.

The report and recommendations were unanimously adopted. The reading of this paper called out an enthusiastic response of "Amen" and applause.

The Committee on the State of the Country reported the following resolutions, which were unanimously adopted:

Resolved, 1. That this General Assembly reaffirms the principles and reveres the declarations of previous General Assemblies, so far as applicable to the present aspect of public affairs.

Resolved, 2. That we recognize clearly the good hand of God in all the victories of the national arms, whereby the limits of the rebellion have been contracted, and its vitality impaired; and we look humbly and confidently to the same Divine source for further success, until the cause of the nation shall be vindicated and peace established on the grave of treason.

Resolved, 3. That we also recognize the same good hand of God in the delays and disappointments of the war, by which he has made more sure and complete the destruction of the vile system of human bondage, and rendered less self-confident and more religious the heart of the nation.

Resolved, 4. That in such recognition and hope we do by no means lose sight of our national and individual sins, which render us so utterly unworthy of the Divine favor, but confess them with penitent hearts, and trust to a covenant God in Christ Jesus, that this unworthiness will not hinder the might of God's grace in behalf of the cause of right and order.

Resolved, 5. That we exhort all our churches to renewed zeal and faithfulness in supplication to God for the deliverance of the land, and prosperity of Christ's kingdom, through the blessings of national peace and fraternity.

Resolved, 6. That we cordially uphold the Government with our sympathies and prayers in its energetic efforts for the suppression of this most causeless and cruel rebellion, urge all Christians to refrain from weakening the authority of the administration by ill-timed complaints and unnecessary criticisms, fully believing that in such a crisis all speech and action which tend to differences should be sedulously avoided for the sake of the common weal.

Resolved, 7. That a copy of these resolutions duly authenticated be sent to the President of the United States by special committee.

The contributions of the churches to foreign missions during the last year were \$80,000; only 629 churches out of 1,464 gave any thing to this cause. For home mission about \$70,000 were contributed, an advance of \$20,000 over the previous year.

A considerable portion of those Presbyterians of East Tennessee who formerly belonged to the New School Presbyterian Church, and reluctantly in 1857 yielded to the secession movements inaugurated by their ministers, returned, in 1864, to their former church connection. At a meeting of Union Presbytery, which was held in July, in Knox County, and which was attended by three ministers and twelve elders, the following resolutions were passed:

Whereas, Presbytery is convinced that its interests are not likely to be promoted by a continuance of its

connection with the United Synod of the Presbyterian Church.

Resolved, 1. That the connection of this Presbytery with said Synod be, and the same is now hereby dissolved.

Resolved, 2. That this Presbytery, at the kind solicitation and request of that General Assembly of the Presbyterian Church from which it withdrew in 1857, presented through Rev. J. W. Elliott, does now return to the body.

The Cumberland Presbyterian General Assembly met on May 19th, at Lebanon, Ohio, and had, like the Old School General Assembly, an animated discussion on the questions of loyalty and slavery. A committee of nine, to which some overtures respecting slavery had been referred, reported the following two resolutions.

Resolved, 1. That we regard the holding of human beings in involuntary slavery, as practised in some of the States of the American Union, as contrary to the precepts of our holy religion, and as being the fruitful source of many evils and vices in the social system.

Resolved, 2. That it be recommended to the Cumberland Presbyterians, both North and South, to give countenance and support to all constitutional efforts of our Government to rid the country of that enormous evil.

The Assembly appeared at first to hesitate respecting the adoption of these resolutions, and, on motion of Mr. Bird, of Kentucky—a man of great influence in the Church—it was resolved by thirty against twenty-eight votes, to refer the resolutions to the presbyteries. On the next day, however, two members from Missouri and two from Tennessee wished to change their votes. Some members of the majority, when they saw that the resolutions of the preceding day would be reversed, left the meeting, and finally the anti-slavery resolutions originally reported by the committee were almost unanimously adopted.

The Cumberland Presbyterians of the seceded States appear to be the only one, among the larger religious denominations of the South, which has not succeeded in organizing an independent Southern Church. Conventions for that purpose have been in turn called at Chattanooga, at Selma, and at Dalton, Georgia, but they have either not met at all, or have been unable to achieve any thing. It is stated, on what appears to be good authority, that a large number of the Southern Cumberland Presbyterians have remained loyal to their former church connection.

The sixth annual meeting of the United Presbyterian General Assembly assembled at Philadelphia, on May 25th, and elected the Rev. D. A. Wallace, D.D., of Monmouth, Illinois, Moderator. Strong loyal and anti-slavery resolutions were unanimously adopted; also reports in behalf of the missions among the freedmen.

The United Presbyterian Church of North America is composed of 7 synods, 46 presbyteries, 371 settled pastors, 142 ministers without charges, making 513 ministers, 47 licentiates, and 54 students of theology, making a total of ministers and those in preparation for the min-

istry of 614. There are 25,410 families, 57,691 members, with an increase during the year, by examination and profession, of 2,610, and by certificate of 2,541, and a decrease by death of 1,128, and by removal of 3,266. The Presbytery of Sealkote during the year received 13 new members not included in the above. There were baptized during the year 3,698 infants and 267 adults. Contributions to home missions, \$15,495; foreign missions, \$28,611; education, \$1,538; publication, \$1,564; church extension, \$4,887; Assembly's fund, \$595; Synod's funds, \$3,018; salaries of pastors paid by congregations, \$207,859, and by the Assembly, \$12,404; money paid for general purposes, \$143,631; making a total of \$398,075, being an average of \$6.91 for each member of the Church.

They have three theological seminaries located respectively at Alleghany City, Pa.; Xenia, Ohio; and Monmouth, Ill. Foreign mission stations at Savanna Grande, Trinidad, West Indies; Damascus, Syria; Cairo and Alexandria, Egypt; Canton, China; Sienna, Italy. There are six boards for carrying on the operations of the Church—foreign missions, located at Philadelphia, Pa.; home missions, the executive committee at Xenia, Ohio; publication, at Pittsburgh, Pa.; church extension, at Alleghany City, Pa.; education, at Monmouth, Ill.; and freedmen's mission at Alleghany City, Pa.

The General Assembly of the Presbyterian Church of the Confederate States, which embraces the seceders from the Old School Presbyterian Church of the United States, met on May 5th at Charlotte, North Carolina, and elected Rev. John S. Wilson, D.D., of Georgia, Moderator. One of the most important topics discussed by this body was that of a union between the different Presbyterian bodies of the South. The last year it seemed as if all these bodies were anxious to consummate the union as soon as possible; but the proceedings of the General Assembly showed that there was by no means a unanimity with regard to this subject, and, in particular, the union with the Southern New School Presbyterians (the United Synod) was very strongly objected to by several presbyteries of the Old School brethren. A majority declared themselves, however, in favor of re-union, which was accordingly consummated in the course of the year. The United Synod met for the last time at Lynchburg, the only business transacted being the consummation of the plan of union.

The Presbytery of New Orleans, at the beginning of 1864, held a meeting, at which it was resolved that the Presbytery separate from the General Assembly of the Confederate States, and declare itself an independent body.

The union between the Old and New School Presbyterians of the United States, made considerable progress in the course of the year. During the session of the Old School Presbyterian General Assembly at Newark, a meeting of ministerial and lay delegates of that body was held, at which the following measures as

conducive to the success of the movement, were recommended to the churches of both denominations.

By way of ascertaining the views of the ministers, ruling elders, and churches, and of calling out, organizing, and concentrating public sentiment, so as to open the way for organic union as speedily as possible, they proposed the following measures:

1. We recommend to Presbyteries and Synods the appointment of corresponding delegates to attend the Presbyteries and Synods of the other branch, as a measure adapted to develop and promote the spirit of union.

2. We recommend union meetings of Presbyteries and Synods—of the two bodies wherever practicable—such as were held by the Presbyteries of St. Lawrence and Ogdensburg, as furnishing the best means of ascertaining how far a spirit of kindness and confidence has been restored, and to what extent a desire for reunion prevails.

3. We recommend that Church Sessions, Presbyteries, and Synods, that are in favor of reunion, take action on the subject, and express and publish their views.

4. We recommend conventions of the friends of reunion at important points, to be composed of ministers, ruling elders, and others, to consult together and to declare their views.

5. We respectfully request the conductors of the religious journals of the two churches to open their columns to the publication of communications and reports of church courts and other meetings, in favor of reunion.

6. We would recommend to all concerned to discourage the organization of weak churches of the two branches where only one is needed and can be supported, and especially where missionary aid is required to sustain them, and we commend the union of such churches where they exist.

7. We recommend, in the language of the General Assembly of 1863, at Peoria, "That the ministers of the two branches of the Church cultivate fraternal intercourse, the free interchange of views, and in all suitable ways encourage and aid one another in the appropriate work of the ministry; and that the members of the one or the other branch connect themselves with existing congregations of either, rather than give their influence and their aid with bodies whose principles and form of government are foreign to their own."

In accordance with this recommendation, many synods of both bodies arranged to meet next year simultaneously, and at the same place, for the purpose of promoting, if not effecting, a formal union.

The principal business before the synods of the two largest Presbyterian Churches of Scotland, the Free Church and the United Presbyterians, was the overture for a union of the two bodies.

The committee appointed by the United Presbyterian Church, to confer with the committee of the Free Church, presented a lengthy report setting forth the matters in respect to which the committees were agreed, and also the points on which they differed, as regards "the relation of the civil magistrate to religion and the Church." It was resolved unanimously that the Synod express great satisfaction at the Christian courtesy which had distinguished the conferences, and its unabated sense of the importance of the object, and, without giving any opinion on the articles in the report, reappoint the com-

mittee to continue the conferences. The Moderator expressed his confidence in the ultimate result.

At the meeting of the Free Church Assembly at Edinburgh, Dr. Buchanan, convener of the Committee on Union, laid on the table the report of that committee. The report begun with a statement of the distinctive principles on which the committees of the Free and United Presbyterian churches differ, and detailed the proceedings of the Reformed, United Presbyterian, and Original Secession Synods on the questions. After reading the various communications from these bodies, Dr. Buchanan explained the purport and supported the object of the report in a speech of some length. Dr. Candlish moved the reappointment of the committee under the former instructions. Dr. Julius Wood made a counter motion, to the general effect that in view of the differences and difficulties that beset the question of union, the committee should be directed rather to seek to promote harmonious coöperation among, than to bring about union between the churches. After several members of the Assembly had spoken on both sides, the discussion was adjourned to the evening session. It was then resumed by Professor Gibson, and continued for four hours, when, in deference to the general feeling of the house, Dr. Wood withdrew his motion, and that of Dr. Candlish was unanimously adopted. The chief obstacle to a consummation of the union of the two bodies is the difference of their views respecting the relations of the Church to the State.

PRISONERS, EXCHANGE OF. The statements of the number of prisoners exchanged by each party in the war are quite conflicting, and in the absence of the official documents of either, which are withheld from publication, and which, perhaps, would not agree in details, it is difficult to arrive at a satisfactory conclusion. The report of the Commissary General of prisoners, which accompanied Secretary Stanton's report at the close of 1863, stated that 121,337 of the enemy as prisoners had been exchanged against 110,866 Union prisoners; and that 29,229 still remained in Federal prisons. On the other hand the statistics kept by the clerk of Libby prison, at Richmond, showed that from the first of January, 1864, to Dec. 19th, 31,630 Federal prisoners had passed the doors of that prison. This number is independent of twenty thousand captured at Spottsylvania and elsewhere in Virginia, and sent directly South. The statistics of the same prison make the number of those who have passed its doors and departed as prisoners of war since the commencement of hostilities at 225,000.

Of the points in dispute between the authorities on each side and which caused temporary suspensions of the exchange, the most serious related to the negro prisoners. The position taken by the Government at Richmond was that the Federal Government had the right to enlist or draft, or procure in any other manner

free negroes whose residence was at the North, to become soldiers. It would have a perfect right, they said, to make war upon them with elephants, or wild cattle, or dogs, and equally so to employ negroes as soldiers. But it was denied at Richmond that the Federal Government had the right to take a man's negro and arm him against his master; and asserted that his master, wherever he may find that stolen or runaway negro, is entitled to reclaim him. The Federal Government regarded itself bound to protect those in whose hands they had put arms in its defence without respect to their previous condition. It objected to exchange white for white, as the enemy would thereby not only be relieved of the burden of maintaining the white troops, but they would get back their men and retain in their power the negroes without fear of retaliation.

A voluminous correspondence took place between the Commissioners of Exchange relative to the slaves. Maj.-Gen. Butler, then acting as Commissioner, contended that the slaves were such no longer, and that the Government of the United States was bound in honor and good faith to accord to them the same protection that it threw around all other soldiers. The position of the Richmond authorities, which he sought to combat, was that slaves were property, and that property recaptured from an enemy in war reverts to its owner, if he can be found, or may be disposed of by its captor in any way he sees proper. On this ground the distinction made between soldiers who had been slaves, and others, was sought to be justified.

This dispute was thus founded on principles which each party held to be fundamental, and yet were directly opposite. If the Federal Government yielded its assent to this doctrine, it would be an abandonment of the proclamation of emancipation, a breach of faith toward those men it has made free and accepted as soldiers in its service, and a direct recognition of the principle of property in man. On the other hand, if the Richmond authorities recognized the right of those fugitives from bondage to freedom, it would be an abandonment of the position for which they had been so long contending, and knock the corner-stone from under the whole fabric of slavery. The excess of prisoners finally became so large in the Federal hands, that the question upon which it was impossible to agree was temporarily waived.

Another difficulty which existed early in the year, and at the close of the previous one, was a charge that the Federal Government departed from the original agreement. This cartel provided that all prisoners should be exchanged, and the balance on either side to be considered on parole. Exchanges under the cartel were stopped by the Federal Government on the ground that paroled rebel prisoners were put into the ranks again before accounts were balanced and their exchange regularly declared. The words of the cartel were as follows:

All prisoners of war are to be discharged on parole

in ten days after their capture, and the prisoners now held, and those hereafter taken, to be transported to the points mutually agreed upon, at the expense of the capturing party. The surplus, not exchanged, shall not be permitted to take up arms again, nor to serve as military police, or constabulary force in any fort, garrison, or field-work, held by either of the respective parties, nor as guards of prisoners, depots, or stores, nor to discharge any duty usually performed by soldiers, until exchanged under the provisions of this cartel. The exchange is not to be considered complete until the officer or soldier exchanged for has been actually restored to the lines to which he belongs.

Each party, upon the discharge of prisoners of the other party, is authorized to discharge an equal number of their own officers or men from parole, furnishing at the same time to the other party a list of their prisoners discharged, and of their own officers and men relieved from parole; thus enabling each party to relieve from parole such of their own officers and men as the party may choose. The lists thus mutually furnished will keep both parties advised of the true condition of the exchange of prisoners.

From the date of the cartel until July, 1863, the enemy had an excess of prisoners. The Federal authorities after that date declared the cartel had been violated by the release from parole of the Vicksburg prisoners, and refused to proceed. They then proposed to exchange officer for officer and man for man. This was refused by the other side on the ground that it was a departure from the cartel, and the exchange was suspended for some time on this ground. At length on August 10th the Confederate Commissioner accepted these terms, "in view of the very large number of prisoners now held by each party and the suffering consequent upon their consequent confinement." The exchange, however, was not at that time resumed, as the question of slave soldiers was still under discussion.

This general suspension of an exchange and the rapid accumulation of prisoners became an additional cause of irritation to both parties. In the Federal hands there were between 60,000 and 70,000, and nearly as many in Confederate prisons. To the enemy there was an additional grievance arising from this detention. Their supply of men was limited; they needed every one for service in the field. In addition a large force was necessarily withdrawn from the field to guard the prisoners. Statements of great cruelty to Federal prisoners were now published and verified. Among them was the following appeal to the President, made by officers in confinement at Charleston:

CONFEDERATE STATES PRISON, }
CHARLESTON, S. C., August —, 1864. }

To the President of the United States:

The condition of the enlisted men belonging to the Union armies, now prisoners to the Confederate rebel forces, is such that it becomes our duty, and the duty of every commissioned officer, to make known the facts in the case to the Government of the United States, and to use every honorable effort to secure a general exchange of prisoners, thereby relieving thousands of our comrades from the horrors now surrounding them.

For some time past there has been a concentration of prisoners from all parts of the rebel territory to the State of Georgia—the commissioned officers being confined at Macon, and the enlisted men at Andersonville. Recent movements of the Union armies

under General Sherman have compelled the removal of prisoners to other points, and it is now understood that they will be removed to Savannah, Georgia, Columbus and Charleston, South Carolina. But no change of this kind holds out any prospect of relief to our poor men. Indeed, as the localities selected are far more unhealthy, there must be an increase rather than a diminution of suffering. Colonel Hill, Provost Marshal General, Confederate States Army, at Atlanta, stated to one of the undersigned that there were thirty-five thousand prisoners at Andersonville, and by all accounts from the United States soldiers who have been confined there the number is not overstated by him. These thirty-five thousand are confined in a field of some thirty acres, enclosed by a board fence, heavily guarded. About one-third have various kinds of indifferent shelter; but upwards of thirty thousand are wholly without shelter, or even shade, of any kind, and are exposed to the storms and rains, which are of almost daily occurrence; the cold dews of the night, and the more terrible effects of the sun striking with almost tropical fierceness upon their unprotected heads. This mass of men jostle and crowd each other up and down the limits of their enclosure, in storm or sun, and others lie down upon the pitiless earth at night, with no other covering than the clothing upon their backs, few of them having even a blanket.

Upon entering the prison every man is deliberately stripped of money and other property, and as no clothing or blankets are ever supplied to their prisoners by the rebel authorities the condition of the apparel of the soldiers, just from an active campaign, can be easily imagined. Thousands are without pants or coats, and hundreds without even a pair of drawers to cover their nakedness.

To these men, as indeed to all prisoners, there is issued three-quarters of a pound of bread or meal, and one-eighth of a pound of meat per day. This is the entire ration, and upon it the prisoner must live or die. The meal is often unsifted and sour, and the meat such as in the North is consigned to the soap-maker. Such are the rations upon which Union soldiers are fed by the rebel authorities, and by which they are barely holding on to life. But to starvation and exposure, to sun and storm, add the sickness which prevails to a most alarming and terrible extent. On an average one hundred die daily. It is impossible that any Union soldier should know all the facts pertaining to this terrible mortality, as they are not paraded by the rebel authorities. Such statements as the following, made by ———, speaking eloquent testimony. Said he:—"Of twelve of us who were captured, six died; four are in the hospital, and I never expect see them again. There are but two of us left." In 1862, at Montgomery, Alabama, under far more favorable circumstances, the prisoners being protected by sheds, from one hundred and fifty two hundred were sick from diarrhoea and chills, out of seven hundred. The same percentage would give seven thousand sick at Andersonville. It needs no comment, no efforts at word painting, to make such a picture stand out boldly in most horrible colors.

Nor is this all. Among the ill-fated of the many who have suffered amputation in consequence of injuries received before capture, sent from rebel hospitals before their wounds were healed, there are eloquent witnesses of the barbarities of which they are victims. If to these facts is added this, that nothing more demoralizes soldiers and develops the evil passions of man than starvation, the terrible condition of Union prisoners at Andersonville can be readily imagined. They are fast losing hope, and becoming utterly reckless of life. Numbers, crazed by their sufferings, wander about in a state of idiocy; others deliberately cross the "dead line," and are remorselessly shot down.

In behalf of these men we most earnestly appeal to the President of the United States. Few of them have been captured except in the front of battle, in

the deadly encounter, and only when overpowered by numbers. They constitute as gallant a portion of our armies as carry our banners anywhere. If released, they would soon return to again do vigorous battle for our cause. We are told that the only obstacle in way of exchange is the status of enlisted negroes captured from our armies, the United States claiming that the cartel covers all who serve under its flag, and the Confederate States refusing to consider the colored soldiers, heretofore slaves, as prisoners of war.

We beg leave to suggest some facts bearing upon the question of exchange, which we would urge upon your consideration. Is it not consistent with the national honor, without waiving the claim that the negro soldiers shall be treated as prisoners of war, to effect an exchange of the white soldiers? The two classes are treated differently by the enemy. The whites are confined in such prisons as Libby and Andersonville, starved and treated with a barbarism unknown to civilized nations. The blacks, on the contrary, are seldom imprisoned. They are distributed among the citizens, or employed on government works. Under these circumstances they receive enough to eat and are worked no harder than they have been accustomed to be. They are neither starved nor killed off by the pestilence in the dungeons of Richmond and Charleston. It is true they are again made slaves, but their slavery is freedom and happiness compared with the cruel existence imposed upon our gallant men. They are not bereft of hope, as are the white soldiers, dying by piecemeal. Their chances of escape are tenfold greater than those of the white soldiers, and their condition, in all its lights, is tolerable in comparison with that of the prisoners of war now languishing in the dens and pens of secession.

While, therefore, believing the claims of our Government, in matters of exchange, to be just, we are profoundly impressed with the conviction that the circumstances of the two classes of soldiers are so widely different that the Government can honorably consent to an exchange, waiving for a time the established principle justly claimed to be applicable in the case. Let thirty-five thousand suffering, starving, and dying enlisted men aid this appeal. By prompt and decided action in their behalf thirty-five thousand heroes will be made happy. For the eighteen hundred commissioned officers now prisoners we urge nothing. Although desirous of returning to our duty, we can bear imprisonment with more fortitude if the enlisted men, whose sufferings we know to be intolerable, were restored to liberty and life.

The exposure to artillery fire of officers who were prisoners was resorted to on two or three occasions as acts of retaliation, but it quickly led to explanations, and no injuries were the result. Arrangements were made by each party on the approach of winter, to furnish their soldiers with blankets and other absolute necessities. Articles for Federal prisoners were sent to City Point from the North, and distributed as directed by agents of the rebels to prisoners in their hands. At the same time a thousand bales of cotton were shipped from Mobile to New York and sold. With the money thus obtained, blankets and other necessities were provided for the rebel prisoners in Federal prisons. A contribution was also made up in England, and sent over for Confederate prisoners; but permission to deliver it was refused. (*See GREAT BRITAIN.*)

In November an exchange was resumed beginning first with the invalids and the sick, and carried forward very rapidly, on the basis of man for man, and officer for officer.

PUBLIC DOCUMENTS. *Message of President LINCOLN at the second session of the Thirty-eighth Congress, December 6th, 1864.*

Fellow-citizens of the Senate and House of Representatives :

Again the blessings of health and abundant harvests claim our profoundest gratitude to Almighty God.

The condition of our foreign affairs is reasonably satisfactory.

Mexico continues to be a theatre of civil war. While our political relations with that country have undergone no change, we have, at the same time, strictly maintained neutrality between the two belligerents.

At the request of the States of Costa Rica and Nicaragua, a competent engineer has been authorized to make a survey of the river San Juan and the port of San Juan. It is a source of much satisfaction that the difficulties which for a moment excited some political apprehensions, and caused a closing of the inter-oceanic transit route, have been amicably adjusted, and that there is a good prospect that the route will soon be reopened with an increase of capacity and adaptation. We could not exaggerate either the commercial or the political importance of that great improvement.

It would be doing injustice to an important South American State not to acknowledge the directness, frankness, and cordiality with which the United States of Colombia have entered into intimate relations with this Government. A claims convention has been constituted to complete the unfinished work of the one which closed its session in 1861.

The new liberal constitution of Venezuela having gone into effect with the universal acquiescence of the people, the Government under it has been recognized, and diplomatic intercourse with it has opened in a cordial and friendly spirit. The long deferred Aves Island claim has been satisfactorily paid and discharged.

Mutual payments have been made of the claims of the late joint commission for the settlement of claims between the United States and Peru. An earnest and cordial friendship continues to exist between the two countries, and such efforts as were in my power have been used to remove misunderstanding and avert a threatened war between Peru and Spain.

Our relations are of the most friendly nature with Chili, the Argentine Republic, Bolivia, Costa Rica, Paraguay, San Salvador, and Hayti.

During the past year no differences of any kind have arisen with any of those republics, and, on the other hand, their sympathies with the United States are constantly expressed with cordiality and earnestness.

The claim arising from the seizure of the cargo of the brig Macedonian in 1821, has been paid in full by the Government of Chili.

Civil war continues in the Spanish part of San Domingo, apparently without prospect of an early close.

Official correspondence has been freely opened with Liberia, and it gives us a pleasing view of social and political progress in that Republic. It may be expected to derive a new vigor from American influence, improved by the rapid disappearance of slavery in the United States.

I solicit your authority to furnish to the Republic a gunboat at moderate cost, to be reimbursed to the United States by instalments. Such a vessel is needed for the safety of that State against the native African races; and in Liberian hands it would be more effective in arresting the African slave trade than a squadron in our own hands. The possession of the least organized naval force would stimulate a generous ambition in the Republic, and the confidence which we should manifest by furnishing it

would win forbearance and favor toward the colony from all civilized nations.

The proposed overland telegraph between America and Europe, by the way of Behring's Straits and Asiatic Russia, which was sanctioned by Congress at the last session, has been undertaken under very favorable circumstances, by an association of American citizens, with the cordial good-will and support as well of this Government as those of Great Britain and Russia. Assurances have been received from most of the South American States of their high appreciation of the enterprise, and their readiness to cooperate in constructing lines tributary to that world-encircling communication. I learn, with much satisfaction, that the noble design of a telegraph communication between the eastern coast of America and Great Britain has been renewed with full expectation of its early accomplishment. Thus it is hoped that with the return of domestic peace the country will be able to resume with energy and advantage its former high career of commerce and civilization.

Our very popular and estimable representative in Egypt died in April last. An unpleasant altercation which arose between the temporary incumbent of the office and the Government of the Pacha resulted in a suspension of intercourse. The evil was promptly corrected on the arrival of the successor in the consulate, and our relations with the Barbary powers are entirely satisfactory.

The rebellion which has so long been flagrant in China has at last been suppressed, with the cooperating good offices of this Government and of the other western commercial States. The judicial consular establishment there has become very difficult and onerous, and it will need legislative revision to adapt it to the extension of our commerce, and to the more intimate intercourse which has been instituted with the Government and people of that vast empire. China seems to be accepting with hearty good will the conventional laws which regulate commercial and social intercourse among the western nations.

Owing to the peculiar situation of Japan, and the anomalous forms of its Government, the action of that empire in performing treaty stipulations is inconsistent and capricious. Nevertheless, good progress has been effected by the Western Powers, moving with enlightened concert. Our own pecuniary claims have been allowed, or put in course of settlement, and the inland sea has been reopened to commerce. There is reason also to believe that these proceedings have increased rather than diminished the friendship of Japan toward the United States.

The ports of Norfolk, Fernandina, and Pensacola, have been opened by proclamation. It is hoped that foreign merchants will now consider whether it is not safer and more profitable to themselves, as well as just to the United States, to resort to these and other open ports, than it is to pursue, through many hazards and at vast cost, a contraband trade with other ports which are closed, if not by actual military occupation, at least by a lawful and effective blockade.

For myself, I have no doubt of the power and duty of the Executive, under the law of nations, to exclude enemies of the human race from an asylum in the United States. If Congress should think that proceedings in such cases lack the authority of law, or ought to be further regulated by it, I recommend that provision be made for effectually preventing foreign slave traders from acquiring domicile and facilities for their criminal occupation in our country.

It is possible that, if it were a new and open question, the maritime powers, with the lights they now enjoy, would not concede the privileges of a naval belligerent to the insurgents of the United States, destitute, as they are, and always have been, equally of ships of war and of ports and harbors. Disloyal emissaries have been neither less assiduous nor more

successful during the last year than they were before that time in their efforts, under favor of that privilege, to embroil our country in foreign wars. The desire and determination of the Governments of the maritime States to defeat that design are believed to be as sincere as and cannot be more earnest than our own. Nevertheless, unforeseen political difficulties have arisen, especially in Brazilian and British ports, and on the northern boundary of the United States, which have required, and are likely to continue to require, the practice of constant vigilance, and a just and conciliatory spirit on the part of the United States as well as of the nations concerned and their governments.

Commissioners have been appointed under the treaty with Great Britain on the adjustment of the claims of the Hudson's Bay and Puget's Sound Agricultural Companies, in Oregon, and are now proceeding to the execution of the trust assigned them.

In view of the insecurity of life and property in the region adjacent to the Canadian border, by reason of recent assaults and depredations committed by inimical and desperate persons, who are harbored there, it has been thought proper to give notice that after the expiration of six months, the period conditionally stipulated in the existing arrangement with Great Britain, the United States must hold themselves at liberty to increase their naval armament upon the lakes, if they shall find that proceeding necessary. The condition of the border will necessarily come into consideration in connection with the question of continuing or modifying the rights of transit from Canada through the United States, as well as the regulation of imports, which were temporarily established by the reciprocity treaty of the 5th June, 1854.

I desire, however, to be understood, while making this statement, that the colonial authorities of Canada are not deemed to be intentionally unjust or unfriendly toward the United States; but, on the contrary, there is every reason to expect that, with the approval of the Imperial Government, they will make the necessary measures to prevent new incursions across the border.

The act passed at the last session for the encouragement of emigration has, so far as was possible, been put into operation. It seems to need amendment which will enable the officers of the Government to prevent the practice of frauds against the immigrants while on their way, and on their arrival in the ports, so as to secure them here a free choice of avocations and places of settlement. A liberal disposition toward this great national policy is manifested by most of the European States, and ought to be reciprocated on our part by giving the immigrants effective protection. I regard our emigrants as one of the principal replenishing streams which are appointed by Providence to repair the ravages of internal war, and its wastes of national strength and health. All that is necessary is to secure the flow of that stream in its present fulness, and to that end the Government must, in every way, make it manifest that it neither needs nor designs to impose involuntary military service upon those who come from other lands to cast their lot in our country.

The financial affairs of the Government have been successfully administered during the past year. The legislation of the last session of Congress has beneficially affected the revenues, although sufficient time has not yet elapsed to experience the full effect of several of the provisions of the acts of Congress imposing increased taxation.

The receipts during the year, from all sources, upon the basis of warrants signed by the Secretary of the Treasury, including loans and the balance in the Treasury, on the first day of July, 1863, were \$1,394,796,007.62; and the aggregate disbursements, upon the same basis, were \$1,298,056,101.89, leaving a balance in the Treasury, as shown by warrants, of \$96,746,905.73.

Deduct from these amounts the amount of the principal of the public debt redeemed, and the amount of issues in substitution therefor, and the actual cash operations of the Treasury were: receipts, \$884,076,646.57; disbursements, \$865,234,087.86; which leaves a cash balance in the Treasury of \$18,842,558.71.

Of the receipts, there were derived from customs \$102,316,152.99; from lands, \$588,333.29; from direct taxes, \$475,648.96; from internal revenue, \$109,741,134.10; from miscellaneous sources, \$47,511,448.10; and from loans applied to actual expenditures, including former balance, \$623,443,929.13.

There were disbursed, for the civil service, \$27,505,599.46; for pensions and Indians, \$7,517,930.97; for the War Department, \$690,791,842.97; for the Navy Department, \$85,733,292.77; for interest of the public debt, \$53,685,421.69—making an aggregate of \$865,234,087.86, and leaving a balance in the Treasury of \$18,882,558.71, as before stated.

For the actual receipts and disbursements for the first quarter, and the estimated receipts and disbursements for the three remaining quarters of the current fiscal year, and the general operations of the Treasury in detail, I refer you to the report of the Secretary of the Treasury. I concur with him in the opinion that the proportion of moneys required to meet the expenses consequent upon the war derived from taxation should be still further increased; and I earnestly invite your attention to this subject, to the end that there may be such additional legislation as shall be required to meet the just expectations of the Secretary.

The public debt on the 1st day of July last, as appears by the books of the Treasury, amounted to \$1,740,690,489.49. Probably, should the war continue for another year, that amount may be increased by not far from five hundred millions. Held as it is, for the most part, by our own people, it has become a substantial branch of national, though private property. For obvious reasons, the more nearly this property can be distributed among all the people the better. To favor such general distribution, greater inducements to become owners might, perhaps, with good effect, and without injury, be presented to persons of limited means. With this view, I suggest whether it might not be both competent and expedient for Congress to provide that a limited amount of some future issue of public securities might be held by any *bona fide* purchaser exempt from taxation, and from seizure for debt, under such restrictions and limitations as might be necessary to guard against abuse of so important a privilege. This would enable every prudent person to set aside a small annuity against a possible day of want.

Privileges like these would render the possession of such securities to the amount limited, most desirable to every person of small means who might be able to save enough for the purpose. The great advantage of citizens being creditors as well as debtors, with relation to the public debt, is obvious. Men readily perceive that they cannot be much oppressed by a debt which they owe to themselves.

The public debt on the first day of July last, although somewhat exceeding the estimate of the Secretary of the Treasury made to Congress at the commencement of the last session, falls short of the estimate of that officer made in the preceding December, as to its probable amount at the beginning of this year, by the sum of \$3,995,097.31. This fact exhibits a satisfactory condition and conduct of the operations of the Treasury.

The national banking system is proving to be acceptable to capitalists and to the people. On the 25th day of November 584 national banks had been organized, a considerable number of which were conversions from State banks. Changes from State systems to the national systems are rapidly taking place, and it is hoped that, very soon, there will be in the United States no banks of issue not authorized

by Congress, and no bank note circulation not secured by the Government. That the Government and the people will derive great benefit from this change in the banking systems of the country can hardly be questioned. The national system will create a reliable and permanent influence in support of the national credit, and protect the people against losses in the use of paper money. Whether or not any further legislation is advisable for the suppression of State bank issues, it will be for Congress to determine. It seems quite clear that the Treasury cannot be satisfactorily conducted unless the Government can exercise a restraining power over the bank note circulation of the country.

The report of the Secretary of War and the accompanying documents will detail the campaigns of the armies in the field since the date of the last annual message, and also the operations of the several administrative bureaus of the War Department during the last year. It will also specify the measures deemed essential for the national defence, and to keep up and supply the requisite military force.

The report of the Secretary of the Navy presents a comprehensive and satisfactory exhibit of the affairs of that department and of the naval service. It is a subject of congratulation and laudable pride to our countrymen that a navy of such vast proportions has been organized in so brief a period, and conducted with so much efficiency and success.

The general exhibit of the navy, including vessels under construction on the 1st of December, 1864, shows a total of 671 vessels, carrying 4,610 guns, and of 510,303 tons, being an increase during the year over and above all losses in shipwreck or in battle, of 83 vessels, 167 guns, and 42,427 tons. The total number of men at this time in the naval service, including officers, is about 51,000.

There have been captured by the navy during the year 324 vessels, and the whole number of naval captures since hostilities commenced is 1,379, of which 267 are steamers.

The gross proceeds arising from the sale of condemned prize property, thus far reported, amount to \$14,396,250.51. A large amount of such proceeds is still under adjudication and yet to be reported.

The total expenditure of the Navy Department of every description, including the cost of the immense squadrons that have been called into existence from the 4th of March, 1861, to the 1st of November, 1864, are \$238,647,262.25.

Your favorable consideration is invited to the various recommendations of the Secretary of the Navy, especially in regard to a navy yard and suitable establishment for the construction and repair of iron vessels, and the machinery and armature for our ships, to which reference was made in my last annual message.

Your attention is also invited to the views expressed in the report in relation to the legislation of Congress at its last session in respect to prize on our inland waters.

I cordially concur in the recommendation of the Secretary as to the propriety of creating the new rank of vice-admiral in our naval service.

Your attention is invited to the report of the Postmaster General for a detailed account of the operations and financial condition of the Post Office Department.

The postal revenues for the year ending June 30, 1864, amounted to \$12,438,253.78, and the expenditures to \$12,644,786.20; the excess of expenditures over receipts being \$206,532.42.

The views presented by the Postmaster General on the subject of special grants by the Government in aid of the establishment of new lines of ocean mail steamships, and the policy he recommends for the development of increased commercial intercourse with adjacent and neighboring countries, should receive the careful consideration of Congress.

It is of noteworthy interest that the steady expan-

sion of population, improvement, and governmental institutions over the new and unoccupied portions of our country have scarcely been checked, much less impeded or destroyed, by our great civil war, which at first glance would seem to have absorbed almost the entire energies of the nation.

The organization and admission of the State of Nevada has been completed in conformity with law, and thus our excellent system is firmly established in the mountains, which once seemed a barren and uninhabitable waste between the Atlantic States and those which have grown up on the coast of the Pacific Ocean.

The Territories of the Union are generally in a condition of prosperity and rapid growth. Idaho and Montana, by reason of their great distance and the interruption of communication with them by Indian hostilities, have been only partially organized; but it is understood that these difficulties are about to disappear, which will permit their governments, like those of the others, to go into speedy and full operation.

As intimately connected with and promotive of this material growth of the nation, I ask the attention of Congress to the valuable information and important recommendations relating to the public lands, Indian affairs, the Pacific Railroad, and mineral discoveries, contained in the report of the Secretary of the Interior, which is herewith transmitted, and which report also embraces the subjects of patents, pensions, and other topics of public interest pertaining to his department.

The quantity of public land disposed of during the five quarters ending on the 30th of September last, was 4,221,342 acres, of which 1,538,614 acres were entered under the homestead law. The remainder was located with military land warrants, agricultural scrip certified to States for railroads, and sold for cash. The cash received for sales and location fees was \$1,019,446.

The income from sales during the fiscal year ending June 30, 1864, was \$678,007.21, against \$136,077.95 received during the preceding year. The aggregate number of acres surveyed during the year has been equal to the quantity disposed of; and there is open to settlement about 183,000,000 acres of surveyed land.

The great enterprise of connecting the Atlantic with the Pacific States by railways and telegraph lines has been entered upon with a vigor that gives assurance of success notwithstanding the embarrassments arising from the prevailing high prices of materials and labor. The route of the main line of the road has been definitely located for one hundred miles westward from the initial point of Omaha City, Nebraska, and a preliminary location of the Pacific Railroad of California has been made from Sacramento eastward to the great bend of the Truckee River in Nevada.

Numerous discoveries of gold, silver, and cinnabar mines have been added to the many heretofore known, and the country occupied by the Sierra Nevada and Rocky Mountains and the subordinate ranges, now teems with enterprising labor, which is richly remunerative. It is believed that the product of the mines of precious metals in that region has during the year reached, if not exceeded, one hundred millions in value.

It was recommended in my last annual message that our Indian system be remodelled. Congress, at its last session, acting upon the recommendation, did provide for reorganizing the system in California; and it is believed that under the present organization the management of the Indians there will be attended with reasonable success. Much yet remains to be done to provide for the proper government of the Indians in other parts of the country to render it secure for the advancing settler, and to provide for the welfare of the Indian. The Secretary reiterates his recommendations, and to them the attention of Congress is invited.

The liberal provision made by Congress for paying pensions to invalid soldiers and sailors of the republic, and to the widows, orphans, and dependent mothers of those who have fallen in battle, or died of disease contracted, or of wounds received in the service of their country, have been diligently administered. There have been added to the pension rolls during the year ending the 30th day of June last the names of 16,770 invalid soldiers, and of 271 disabled seamen, making the present number of army invalid pensioners 22,797, and of navy invalid pensioners, 712.

Of widows, orphans, and mothers, 22,198 have been placed on the army pension rolls, and 248 on the navy rolls. The present number of army pensioners of this class is 25,433, and of navy pensioners, 793. At the beginning of the year the number of Revolutionary pensioners was 1,430; only twelve of them were soldiers, of whom seven have since died. The remainder are those who, under the law, receive pensions because of relationship to Revolutionary soldiers. During the year ending the 30th of June, 1864, \$4,504,616.97 have been paid to pensioners of all classes.

I cheerfully commend to your continued patronage the benevolent institutions of the District of Columbia which have hitherto been established or fostered by Congress; and respectfully refer, for information concerning them, and in relation to the Washington Aqueduct, the Capitol, and other matters of local interest, to the report of the Secretary.

The Agricultural Department, under the supervision of its present energetic and faithful head, is rapidly commending itself to the great and vital interest it was created to advance. It is peculiarly the people's department, in which they feel more directly concerned than in any other. I commend it to the continued attention and fostering care of Congress.

The war continues. Since the last annual message all the important lines and positions then occupied by our forces have been maintained, and our arms have steadily advanced; thus liberating the regions left in rear, so that Missouri, Kentucky, Tennessee, and parts of other States have again produced reasonably fair crops.

The most remarkable feature in the military operations of the year is General Sherman's attempted march of three hundred miles directly through the insurgent region. It tends to show a great increase of our relative strength that our General-in-Chief should feel able to confront and hold in check every active force of the enemy, and yet to detach a well appointed large army to move on such an expedition. The result not yet being known, conjecture in regard to it is not here indulged.

Important movements have also occurred during the year to the effect of moulding society for durability in the Union. Although short of complete success, it is much in the right direction, that twelve thousand citizens in each of the States of Arkansas and Louisiana have organized State governments, with free constitutions, and are earnestly struggling to maintain and administer them. The movements in the same direction, more extensive, though less definite, in Missouri, Kentucky, and Tennessee, should not be overlooked. But Maryland presents the example of complete success. Maryland is secure to liberty and Union for all the future. The genius of rebellion will no more claim Maryland. Like another foul spirit, being driven out, it may seek to tear her, but it will woo her no more.

At the last session of Congress a proposed amendment to the Constitution, abolishing slavery throughout the United States, passed the Senate, but failed for lack of the requisite two-thirds vote in the House of Representatives. Although the present is the same Congress, and nearly the same members, and without questioning the wisdom or patriotism of those who stood in opposition, I venture to recom-

mend the reconsideration and passage of the measure at the present session. Of course the abstract question is not changed; but an intervening election shows, almost certainly, that the next Congress will pass the measure if this does not. Hence there is only a question of time as to when the proposed amendment will go to the States for their action. And as it is to go, at all events, may we not agree that the sooner the better?

It is not claimed that the election has imposed a duty on members to change their views or their votes, any further than, as an additional element to be considered, their judgment may be affected by it. It is the voice of the people now, for the first time, heard upon the question. In a great national crisis like ours unanimity of action among those seeking a common end is very desirable, almost indispensable. And yet no approach to such unanimity is attainable unless some deference shall be paid to the will of the majority, simply because it is the will of the majority. In this case, the common end is the maintenance of the Union; and, among the means to secure that end, such will, through the election, is most clearly declared in favor of such constitutional amendment.

The most reliable indication of public purpose in this country is derived through our popular elections. Judging by the recent canvass and its result, the purpose of the people, within the loyal States, to maintain the integrity of the Union was never more firm nor more nearly unanimous than now. The extraordinary calmness and good order with which the millions of voters met and mingled at the polls give strong assurance of this. Not only all those who supported the Union ticket, so called, but a great majority of the opposing party also may be fairly claimed to entertain and to be actuated by the same purpose.

It is an unanswerable argument to this effect that no candidate for any office whatever, high or low, has ventured to seek votes on the avowal that he was for giving up the Union. There has been much impugning of motives, and much heated controversy as to the proper means and best mode of advancing the Union cause; but on the distinct issue of Union or no Union the politicians have shown their instinctive knowledge that there is no diversity among the people. In affording the people the fair opportunity of showing, one to another and to the world, this firmness and unanimity of purpose, the election has been of vast value to the national cause.

The election has exhibited another fact not less valuable to be known—the fact that we do not approach exhaustion in the most important branch of national resources—that of living men. While it is melancholy to reflect that the war has filled so many graves, and carried mourning to so many hearts, it is some relief to know that, compared with the surviving, the fallen have been so few. While corps, and divisions, and brigades, and regiments have formed, and fought, and dwindled and gone out of existence, a great majority of the men who composed them are still living. The same is true of the naval service. The election returns prove this. So many voters could not else be found. The States regularly holding elections, both now and four years ago, to wit, California, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, West Virginia, and Wisconsin, cast 3,982,011 votes now, against 3,870,222 cast then, showing an aggregate now of 3,982,011. To this is to be added 38,762 cast now in the new States of Kansas and Nevada, which States did not vote in 1860, thus swelling the aggregate to 4,015,733, and the net increase during the three years and a half of war to 145,551. A table is appended showing particulars. To this again should be added the number of all soldiers in the field from

Massachusetts, Rhode Island, New Jersey, Delaware, Indiana, Illinois, and California, who, by the laws of those States, could not vote away from their homes, and which number cannot be less than 90,000. Nor yet is this all. The number in organized Territories is triple now what it was four years ago, while thousands, white and black, join us as the national arms press back the insurgent lines.

So much is shown, affirmatively and negatively, by the election. It is not material to inquire how the increase has been produced, or to show that it would have been greater but for the war, which is probably true. The important fact remains demonstrated that we have more men now than we had when the war began; that we are not exhausted, nor in process of exhaustion; that we are gaining strength, and may, if need be, maintain the contest indefinitely. This as to men. Material resources are now more complete and abundant than ever.

The national resources, then, are unexhausted, and, as we believe, inexhaustible. The public purpose to reestablish and maintain the national authority is unchanged, and, as we believe, unchangeable. The manner of continuing the effort remains to choose. On careful consideration of all the evidence accessible, it seems to me that no attempt at negotiation with the insurgent leader could result in any good. He would accept nothing short of severance of the Union—precisely what we will not and cannot give. His declarations to this effect are explicit and oft-repeated. He does not attempt to deceive us. He affords us no excuse to deceive ourselves.

He cannot voluntarily reaccept the Union; we cannot voluntarily yield it. Between him and us the issue is distinct, simple, and inflexible. It is an issue which can only be tried by war and decided by victory. If we yield, we are beaten; if the Southern people fail him, he is beaten. Either way, it would be victory and defeat following war. What is true, however, of him who heads the insurgent cause is not necessarily true of those who follow.

Although he cannot reaccept the Union, they can. Some of them, we know, already desire peace and reunion. The number of such may increase. They can, at any moment, have peace simply by laying down their arms and submitting to the national authority under the Constitution. After so much, the Government could not, if it would, maintain war against them. The loyal people would not sustain or allow it.

If questions should remain, we would adjust them by the peaceful means of legislation, conference, courts, and votes, operating only in constitutional and lawful channels. Some certain, and other possible, questions are, and would be, beyond the Executive power to adjust; as, for instance, the admission of members into Congress, and whatever might require the appropriation of money. The Executive power itself would be greatly diminished by the cessation of actual war. Pardons and remissions of forfeitures, however, would still be within Executive control. In what spirit and temper this would be exercised can be easily judged by the past.

A year ago general pardon and amnesty, upon specified terms, were offered to all, except certain designated classes, and it was, at the same time, made known that the excepted classes were still within contemplation of special clemency. During the year many availed themselves of the general provision, and many more would, only that the signs of bad faith in some led to such precautionary measures as rendered the practical process less easy and certain. During the same time, also, special pardons have been granted to individuals of the excepted classes, and no voluntary application has been denied.

Thus, practically, the door has been, for a full year, open to all, except such as were not in condition to make free choice—that is, such as were in

custody or under constraint. It is still so open to all. But the time may come—probably will come—when public duty shall demand that it be closed; and that in lieu more rigorous measures than heretofore shall be adopted.

In presenting the abandonment of armed resistance to the national authority on the part of the insurgents as the only indispensable condition to ending the war on the part of the Government, I retract nothing heretofore said as to slavery. I repeat the declaration made a year ago, that “while I remain in my present position I shall not attempt to retract or modify the emancipation proclamation, nor shall I return to slavery any person who is free by the terms of that proclamation, or by any act of Congress.”

If the people should, by whatever mode or means, make it an executive duty to reënslave such persons, another, and not I, must be their instrument to perform it.

In stating a single condition of peace, I mean to say that the war will cease on the part of the Government whenever it shall have ceased on the part of those who began it.

ABRAHAM LINCOLN.

DECEMBER, 6, 1864.

Jefferson Davis's Message.

*To the Senate and House of Representatives
of the Confederate States of America :*

You are assembled under circumstances of deep interest to your country; and it is fortunate that, coming as you do, newly elected by the people and familiar with the condition of the various localities, you will be the better able to devise measures adapted to meet the wants of the public service without imposing unnecessary burdens on the citizen. The brief period which has elapsed since the last adjournment of Congress has not afforded sufficient opportunity to test the efficacy of the most important laws then enacted, nor have the events occurring in the interval been such as materially to change the state of the country.

The unjust war commenced against us, in violation of the rights of the States, and in usurpation of power not delegated to the Government of the United States, is still characterized by the barbarism with which it has heretofore been conducted by the enemy. Aged men, helpless women and children, appeal in vain to the humanity which should be inspired by their condition, for immunity from arrest, incarceration, or banishment from their homes. Plunder and devastation of the property of non-combatants, destruction of private dwellings, and even of edifices devoted to the worship of God, expeditions organized for the sole purpose of sacking cities, consigning them to the flames, killing the unarmed inhabitants, and inflicting horrible outrages on women and children, are some of the constantly recurring atrocities of the invader. It cannot reasonably be pretended that such acts conduce to any end which their authors dare avow before the civilized world, and sooner or later Christendom must mete out to them the condemnation which such brutality deserves. The sufferings thus ruthlessly inflicted upon the people of the invaded districts has served but to illustrate their patriotism. Entire unanimity and zeal for their country's cause have been preëminently conspicuous among those whose sacrifices have been greatest. So the army which has borne the trials and dangers of the war; which has been subjected to privations and disappointments (tests of manly fortitude far more severe than the brief fatigues and perils of actual combat), has been the centre of cheerfulness and hope. From the camp comes the voice of the soldier patriot invoking each who is at home, in the sphere he best may fill, to devote his whole energies to the support of a cause, in the success of which their confidence has never faltered. They, the veterans of many a hard-fought field, tender to their country,

without limit of time, a service of priceless value to us, one which posterity will hold in grateful remembrance.

In considering the state of the country, the reflection is naturally suggested that this is the third Congress of the Confederate States of America. The provisional government was formed, its Congress held four sessions, lived its appointed term, and passed away. The permanent government was then organized, its different departments established, a Congress elected, which also held four sessions, served its full constitutional term, and expired. You, the second Congress under the permanent government, are now assembled at the time and place appointed by law for commencing your session. All these events have passed into history, notwithstanding the threat of our prompt subjugation, made three years ago, by a people that presume to assert a title to govern States whose separate and independent sovereignty was recognized by treaty with France and Great Britain in the last century, and remained unquestioned for nearly three generations. Yet these very governments, in disregard of duty and treaty obligations, which bind them to recognize as independent Virginia and other Confederate States, persist in countenancing, by moral influence, if not in aiding by unfair and partial action, the claim set up by the Executive of a foreign government to exercise despotic sway over the States thus recognized, and treat the invasion of them by their former limited and special agent as though it were the attempt of a sovereign to suppress a rebellion against lawful authority. Ungenerous advantage has been taken of our present condition, and our rights have been violated, our vessels-of-war detained in ports to which they had been invited by proclamations of neutrality, and in one instance our flag also insulted where the sacred right of asylum was supposed to be secure; while one of these governments has contented itself with simply deprecating by deferential representations the conduct of our enemy in the constantly-recurring instances of his contemptuous disregard of neutral rights and flagrant violations of public law. It may be that foreign governments, like our enemies, have mistaken our desire for peace, unreservedly expressed, for evidence of exhaustion, and have thence inferred the probability of success in the efforts to subjugate or exterminate the millions of human beings who, in these States, prefer any fate to submission to their savage assailants.

I see no prospect of an early change in the course heretofore pursued by these governments; but when this delusion shall have been dispelled, and when our independence, by the valor and fortitude of our people, shall have been won against all the hostile influences combined against us, and can no longer be ignored by open foes or professed neutrals, this war will have left, with its proud memories, a record of many wrongs, which it may not misbecome us to forgive—some for which we may not properly forbear from demanding redress. In the mean time, it is enough for us to know that every avenue of negotiation is closed against us; that our enemy is making renewed and strenuous efforts for our destruction, and that the sole resource for us, as a people secure in the justice of our cause and holding our liberties to be more precious than all other earthly possessions, is to combine and apply every available element of power for their defence and preservation.

On the subject of the exchange of prisoners I greatly regret to be unable to give you satisfactory information. The Government of the United States, while persisting in failure to execute the terms of the cartel, make occasional deliveries of prisoners, and then suspend action without apparent cause. I confess my inability to comprehend their policy or purpose. The prisoners held by us, in spite of humane care, are perishing from the inevitable effects of imprisonment and the home sickness produced by the hopelessness of release from confinement. The

spectacle of their suffering augments our longing desire to relieve from similar trials our own brave men, who have spent so many weary months in a cruel and useless imprisonment, endured with heroic constancy. The delivery, after a suspension of some weeks, has just been resumed by the enemy; but as they give no assurance of intent to carry out the cartel, an interruption of the exchange may recur at any moment.

The reports of the departments, herewith submitted, are referred to for full information in relation to the matters appertaining to each. There are two of them on which I deem it necessary to make special remark.

The report of the Secretary of the Treasury states facts justifying the conclusion that the law passed at the last session for the purpose of withdrawing from circulation the large excess of Treasury notes heretofore issued, has had the desired effect, and that by the 1st July the amount in circulation will have been reduced to a sum not exceeding \$230,000,000. It is believed to be of primary importance that no further issue of notes should take place, and that the use of the credit of the Government should be restricted to the two other modes provided by Congress, viz.: the sale of bonds and the issue of certificates bearing interest, for the price of supplies purchased within our limits. The law, as it now stands, authorizes the issue by the Treasury of new notes to the extent of two-thirds of the amount received under its provisions. The estimate of the amount funded under this law is shown to be \$300,000,000, and if two-thirds of this sum be reissued, we shall have an addition of \$200,000,000 to our circulation, believed to be already ample for the business of the country. The addition of this large sum to the volume of the currency would be attended by disastrous effects, and would produce the speedy recurrence of the evils from which the funding law has rescued the country. If our arms are crowned with the success which we have so much reason to hope, we may well expect that this war cannot be prolonged beyond the current year, and nothing would so much retard the beneficial influence of peace on all the interests of our country, as the existence of a great mass of currency not redeemable in coin. With our vast resources, the circulation, if restricted to its present volume, would be easily manageable, and by gradual absorption in payment of public dues, would give place to the precious metals, the only basis of a currency adapted to commerce with foreign countries. In our present circumstances I know of no mode of providing for the public wants which would entail sacrifices so great as a fresh issue of Treasury notes, and I trust that you will concur in the propriety of absolutely forbidding any increase of those now in circulation.

Officers have been appointed and despatched to the trans-Mississippi States, and the necessary measures taken for the execution of the laws, enacted to obviate delays in administering the Treasury and other Executive Departments in those States; but sufficient time has not elapsed to ascertain the results.

In relation to the most important of all subjects at the present time—the efficiency of our armies in the field—it is gratifying to assure you that the discipline and instruction of the troops have kept pace with the improvement in material and equipment. We have reason to congratulate ourselves on the results of the legislation on this subject and on the increased administrative energy in the different bureaux of the War Department, and may not unreasonably indulge anticipations of commensurate success in the ensuing campaign.

The organization of reserves is in progress, and it is hoped they will be valuable in affording local protection without requiring details and detachments from active force.

Among the recommendations contained in the report of the Secretary of War, your attention is spe-

cially invited to those in which legislation is suggested on the following subjects, viz. :

The tenure of office of the general officers in the provisional army, and a proper discrimination in the compensation of the different grades.

The provision required in aid of invalid officers who have resigned in consequence of wounds or sickness contracted while in the service.

The amendment of the law which deprives officers in the field of the privilege of purchasing rations, and thus adds to their embarrassment, instead of conferring the benefit intended.

The organization of the general staff of the army, in relation to which a special message will shortly be addressed to you, containing the reasons which compelled me to withhold my approval of a bill passed by your predecessors at too late a period of the session to allow time for returning it for their reconsideration.

The necessity for an increase in the allowance now made for the transportation of officers travelling under orders.

The mode of providing officers for the execution of the conscript laws.

The means of securing greater despatch and more regular administration of justice in examining and disposing of the records of cases reported from the courts-martial and military courts in the army.

The recent events of the war are highly creditable to our troops, exhibiting energy and vigilance combined with the habitual gallantry which they have taught us to expect on all occasions. We have been cheered by important and valuable successes in Florida, Northern Mississippi, Western Tennessee, and Kentucky, Western Louisiana and Eastern North Carolina, reflecting the highest honor on the skill and conduct of our commanders, and on the incomparable soldiers whom it is their privilege to lead. A naval attack on Mobile was so successfully repulsed at the outer works that the attempt was abandoned, and the nine months' siege of Charleston has been practically suspended, leaving that noble city and its fortresses, imperishable monuments to the skill and fortitude of its defenders. The armies in Northern Georgia and in Northern Virginia still oppose, with unshaken front, a formidable barrier to the progress of the invader; and our generals, armies and people, are animated by cheerful confidence.

Let us, then, while resolute in devoting all our energies to securing the realization of the bright auspices which encourage us, not forget that our humble and most grateful thanks are due to Him, without whose guidance and protecting care all human efforts are of no avail, and to whose interposition are due the manifold successes with which we have been cheered.

JEFFERSON DAVIS.

RICHMOND, May 2, 1864.

Jefferson Davis's Message.

*To the Senate and House of Representatives
of the Confederate States of America :*

It is with satisfaction that I welcome your presence at an earlier day than that usual for your session, and with confidence that I invoke the aid of your counsel at a time of such public exigency. The campaign which was commenced almost simultaneously with your session in May last, and which was still in progress at your adjournment in the middle of June, has not yet reached its close. It has been prosecuted on a scale and with an energy heretofore unequalled. When we revert to the condition of our country at the inception of the operations of the present year, to the magnitude of the preparations made by the enemy, the number of his forces, the accumulation of his warlike supplies, and the prodigality with which his vast resources have been lavished in the attempt to render success assured; when we con-

trast the numbers and means at our disposal for resistance, and when we contemplate the results of a struggle apparently so unequal, we cannot fail, while rendering the full meed of deserved praise to our generals and soldiers, to perceive that a power higher than man has willed our deliverance, and gratefully to recognize the protection of a kind Providence in enabling us successfully to withstand the utmost efforts of the enemy for our subjugation.

At the beginning of the year the State of Texas was partially in possession of the enemy, and large portions of Louisiana and Arkansas lay apparently defenceless. Of the Federal soldiers who invaded Texas, none are known to remain except as prisoners of war. In northwestern Louisiana a large and well-appointed army, aided by a powerful fleet, was repeatedly defeated, and deemed itself fortunate in finally escaping with a loss of one-third of its numbers, a large part of its military trains, and many transports and gunboats. The enemy's occupation of that State is reduced to the narrow district commanded by the guns of his fleet. Arkansas has been recovered with the exception of a few fortified posts, while our forces have penetrated into Central Missouri, affording to our oppressed brethren in that State an opportunity of which many have availed themselves—of striking for liberation from the tyranny to which they have been subjected.

On the east of the Mississippi, in spite of some reverses, we have much cause for congratulation. The enemy hoped to effect, during the present year, by concentration of forces, the conquest which he had previously failed to accomplish by more extended operations. Compelled, therefore, to withdraw, or seriously to weaken the strength of the armies of occupation at different points, he has afforded us the opportunity of recovering possession of extensive districts of our territory. Nearly the whole of northern and western Mississippi, of northern Alabama, and of western Tennessee, are again in our possession; and all attempts to penetrate from the coast line into the interior of the Atlantic and Gulf States have been baffled. On the entire ocean and gulf coast of the Confederacy, the whole success of the enemy, with the enormous naval resources at his command, has been limited to the capture of the outer defences of Mobile Bay.

If we now turn to the results accomplished by the two great armies, so confidently relied on by the invaders as sufficient to secure the subversion of our Government and the subjection of our people to foreign domination, we have still greater cause for devout gratitude to Divine Power. In southwestern Virginia, successive armies which threatened the capture of Lynchburg and Saltville have been routed and driven out of the country, and a portion of Eastern Tennessee reconquered by our troops. In Northern Virginia extensive districts formerly occupied by the enemy are now free from their presence. In the lower valley, their general rendered desperate by his inability to maintain a hostile occupation, has resorted to the infamous expedient of converting a fruitful land into a desert by burning its mills, granaries, and homesteads, and destroying the food, standing crops, live stock, and agricultural implements of peaceful non-combatants. The main army, after a series of defeats in which its losses have been enormous; after attempts by raiding parties to break up our railroad communications, which have resulted in the destruction of a large part of the cavalry engaged in the work; after constant repulse of repeated assaults on our defensive lines, is, with the aid of heavy reinforcements, but with, it is hoped, waning prospect of further progress in the design, still engaged in an effort, commenced more than four months ago, to capture the town of Petersburg.

The army of Gen. Sherman, although succeeding at the end of the summer in obtaining possession of Atlanta, has been unable to secure any ultimate ad-

vantage from this success. The same general who, in February last, marched a large army from Vicksburg to Meridian with no other result than being forced to march back again, was able, by the aid of greatly-increased numbers, and after much delay, to force a passage from Chattanooga to Atlanta, only to be for the second time compelled to withdraw on the line of his advance, without obtaining control of a single mile of territory beyond the narrow track of his march, and without gaining aught beyond the precarious possession of a few fortified points in which he is compelled to maintain heavy garrisons, and which are menaced with recapture.

The lessons afforded by the history of this war are fraught with instruction and encouragement. Repeatedly during the war have formidable expeditions been directed by the enemy against points ignorantly supposed to be of vital importance to the Confederacy. Some of these expeditions have, at immense cost, been successful; but in no instance have the promised fruits been reaped. Again, in the present campaign, was the delusion fondly cherished that the capture of Atlanta and Richmond would, if effected, end the war by the overthrow of our Government and the submission of our people. We can now judge by experience how unimportant is the influence of the former event upon our capacity for defence, upon the courage and spirit of the people, and the stability of the Government. We may, in like manner, judge that if the campaign against Richmond had resulted in success instead of failure; if the valor of the army under the leadership of its accomplished commander, had resisted in vain the overwhelming masses which were, on the contrary, decisively repulsed; if we had been compelled to evacuate Richmond as well as Atlanta, the Confederacy would have remained as erect and defiant as ever. Nothing could have been changed in the purpose of its Government, in the indomitable valor of its troops, or in the unquenchable spirit of its people. The baffled and disappointed foe would in vain have scanned the reports of your proceedings at some new legislative seat, for any indication that progress had been made in his gigantic task of conquering a free people. The truth so patent to us must ere long be forced upon the reluctant Northern mind. There are no vital points on the preservation of which the continued existence of the Confederacy depends. There is no military success of the enemy which can accomplish its destruction. Not the fall of Richmond, nor Wilmington, nor Charleston, nor Savannah, nor Mobile, nor of all combined, can save the enemy from the constant and exhaustive drain of blood and treasure which must continue until he shall discover that no peace is attainable unless based on the recognition of our indefeasible rights.

Before leaving this subject it is gratifying to assure you that the military supplies essentially requisite for military defence will be found, as heretofore, adequate to our needs; and that abundant crops have rewarded the labor of the farmer, and rendered abortive the inhuman attempt of the enemy to produce, by devastation, famine among the people.

It is not in my power to announce any change in the conduct of foreign powers. No such action has been taken by the Christian nations of Europe as might justly have been expected from their history, from the duties imposed by international law, and from the claims of humanity. It is charitable to attribute their conduct to no worse motive than indifference to the consequences which shakes only the republican portion of the American continent; and not to ascribe to design a course calculated to insure the prolongation of hostilities.

No instance in history is remembered by me in which a nation pretending to exercise dominion over another, asserting its independence, has been the first to concede the existence of such independence. No case can be recalled to my mind in which neutral powers have failed to set the example of recognizing

the independence of a nation, when satisfied of the inability of its enemy to subvert its Government; and this, too, in cases where the previous relation between the contending parties had been confessedly that of mother country and dependent colony, not as in our case, that of coequal States united by Federal compact. It has never been considered the proper function and duty of neutral powers to perform the office of judging whether in point of fact the nation asserting dominion is able to make good its pretensions by force of arms, and if not, by recognition of the resisting party to discountenance the further continuance of the contest. And the reason why this duty is incumbent on neutral powers is plainly apparent when we reflect that the pride and passion which blind the judgment of the parties to the conflict cause the continuance of active warfare, and consequent useless slaughter, long after the inevitable result has become apparent to all not engaged in the struggle. So long, therefore, as neutral nations fail by recognition of our independence to announce that, in their judgment, the United States are unable to reduce the Confederacy to submission, their conduct will be accepted by our enemies as a tacit encouragement to continue their efforts, and as an implied assurance that belief is entertained by neutral nations in the success of their designs. A direct stimulus, whether intentional or not, is thus applied to securing a continuance of the carnage and devastation which desolate this continent, and which they profess deeply to deplore.

The disregard of this just, humane, and Christian public duty by the nations of Europe is the more remarkable from the fact that authentic expression has long since been given by the Governments of both France and England to the conviction that the United States are unable to conquer the Confederacy. It is now more than two years since the Government of France announced officially to the cabinets of London and St. Petersburg its own conclusion that the United States were unable to achieve any decisive military success. In the answers sent by these powers no intimation of a contrary opinion was conveyed; and it is notorious that in speeches, both in and out of Parliament, the members of her Britannic Majesty's Government have not hesitated to express this firm conviction in unqualified terms. The denial of our right under these circumstances is so obviously unjust, and discriminates so unfairly in favor of the United States, that neutrals have sought to palliate the wrong of which they are conscious by professing to consider, in opposition to notorious truth and to the known belief of both belligerents, that the recognition of our independence would be valueless without their further intervention in the struggle; an intervention of which we disclaim the desire and mistrust the advantage.

We seek no favor, we wish no intervention, we know ourselves fully competent to maintain our own rights and independence against the invaders of the country, and we feel justified in asserting, that without the aid derived from recruiting their armies from foreign countries they would, ere this, have been driven from our soil. When the recognition of the Confederacy was refused by Great Britain, in the fall of 1862, the refusal was excused on the ground that any action of Her Majesty's Government would have the effect of inflaming the passions of the belligerents and of preventing the return of peace. It is assumed that this opinion was sincerely entertained, but the experience of two years of unequal carnage, shows that it was erroneous, and that the result was the reverse of what the British ministry humanely desired. A contrary policy, a policy just to us, a policy diverging from an unvarying course of concession to all the demands of our enemies, is still within the power of Her Majesty's Government, and would, it is fair to presume, be productive of consequences the opposite to those which have unfortunately followed its whole course of conduct from the com-

mencement of the war to the present time. In a word, peace is impossible without independence, and it is not to be expected that the enemy will anticipate neutrals in the recognition of that independence. When the history of this war shall be fully disclosed, the calm judgment of the impartial publicist will, for these reasons, be unable to absolve the neutral nations of Europe from a share in the moral responsibility for the myriads of human lives that have been unnecessarily sacrificed during its progress.

The renewed instances in which foreign powers have given us just cause of complaint need not here be detailed. The extracts from the correspondence of the State Department, which accompany this message, will afford such further information as can be given without detriment to the public interest, and we must reserve for the future such action as may then be deemed advisable to secure redress.

Your special attention is earnestly invited to the report of the Secretary of the Treasury, submitted in conformity with law. The facts therein disclosed are far from discouraging, and demonstrated that, with judicious legislation, we shall be enabled to meet all the exigencies of the war from our abundant resources, and avoid, at the same time, such an accumulation of debt as would render at all doubtful our capacity to redeem it.

The total receipts into the Treasury for the two quarters ending on the 30th of September, 1864, were \$415,191,550, which sum, added to the balance of \$308,282,722, that remained in the Treasury on the 1st of April last, forms a total of \$728,474,272. Of this total, not far from half, that is to say, \$342,560,327, have been applied to the extinction of the public debt, while the total expenditures have been \$272,398,505, leaving a balance in the Treasury on the 1st of October, 1864, of \$108,485,440.

The total amount of the public debt, as exhibited on the books of the Register of the Treasury, on the 1st October, 1864, was \$1,147,970,208, of which \$539,840,090 were funded debt, bearing interest, \$283,880,150 were treasury notes of the new issue, and the remainder consisted of the former issue of treasury notes, which will be converted into other forms of debt, and will cease to exist as currency on the 31st of next month.

The report, however, explains that, in consequence of the absence of certain returns from distant officers, the true amount of the debt is less, by \$21,500,000, than appears on the books of the Register, and that the total public debt on the first of last month may be fairly considered to have been \$1,126,381,095.

The increase of the public debt during the six months from the 1st April to the 1st October, was \$97,650,780, being rather more than \$16,000,000 per month; and it will be apparent, on a perusal of the report, that this augmentation would have been avoided, and a positive reduction of the amount would have been effected, but for certain defects in legislation on the subject of the finances, which are pointed out in the report, and which seem to admit of easy remedy.

In the statements just made the foreign debt is omitted. It consists only of the unpaid balance of the loan known as the cotton loan. This balance is but £2,200,000, and is adequately provided for by about 250,000 bales of cotton owned by the Government, even if the cotton be rated as worth but sixpence per pound.

There is one item of the public debt not included in the tables presented, to which your attention is required. The bounty bonds promised to our soldiers by the third section of the act of 17th February, 1864, were deliverable on the 1st of October. The Secretary has been unable to issue them by reason of an omission in the law, no time being therein fixed for the payment of the bonds.

The aggregate appropriations called for by the different departments of the Government, according to the estimates submitted with the report, for the six

months ending on the 30th June, 1865, amount to \$438,102,679, while the Secretary estimates that there will remain unexpended, out of former appropriations, on the 1st January, 1865, a balance of \$467,416,504. It would, therefore, seem that former estimates have been largely in excess of actual expenditures, and that no additional appropriations are required for meeting the needs of the public service up to the 1st July of next year. Indeed, if the estimates now presented should prove to be as much in excess of actual expenditures as has heretofore been the case, a considerable balance will still remain unexpended at the close of the first half of the ensuing year.

The chief difficulty to be apprehended in connection with our finances results from the depreciation of the Treasury notes, which seems justly to be attributed by the Secretary to two causes—redundancy in amount, and want of confidence in ultimate redemption; for both of which remedies are suggested that will commend themselves to your consideration as being practicable as well as sufficient.

The main features of the plan presented are substantially these:—1st. That the faith of the Government be pledged that the notes shall ever remain exempt from taxation. 2d. That no issue shall be made beyond that which is already authorized by law. 3d. That a certain fixed portion of the annual receipts from taxation during the war shall be set apart specially for the gradual extinction of the outstanding amount, until it shall have been reduced to \$150,000,000; and 4th. The pledge and appropriation of such proportion of the tax in kind, and for such number of years after the return of peace, as shall be sufficient for the final redemption of the entire circulation. The details of the plan, the calculations on which it is based, the efficiency of its operation, and the vast advantages which would result from its success, are fully detailed in the report, and cannot be presented in a form sufficiently condensed for this message. I doubt not it will receive from you that earnest and candid consideration which is merited by the importance of the subject.

The recommendations of the report for the repeal of certain provisions of the tax laws which produce inequality in the burden of taxation; for exempting all Government loans from taxation on capital, and from any adverse discrimination in taxation on income derived from them; for placing the taxation on banks on the same footing as the taxation of other corporate bodies; for securing the payment into the Treasury of that portion of the bank circulation which is liable to confiscation, because held by alien enemies; for the conversion of the interest-bearing Treasury notes now outstanding into coupon bonds, and for the quarterly collection of taxation; all present practical questions for legislation, which, if wisely devised, will greatly improve the public credit, and alleviate the burdens now imposed by the extreme and unnecessary depreciation in the value of the currency.

The returns of the Produce Loan Bureau are submitted with the report, and the information is conveyed that the Treasury Agency in the Trans-Mississippi Department has been fully organized and is now in operation, with promise of efficiency and success.

The provision heretofore made to some extent for increasing the compensation of public officers, civil and military, is found to be in some places inadequate to their support; perhaps not more so anywhere than in Richmond, and inquiry, with a view to appropriate remedy, is suggested to your consideration. Your notice is also called to the condition of certain officers of the Treasury, who were omitted in the laws heretofore passed for the relief of other public officers, as mentioned in the report of the Secretary of the Treasury.

The condition of the various branches of the military service is stated in the accompanying report of the Secretary of War. Among the suggestions made

for legislative action with a view to add to the numbers and efficiency of the army, all of which will receive your consideration, there are some prominent topics which merit special notice.

The exemption from military duty now accorded by law to all persons engaged in certain specified pursuits or professions, is shown by experience to be unwise, nor is it believed to be defensible in theory. The defence of home, family, and country, is universally recognized as the paramount political duty of every member of society; and in a form of government like ours, where each citizen enjoys an equality of rights and privileges, nothing can be more invidious than an unequal distribution of duties and obligations. No pursuit nor position should relieve any one, who is able to do active duty, from enrolment in the army, unless his functions or services are more useful to the defence of his country in another sphere. But it is manifest that this cannot be the case with the entire classes. All telegraph operators, workmen in mines, professors, teachers, engineers, editors and employes of newspapers, journeymen printers, shoemakers, tanners, blacksmiths, millers, physicians, and the numerous other classes mentioned in the laws, cannot in the nature of things be either equally necessary in their several professions, nor distributed throughout the country in such proportions that only the exact numbers required are found in each locality; nor can it be everywhere impossible to replace those within the conscript age by men older and less capable of active field services. A discretion should be vested in the military authorities, so that a sufficient number of those essential to the public service might be detailed to continue the exercise of their pursuits or professions, but the exemption from service of the entire classes should be wholly abandoned. It affords great facility for abuses, offers the temptation, as well as the ready means, of escaping service by fraudulent devices, and is one of the principal obstructions to the efficient operation of the conscript laws.

A general militia law is needful in the interest of the public defence. The Constitution, by vesting the power in Congress, imposes on it the duty of providing "for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States." The great diversity in the legislation of the several States on this subject, and the absence of any provision establishing an exact method for calling the militia into Confederate service, are sources of embarrassment which ought no longer to be suffered to impede defensive measures.

The legislation in relation to the cavalry demands change. The policy of requiring the men to furnish their own horses, has proven pernicious in many respects. It interferes with discipline, impairs efficiency, and is the cause of frequent and prolonged absence from appropriate duty. This subject is fully treated in the Secretary's report, with suggestions as to the proper measures for reforming that branch of the service.

The recommendation hitherto often made is again renewed, that some measure be adopted for the reorganization and consolidation of companies and regiments when so far reduced in numbers as to seriously impair their efficiency. It is the more necessary that this should be done, as the absence of the legislation on the subject has forced generals in the field to resort to various expedients for approximating the desired end. It is surely an evil that a commanding officer should be placed in a position which forces upon him the choice of allowing the efficiency of his command to be seriously impaired, or of attempting to supply by the exercise of doubtful authority the want of proper legal provision. The regard for the sensibility of officers who have heretofore served with credit, and which is believed to be the controlling motive that has hitherto obstructed legislation on this subject, however honorable and prop-

er, may be carried to a point which seriously injures the public good; and, if this be the case, it can scarcely be questioned which of the two considerations should be deemed paramount.

The Secretary's recommendations on the subject of facilitating the acquisition of the iron required for maintaining the efficiency of railroad communication on the important military lines, are commended to your favor. The necessity for the operation in full vigor of such lines is too apparent to need comment.

The question in dispute between the two Governments relative to the exchange of prisoners of war, has been frequently presented in former messages and reports, and is fully treated by the Secretary. The solicitude for the relief of our fellow-citizens has known no abatement; but has, on the contrary, been still more deeply evoked by the additional sufferings to which they have been wantonly subjected, by deprivation of adequate food, clothing, and fuel, which they were not even permitted to purchase from the prison sutlers. Finding that the enemy attempted to excuse their barbarous treatment by the unfounded allegation that it was retaliatory for like conduct on our part, an offer was made by us, with a view of ending all pretext for such recriminations or pretended retaliation.

The offer has been accepted, and each Government is hereafter to be allowed to provide necessary comforts to its own citizens held captive by the other. Active efforts are in progress for the immediate execution of this agreement, and it is hoped that but few days will elapse before we shall be relieved from the distressing thought that painful physical suffering is endured by so many of our fellow-citizens, whose fortitude in captivity illustrates the national character as fully as did their valor in actual conflict.

The employment of slaves for service with the army as teamsters, or cooks, or in the way of work upon fortifications, or in the Government workshops, or in hospitals, and other similar duties, was authorized by the act of 17th February last, and provision was made for their impressment to a number not exceeding twenty thousand, if it should be found impracticable to obtain them by contract with the owners. The law contemplated the hiring only of the labors of those slaves, and imposed on the Government the liability to pay for the value of such as might be lost to the owners from casualties resulting from their employment in the service.

The act has produced less result than was anticipated, and further provision is required to render it efficacious. But my present purpose is to invite your consideration to the propriety of a radical modification in the theory of the law.

Viewed merely as property, and therefore as the subject of imprisonment, the service or labor of the slave has been frequently claimed for short periods, in the construction of defensive works. The slave, however, bears another relation to the State—that of a person. The law of last February contemplates the relation of the slave to the master, and limits the impressment to a certain term of service. But for the purposes enumerated in the act, instruction in the manner of encamping, marching, and parking trains is needful, so that even in this limited employment, length of service adds greatly to the value of the negro's labor. Hazard is also encountered in all the positions to which negroes can be assigned with the army, and the duties required of them demand loyalty and zeal.

In this aspect the relation of person predominates so far as to render it doubtful whether the private right of property can consistently and beneficially be continued, and it would seem proper to acquire for the public service the entire property in the labor of the slave, and to pay therefor due compensation, rather than to impress his labor for short terms; and this the more especially as the effect of the present law would vest this entire property in all cases where

the slave might be recaptured after compensation for his loss had been paid to the private owner. Whenever the entire property in the service of a slave is thus acquired by the Government, the question is presented by what tenure he should be held. Should he be retained in servitude, or should his emancipation be held out to him as a reward of faithful service, or should it be granted at once on the promise of such service; and, if emancipated, what action should be taken to secure the freed man the permission of the State from which he was drawn to reside within its limits after the close of his public service? The permission would doubtless be more readily accorded as a reward for past faithful service; and a double motive for zealous discharge of duty would thus be offered to those employed by the Government, their freedom, and the gratification of the local attachment which is so marked a characteristic of the negro, and forms so powerful an incentive to his action. The policy of engaging to liberate the negro on his discharge after service faithfully rendered, seems to me preferable to that of granting immediate manumission, or that of retaining him in servitude. If this policy should recommend itself to Congress, it is suggested that, in addition to the duties heretofore performed by the slave, he might be advantageously employed as a pioneer and engineer laborer; and in that event, that the number should be augmented to forty thousand.

Beyond this limit and these employments, it does not seem to me desirable, under existing circumstances, to go. A broad, moral distinction exists between the use of slaves as soldiers in the defence of our homes, and the incitement of the same persons to insurrection against their masters. The one is justifiable, if necessary, the other is iniquitous and unworthy of a civilized people; and such is the judgment of all writers on public law, as well as that expressed and insisted on by our enemies in all wars prior to that now waged against us. By none have the practices of which they are now guilty been denounced with greater severity than by themselves, in the two wars with Great Britain, in the last and in the present century; and in the Declaration of Independence of 1776, when enumeration was made of the wrongs which justified the revolt from Great Britain, the climax of atrocity was deemed to be reached only when the English monarch was denounced as having "excited domestic insurrection among us."

The subject is to be viewed by us, therefore, solely in the light of policy and our social economy. When so regarded, I must dissent from those who advise a general levy and arming of the slaves for the duty of soldiers. Until our white population shall prove insufficient for the armies we require and can afford to keep in the field, to employ as a soldier the negro who has merely been trained to labor, and as a laborer the white man accustomed from his youth to the use of fire-arms, would scarcely be deemed wise or advantageous by any; and this is the question now before us. But should the alternative ever be presented of subjugation or of the employment of the slave as a soldier, there seems no reason to doubt what should then be our decision. Whether our view embraces what would, in so extreme a case, be the sum of misery entailed by the dominion of the enemy, or be restricted solely to the effect upon the welfare and happiness of the negro population themselves, the result would be the same. The appalling demoralization, suffering, disease, and death which have been caused by partially substituting the invaders' system of policy for the kind relation previously subsisting between the master and slave, have been a sufficient demonstration that external interference with our institution of domestic slavery is productive of evil only.

If the subject involved no other consideration than the mere right of property, the sacrifices heretofore made by our people have been such as to permit no

doubt of their readiness to surrender every possession in order to secure their independence. But the social and political question which is exclusively under the control of the several States, has a far wider and more enduring importance than that of pecuniary interest. In its manifold phases it embraces the stability of republican institutions, resting on the actual political equality of all its citizens, and includes the fulfilment of the task which has been so happily begun—that of Christianizing and improving the condition of the Africans who have, by the will of Providence, been placed in our charge. Comparing the results of our experience with those of the experiments of others who have borne similar relations to the African race, the people of the several States of the Confederacy have abundant reason to be satisfied with the past, and to use the greatest circumspection in determining their course. These considerations, however, are rather applicable to the improbable contingency of our need of resorting to this element of resistance, than to our present condition. If the recommendations above made for the training of 40,000 negroes for the service indicated, shall meet your approval, it is certain that even this limited number, by their preparatory training in intermediate duties, would form a more valuable reserve force in case of urgency, than threefold their number suddenly called from field labor; while a fresh levy could, to a certain extent, supply their places in the special service for which they are now employed.

The regular annual reports of the Attorney-General, the Secretary of the Navy, and the Postmaster-General, are appended, and give ample information relative to the condition of the respective Departments. They contain suggestions for legislative provisions required to remedy such defects in the existing laws as have been disclosed by experience, but none of so general or important a character as to require that I should do more than recommend them to your favorable consideration.

The disposition of this Government for a peaceful solution of the issues which the enemy has referred to the arbitrament of arms, has been too often manifested, and is too well known to need new assurances. But, while it is true that individuals and parties in the United States have indicated a desire to substitute reason for force, and by negotiation to stop the further sacrifice of human life, and to arrest the calamities which now afflict both countries, the authorities who control the Government of our enemies have too often and too clearly expressed their resolution to make no peace except on terms of our unconditional submission and degradation, to leave us any hope of the cessation of hostilities until the delusion of their ability to conquer us is dispelled.

Among those who are already disposed for peace, many are actuated by principle and by disapproval and abhorrence of the iniquitous warfare that their Government is waging, while others are moved by the conviction that it is no longer to the interest of the United States to continue a struggle in which success is unattainable. Whenever this fast-growing conviction shall have taken firm root in the minds of a majority of the Northern people, there will be produced that willingness to negotiate for peace which is now confined to our side. Peace is manifestly impossible unless desired by both parties to this war, and the disposition for it among our enemies will be best and most certainly evoked by the demonstration on our part of ability and unshaken determination to defend our rights, and to hold no earthly price too dear for their purchase. Whenever there shall be on the part of our enemies a desire for peace, there will be no difficulty in finding means by which negotiations can be opened; but it is obvious that no agency can be called into action until this desire shall be mutual. When that contingency shall happen, the Government, to which is confided the treaty-making power, can be at no loss for means adapted to accomplish so desirable an end.

In the hope that the day will soon be reached, when, under Divine favor, these States may be allowed to enter on their former peaceful pursuits, and to develop the abundant natural resources with which they are blessed, let us then resolutely continue to devote our united and unimpaired energies to the defence of our homes, our lives, and our liberties. This is the true path to peace. Let us tread it with confidence in the assured result.

JEFFERSON DAVIS.

RICHMOND, November 7, 1864.

REPORT of resolutions adopted at a Conference of Delegates from the Provinces of Canada, Nova Scotia and New Brunswick, and the Colonies of Newfoundland and Prince Edward Island, held at the City of Quebec, 10th October, 1864, as the basis of a proposed Confederation of those Provinces and Colonies.

1. The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the crown of Great Britain, provided such Union can be effected on principles just to the several Provinces.

2. In the Federation of the British North American Provinces, the system of Government best adapted under existing circumstances to protect the diversified interests of the several Provinces, and secure efficiency, harmony, and permanency in the working of the Union, would be a General Government charged with matters of common interest to the whole country, and local Governments for each of the Canadas, and for the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island, charged with the control of local matters in their respective sections; provision being made for the admission into the Union on equitable terms of Newfoundland, the Northwest Territory, British Columbia, and Vancouver.

3. In framing a Constitution for the General Government, the Conference, with a view to the perpetuation of our connection with the mother country, and to the promotion of the best interests of the people of these Provinces, desire to follow the model of the British Constitution, so far as our circumstances will permit.

4. The executive authority or Government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland, and be administered according to the well-understood principles of the British Constitution by the Sovereign personally, or by the Representative of the Sovereign duly authorized.

5. The Sovereign, or Representative of the Sovereign, shall be commander-in-chief of the land and naval militia forces.

6. There shall be a General Legislature or Parliament for the Federated Provinces, composed of a Legislative Council and a House of Commons.

7. For the purpose of forming the Legislative Council, the Federated Provinces shall be considered as consisting of three divisions: 1st, Upper Canada; 2d, Lower Canada; 3d, Nova Scotia, New Brunswick, and Prince Edward Island—each division with an equal representation in the Legislative Council.

8. Upper Canada shall be represented in the Legislative Council by twenty-four Members, Lower Canada by twenty-four Members, and the three Maritime Provinces by twenty-four Members, of which Nova Scotia shall have ten, New Brunswick ten, and Prince Edward Island four Members.

9. The Colony of Newfoundland shall be entitled to enter the proposed Union, with a Representation in the Legislative Council of four Members.

10. The Northwest Territory, British Columbia, and Vancouver, shall be admitted into the Union, on such terms and conditions as the Parliament of the Federated Provinces shall deem equitable, and as shall receive the assent of Her Majesty; and in

the case of the Province of British Columbia or Vancouver, as shall be agreed to by the Legislature of such Province.

11. The Members of the Legislative Council shall be appointed by the Crown, under the Great Seal of the General Government, and shall hold office during life. If any Legislative Councillor shall, for two consecutive sessions of Parliament, fail to give his attendance in the said Council, his seat shall thereby become vacant.

12. The Members of the Legislative Council shall be British subjects by birth or naturalization, of the full age of thirty years, shall possess a continuous real property qualification of four thousand dollars over and above all incumbrances, and shall be and continue worth that sum over and above their debts and liabilities; but in the case of Newfoundland and Prince Edward Island, the property may be either real or personal.

13. If any question shall arise as to the qualification of a Legislative Councillor, the same shall be determined by the Council.

14. The first selection of the Members of the Legislative Council shall be made, except as regards Prince Edward Island, from the Legislative Councils of the various Provinces, so far as a sufficient number be found qualified and willing to serve; such Members shall be appointed by the Crown, at the recommendation of the General Executive Government, upon the nomination of the respective local Governments, and in such nomination due regard shall be had to the claims of the Members of the Legislative Council of the opposition in each Province, so that all political parties may as nearly as possible be fairly represented.

15. The Speaker of the Legislative Council (unless otherwise provided by Parliament) shall be appointed by the Crown from among the Members of the Legislative Council, and shall hold office during pleasure, and shall only be entitled to a casting vote on an equality of votes.

16. Each of the twenty-four Legislative Councillors representing Lower Canada in the Legislative Council of the General Legislature, shall be appointed to represent one of the twenty-four Electoral Divisions mentioned in Schedule A, of Chapter first, of the Consolidated Statutes of Canada, and such Councillor shall reside or possess his qualification in the Division he is appointed to represent.

17. The basis of Representation in the House of Commons shall be population, as determined by the official census every ten years; and the number of Members at first shall be 194, distributed as follows:

Upper Canada,	82
Lower Canada,	65
Nova Scotia,	19
New Brunswick,	15
Newfoundland,	8
Prince Edward Island,	5

18. Until the official census of 1871 has been made up, there shall be no change in the number of Representatives from the several sections.

19. Immediately after the completion of the census of 1871, and immediately after every decennial census thereafter, the Representation from each section in the House of Commons shall be readjusted on the basis of population.

20. For the purpose of such readjustments, Lower Canada shall always be assigned sixty-five Members, and each of the other sections shall at each readjustment receive, for the ten years then next succeeding, the number of Members to which it will be entitled, on the same ratio of representation to population as Lower Canada will enjoy according to the census last taken, by having sixty-five Members.

21. No reduction shall be made in the number of Members returned by any section, unless its population shall have decreased relatively to the population of the whole Union, to the extent of five per centum.

22. In computing at each decennial period, the

number of Members to which each section is entitled, no fractional parts shall be considered, unless when exceeding one-half the number entitling to a Member, in which case a Member shall be given for each such fractional part.

23. The Legislature of each Province shall divide such Province into the proper number of constituencies, and define the boundaries of each of them.

24. The Local Legislature of each Province may, from time to time, alter the Electoral Districts for the purposes of Representation in such Local Legislature, and distribute the Representatives to which the Province is entitled, in any manner such Legislature may think fit.

25. The number of Members may at any time be increased by the General Parliament—regard being had to the proportionate rights then existing.

26. Until provisions are made by the General Parliament, all the laws which, at the date of the Proclamation constituting the Union, are in force in the Provinces respectively, relating to the qualification and disqualification of any person to be elected, or to sit or vote as a Member of the Assembly in the said Provinces respectively, and relating to the qualification or disqualification of voters, and to the oaths to be taken by voters, and to Returning Officers and their powers and duties, and relating to the proceedings at elections, and to the period during which such elections may be continued, and relating to the trial of controverted elections, and the proceedings incident thereto, and relating to the vacating of seats of Members, and to the issuing and execution of new writs in case of any seat being vacated otherwise than by a dissolution, shall respectively apply to elections of Members to serve in the House of Commons, for places situated in those Provinces respectively.

27. Every House of Commons shall continue for five years from the day of the return of the writs choosing the same, and no longer; subject, nevertheless, to be sooner prorogued or dissolved by the Governor.

28. There shall be a session of the General Parliament once at least in every year, so that a period of twelve calendar months shall not intervene between the last sitting of the General Parliament in one session, and the first sitting thereof in the next session.

29. The General Parliament shall have power to make laws for the peace, welfare, and good government of the Federated Provinces (saving the Sovereignty of England), and especially laws respecting the following subjects:

1. The public debt and property.
2. The regulation of trade and commerce.
3. The imposition or regulation of duties of customs on imports and exports, except on exports of timber, logs, masts, spars, deals, and sawn lumber, and of coal and other minerals.
4. The imposition or regulation of excise duties.
5. The raising of money by all or any other modes or systems of taxation.
6. The borrowing of money on the public credit.
7. Postal service.
8. Lines of steam or other ships, railways, canals, and others works, connecting any two or more of the Provinces together, or extending beyond the limits of any Province.
9. Lines of steamships between the Federated Provinces and other countries.
10. Telegraphic communication and the incorporation of telegraph companies.
11. All such works as shall, although lying wholly within any Province, be specially declared by the acts authorizing them to be for the general advantage.
12. The census.
13. Militia—military and naval service and defence.
14. Beacons, buoys, and light-houses.
15. Navigation and shipping.

16. Quarantine.

17. Sea coast and inland fisheries.

18. Ferries between any Province and a foreign country, or between any two Provinces.

19. Currency and coinage.

20. Banking, incorporation of banks, and the issue of paper money.

21. Savings banks.

22. Weights and measures.

23. Bills of exchange and promissory notes.

24. Interest.

25. Legal tender,

26. Bankruptcy and insolvency.

27. Patents of invention and discovery.

28. Copyrights.

29. Indians and lands reserved for the Indians.

30. Naturalization and aliens.

31. Marriage and divorce.

32. The criminal law, excepting the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters.

33. Rendering uniform all or any of the laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, and rendering uniform the procedure of all or any of the courts in these Provinces; but any statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.

34. The establishment of a General Court of Appeal for the Federated Provinces.

35. Immigration.

36. Agriculture.

37. And generally respecting all matters of a general character, not specially and exclusively reserved for the Local Governments and Legislatures.

38. The General Government and Parliament shall have all powers necessary or proper for performing the obligations of the Federated Provinces, as part of the British Empire, to foreign countries, arising under treaties between Great Britain and such countries.

39. The General Parliament may also, from time to time, establish additional courts, and the General Government may appoint Judges and officers thereof, when the same shall appear necessary or for the public advantage, in order to the due execution of the laws of Parliament.

40. All Courts, Judges, and officers of the several Provinces, shall aid, assist, and obey the General Government in the exercise of its rights and powers, and for such purposes shall be held to be Courts, Judges, and officers of the General Government.

41. The General Government shall appoint and pay the Judges of the Superior Courts in each Province, and of the County Courts of Upper Canada, and Parliament shall fix their salaries.

42. Until the consolidation of the laws of Upper Canada, New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island, the Judges of these Provinces appointed by the General Government, shall be selected from their respective bars.

43. The Judges of the Courts of Lower Canada shall be selected from the bar of Lower Canada.

44. The Judges of the Court of Admiralty now receiving salaries shall be paid by the General Government.

45. The Judges of the Superior Courts shall hold their offices during good behavior, and shall be removable only on the address of both Houses of Parliament.

LOCAL GOVERNMENT.

46. For each of the Provinces there shall be an executive officer, styled the Lieutenant Governor, who shall be appointed by the Governor General in council, under the Great Seal of the Federated Provinces, during pleasure; such pleasure not to be exercised before the expiration of the first five years,

except for cause; such cause to be communicated in writing to the Lieutenant Governor immediately after the exercise of the pleasure as aforesaid, and also by message to both Houses of Parliament, within the first week of the first session afterwards.

39. The Lieutenant Governor of each Province shall be paid by the General Government.

40. In undertaking to pay the salaries of the Lieutenant Governors, the Conference does not desire to prejudice the claim of Prince Edward Island upon the Imperial Government, for the amount now paid for the salary of the Lieutenant Governor thereof.

41. The Local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of such Province shall provide.

42. The Local Legislatures shall have power to alter or amend their constitution from time to time.

43. The Local Legislatures shall have power to make laws respecting the following subjects:

1. Direct taxation and the imposition of duties on the export of timber, logs, masts, spars, deals, and sawn lumber, and of coals and other minerals.
2. Borrowing money on the credit of the Province.
3. The establishment and tenure of local offices, and the appointment and payment of local officers.
4. Agriculture.
5. Immigration.
6. Education; saving the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their denominational schools, at the time when the Union goes into operation.
7. The sale and management of public lands, excepting lands belonging to the General Government.
8. Sea-coast and inland fisheries.
9. The establishment, maintenance, and management of Penitentiaries, and of public and reformatory prisons.
10. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions.
11. Municipal institutions.
12. Shop, saloon, tavern, auctioneer, and other licenses.
13. Local works.
14. The incorporation of private or local companies, except such as relate to matters assigned to the General Parliament.
15. Property and civil rights, excepting those portions thereof assigned to the General Parliament.
16. Inflicting punishment by fine, penalties, imprisonment, or otherwise, for the breach of laws passed in relation to any subject within their jurisdiction.
17. The administration of justice, including the Constitution, maintenance, and organization of the courts—both of civil and criminal jurisdiction, and including also the procedure in civil matters.
18. And generally all matters of a private or local nature, not assigned to the General Parliament.

44. The power of respiting, reprieving, and pardoning prisoners convicted of crimes, and of commuting and remitting of sentences in whole or in part, which belongs of right to the Crown, shall be administered by the Lieutenant Governor of each Province in Council, subject to any instructions he may from time to time receive from the General Government, and subject to any provisions that may be made in this behalf by the General Parliament.

MISCELLANEOUS.

45. In regard to all subjects over which jurisdiction belongs to both the General and Local Legislatures, the laws of the General Parliament shall control and

supersede those made by the Local Legislature, and the latter shall be void so far as they are repugnant to or inconsistent with the former.

46. Both the English and French languages may be employed in the General Parliament and in its proceedings, and in the Local Legislature of Lower Canada, and also in the Federal Courts and in the Courts of Lower Canada.

47. No lands or property belonging to the General or Local Government shall be liable to taxation.

48. All bills for appropriating any part of the public revenue, or for imposing any new tax or impost, shall originate in the House of Commons or the House of Assembly, as the case may be.

49. The House of Commons or House of Assembly shall not originate or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue, or of any tax or impost to any purpose, not first recommended by Message of the Governor General, or the Lieutenant Governor, as the case may be, during the session in which such vote, resolution, address or bill is passed.

50. Any bill of the General Parliament may be reserved in the usual manner for Her Majesty's assent, and any bill of the Local Legislatures may in like manner be reserved for the consideration of the Governor General.

51. Any bill passed by the General Parliament shall be subject to disallowance by Her Majesty within two years, as in the case of bills passed by the Legislatures of the said Provinces hitherto, and in like manner any bill passed by a Local Legislature shall be subject to disallowance by the Governor General within one year after the passing thereof.

52. The seat of Government of the Federated Provinces shall be Ottawa, subject to the royal prerogative.

53. Subject to any future action of the respective Local Governments, the seat of the Local Government in Upper Canada shall be Toronto; of Lower Canada, Quebec; and the seats of the Local Governments in the other Provinces shall be as at present.

PROPERTY AND LIABILITIES.

54. All stocks, cash, bankers' balances and securities for money belonging to each Province, at the time of the Union, except as hereinafter mentioned, shall belong to the General Government.

55. The following public works and property of each Province, shall belong to the General Government—to wit:

1. Canals;
2. Public harbors;
3. Light houses and piers;
4. Steamboats, dredges, and public vessels;
5. River and lake improvements;
6. Railway and railway stocks, mortgages and other debts due by railway companies;
7. Military roads;
8. Custom houses, post offices and other public buildings, except such as may be set aside by the General Government for the use of the Local Legislatures and Governments;
9. Property transferred by the Imperial Government and known as ordnance property;
10. Armories, drill sheds, military clothing and munitions of war; and
11. Lands set apart for public purposes.

56. All lands, mines, minerals, and royalties vested in Her Majesty in the Provinces of Upper Canada, Lower Canada, Nova Scotia, New Brunswick, and Prince Edward Island, for the use of such Provinces, shall belong to the Local Government of the territory in which the same are so situate; subject to any trusts that may exist in respect to any of such lands or to any interest of other persons in respect of the same.

57. All sums due from purchasers or lessees of such lands, mines, or minerals at the time of the Union, shall also belong to the Local Governments.

58. All assets connected with such portions of the

public debt of any Province as are assumed by the Local Governments, shall also belong to those Governments respectively.

59. The several Provinces shall retain all other public property therein, subject to the right of the General Government to assume any lands or public property required for fortifications or the defence of the country.

60. The General Government shall assume all the debts and liabilities of each Province.

61. The debt of Canada not specially assumed by Upper and Lower Canada respectively, shall not exceed at the time of the Union, \$62,500,000.

Nova Scotia shall enter the Union with a debt not exceeding \$8,000,000.

And New Brunswick, with a debt not exceeding \$7,000,000.

62. In case Nova Scotia or New Brunswick do not incur liabilities beyond those for which their Governments are now bound and which shall make their debts at the date of Union less than \$8,000,000 and \$7,000,000 respectively, they shall be entitled to interest at 5 per cent. on the amount not so incurred, in like manner as is hereinafter provided for Newfoundland and Prince Edward Island; the foregoing resolution being in no respect intended to limit the powers given to the respective Governments of those Provinces by legislative authority, but only to limit the maximum amount of charge to be assumed by the General Government. Provided always that the powers so conferred by the respective legislatures shall be exercised within five years from this date or the same shall then lapse.

63. Newfoundland and Prince Edward Island, not having incurred debts equal to those of the other Provinces, shall be entitled to receive by half-yearly payments in advance from the General Government the interest at 5 per cent. on the difference between the actual amount of their respective debts at the time of the Union, and the average amount of indebtedness per head of the population of Canada, Nova Scotia, and New Brunswick.

64. In consideration of the transfer to the General Parliament of the powers of taxation, an annual grant in aid of each Province shall be made, equal to 80 cents per head of the population, as established by the census of 1861, the population of Newfoundland being estimated at 130,000. Such aid shall be in full settlement of all future demands upon the General Government for local purposes, and shall be paid half-yearly in advance to each Province.

65. The position of New Brunswick being such as to entail large immediate charges upon her local revenues, it is agreed that for the period of ten years from the time when the Union takes effect, an additional allowance of \$63,000 per annum shall be made to that Province. But that so long as the liability of that Province remains under \$7,000,000, a deduction equal to the interest on such deficiency shall be made from the \$63,000.

66. In consideration of the surrender to the General Government by Newfoundland of all rights in mines and minerals, and of all the ungranted and unoccupied lands of the crown, it is agreed that the sum of \$150,000 shall each year be paid to that Province, by semi-annual payments. Provided that that Colony shall retain the right of opening, constructing, and controlling roads and bridges through any of the said lands, subject to any laws which the General Parliament may pass in respect of the same.

67. All engagements that may, before the Union, be entered into with the Imperial Government for the defence of the country shall be assumed by the General Government.

68. The General Government shall secure, without delay, the completion of the intercolonial railway from Rivière-du-Loup through New Brunswick to Truro in Nova Scotia.

69. The communications with the northwestern

territory, and the improvements required for the development of the trade of the Great West with the Seaboard, are regarded by this conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit.

70. The sanction of the Imperial and Local Parliaments shall be sought for the Union of the Provinces, on the principles adopted by the conference.

71. That Her Majesty the Queen be solicited to determine the rank and name of the Federated Provinces.

72. The proceedings of the conference shall be authenticated by the signatures of the delegates, and submitted by each delegation to its own government, and the chairman is authorized to submit a copy to the Governor General for transmission to the Secretary of State for the Colonies.

The Encyclical Letter of Pope Pius IX.

TO OUR VENERABLE BROTHERS, THE PATRIARCHS, PRIMATES, ARCHBISHOPS, AND BISHOPS OF THE UNIVERSAL CHURCH HAVING GRACE AND COMMUNION OF THE APOSTOLIC SEE.

PIUS P. P. IX.

Health and Apostolic Benediction.

It is well-known unto all men, and especially to You, Venerable Brothers, with what great care and pastoral vigilance Our Predecessors, the Roman Pontiffs, have discharged the Office entrusted by Christ Our Lord to them in the person of the Most Blessed Peter, Prince of the Apostles, and have unremittingly discharged the duty of feeding the lambs and sheep, and have diligently nourished the Lord's entire flock with the words of faith, imbued it with salutary doctrine, and guarded it from poisoned pastures. And those Our Predecessors, who were the assertors and champions of the august Catholic Religion, truth and justice, being as they were chiefly solicitous for the salvation of souls, held nothing to be of so great importance as the duty of exposing and condemning, in their most wise Letters and Constitutions, all heresies and errors which are hostile to moral honesty and to the eternal salvation of mankind, and which have frequently stirred up terrible commotions and have damaged both the Christian and civil commonwealths in a disastrous manner. Wherefore those Our Predecessors have with Apostolic fortitude continually resisted the nefarious attempts of unjust men, of those who like raging waves of the sea foaming forth their own confusion and promising liberty whilst they are the slaves of corruption, endeavored by their false opinions and most pernicious writings to overthrow the foundations of the Catholic religion and of civil society, to abolish all virtue and justice, to deprave the souls and minds of all men, and especially to pervert inexperienced youth from uprightness of morals to corrupt them miserably, to lead them into snares of error, and finally to tear them from the bosom of the Catholic Church.

And now, Venerable Brothers, as is also very well known to you—scarcely had We (by the secret dispensation of Divine Providence, certainly by no merit of Our own) been called to this Chair of Peter when We, to the extreme grief of Our soul, beheld a horrible tempest stirred up by so many erroneous opinions, and the dreadful, and never-enough-to-be lamented mischiefs which redound to Christian people from such errors: and We then, in discharge of Our Apostolic Ministerial Office, imitating the example of Our illustrious Predecessors, raised Our voice, and in several published Encyclical Letters, and in Allocutions delivered in Consistory, and in other Apostolic Letters, We condemned the prominent, most grievous errors of the age, and we stirred up Your excellent episcopal vigilance, and again and again did We admonish and exhort all the sons of the Catholic Church who are most dear to Us, that

they should abhor and shun all the said errors as they would the contagion of a fatal pestilence. Especially in Our first Encyclical Letter, written to You on the 9th of November, *anno* 1846, and in two Allocutions, one of which was delivered by Us in Consistory on the 9th of December, *anno* 1854, and the other on the 9th of June, *anno* 1862, We condemned the monstrous and portentous opinions which prevail especially in the present age to the very great loss of souls, and even to the detriment of civil society; and which are in the highest degree hostile not only to the Catholic Church, and to her salutary doctrine and venerable laws, but also to the everlasting law of nature engraven by God upon the hearts of all men, and to right reason; and out of which almost all other errors originate.

Now although hitherto We have not omitted to denounce and reprove the chief errors of this kind, yet the cause of the Catholic Church and the salvation of souls committed to Us by God, and even the interests of human society absolutely demand, that once again We should stir up Your pastoral solicitude to drive away other erroneous opinions which flow from those errors above specified, as their source. These false and perverse opinions are so much the more detestable by how much they have chiefly for their object to hinder and banish that salutary influence which the Catholic Church, by the institution and command of her Divine Author, ought freely to exercise, even to the consummation of the world, not only over individual men but nations, peoples, and sovereigns—and to abolish that mutual coöperation and agreement of counsels between the Priesthood and Governments which has always been propitious and conducive to the welfare both of Church and State. (Gregory XVI. Encyclical, 13th August, 1832.) You are well aware that at this time, there are not a few who apply to civil society the impious and absurd principle of *naturalism*, as they term it, and dare to teach that “the welfare of the State and political and social progress require that human society should be constituted and governed irrespective of religion, which is to be treated just as if it did not exist, or as if no real difference existed between true and false religions.” Contrary to the teaching of the Holy Scriptures, of the Church, and of the Holy Fathers, these persons do not hesitate to assert that “the best condition of human society is that wherein no duty is recognized by the Government of correcting by enacted penalties the violators of the Catholic Religion, except when the maintenance of the public peace requires it.” From this totally false notion of social government, they fear not to uphold that erroneous opinion most pernicious to the Catholic Church, and to the salvation of souls, which was called by Our Predecessor Gregory XVI. (lately quoted) the insanity (Encycl. 13 August, 1832) (*deliramentum*), namely, that “liberty of conscience and of worship is the right of every man; and that this right ought, in every well-governed State, to be proclaimed and asserted by the law; and that the citizens possess the right of being unrestrained in the exercise of every kind of liberty, by any law, ecclesiastical or civil, so that they are authorized to publish and put forward openly, all their ideas whatsoever, either by speaking, in print, or by any other method.” But whilst these men make these rash assertions, they do not reflect, or consider that they preach the liberty of perdition (St. Augustine, Epistle 105, al. 166), and that, “if it is always free to human arguments to discuss, men will never be wanting who will dare to resist the truth, and to rely upon the loquacity of human wisdom, when we know from the command of Our Lord Jesus Christ how faith and Christian wisdom ought to avoid this most mischievous vanity.” (St. Leo, Epistle 164, al. 183, sec. 2, Boll. ed.).

And since religion has been banished from civil Government; since the teaching and authority of Divine revelation have been repudiated, the idea in-

separable therefrom of justice and human right is obscured by darkness and lost, and in place of true justice and legitimate right material force is substituted, whence it appears why some, entirely neglecting and slighting the most certain principles of sound reason, dare to proclaim “that the will of the people, manifested by public opinion (as they call it), or by other means, constitutes a supreme law independent of all Divine and human right; and that, in the political order, accomplished facts, by the mere fact of their having been accomplished, have the force of right.” But who does not plainly see and understand that human society, released from the ties of religion and true justice, can have no other purpose than to compass its own ends, and to amass riches, and can follow no other law in its actions than the indomitable wickedness of a heart given up to the service of its selfish pleasures and interests? For this reason also these same men persecute with such bitter hatred the Religious Orders who have deserved so well of religion, civil society, and letters; they loudly declare that the Orders have no right to exist, and, in so doing, make common cause with the falsehoods of the heretics. For, as was most wisely taught by Our Predecessor of illustrious memory, Pius VI., “the abolition of Religious Orders injures the state of public profession of the Evangelical counsels; injures a mode of life recommended by the Church as in conformity with Apostolical doctrine; does wrong to the illustrious founders whom we venerate upon our altars, and who constituted these societies under the inspiration of God.” (Epistle to Cardinal de la Rochefoucauld, March 10, 1791.) And these same persons also impiously pretend that citizens should be deprived of the liberty of publicly bestowing on the Church their alms for the sake of Christian charity, and that the law forbidding “servile labor on account of Divine worship” upon certain fixed days should be abolished upon the most fallacious pretext that such liberty and such law are contrary to the principles of political economy. Not content with abolishing religion in public society, they desire further to banish it from families and private life. Teaching and professing those most fatal errors of Socialism and Communism, they declare that “domestic society or the family derives all its reason of existence solely from civil law, whence it is to be concluded that from civil law descend and depend all the rights of parents over their children, and, above all, the right of instructing and educating them.” By such impious opinions and machinations do these most false teachers endeavor to eliminate the salutary teaching and influence of the Catholic Church from the instruction and education of youth, and to miserably infect and deprave by every pernicious error and vice the tender and pliant minds of youth. All those who endeavor to throw into confusion both religious and political affairs, to destroy the good order of society, and to annihilate all Divine and human rights, have always exerted all their criminal schemes, attention, and efforts upon the manner in which they might, above all, deprave and delude unthinking youth, as We have already shown: it is upon the corruption of youth that they place all their hopes. Thus they never cease to attack by every method the Clergy, both secular and regular, from whom, as testify to us in so conspicuous a manner the most certain records of history, such considerable benefits have been bestowed in abundance upon Christian and Civil society and upon the republic of letters; asserting of the Clergy in general, that they are the enemies of the useful sciences, of progress, and of civilization, and that they ought to be deprived of all participation in the work of teaching and training the young.

Others, reviving the depraving fictions of innovators, errors many times condemned, presume with extraordinary impudence, to subordinate the authority of the Church and of this Apostolic See, conferred upon it by Christ Our Lord, to the judgment of civil

authority, and to deny all the rights of this same Church and this See with regard to those things which appertain to the secular order. For these persons do not blush to affirm "that the laws of the Church do not bind the conscience if they are not promulgated by the civil power; that the acts and decrees of the Roman Pontiffs concerning religion and the Church require the sanction and approbation, or at least, the assent of the civil power; and that the Apostolic Constitutions (Clement XII., Benedict XIV., Pius VII., Leo XII.) condemning secret societies, whether these exact or do not exact an oath of secrecy, and branding with anathema their followers and partisans, have no force in those countries of the world where such associations are tolerated by the civil government." It is likewise affirmed "that the excommunications launched by the Council of Trent and the Roman Pontiffs against those who invade and usurp the possessions of the Church and its rights, strive, by confounding the spiritual and temporal orders to attain solely a mere earthly end; that the Church can decide nothing which may bind the consciences of the faithful in the temporal order of things; that the right of the Church is not competent to restrain with temporal penalties the violators of her laws; and that it is in accordance with the principles of theology and of public law for the civil Government to appropriate property possessed by the churches, the Religious Orders, and other pious establishments." And they have no shame in avowing openly and publicly the heretical statement and principle from which has emanated so many errors and perverse opinions, "that the ecclesiastical power is not by the law of God made distinct from and independent of civil power, and that no distinction, no independence of this kind can be maintained without the Church invading and usurping the essential rights of the civil power." Neither can We pass over in silence the audacity of those who, not enduring sound doctrine, assert that "the judgments and decrees of the Holy See, the object of which is declared to concern the general welfare of the Church, its rights, and its discipline; do not claim acquiescence and obedience under pain of sin and loss of the Catholic profession, if they do not treat of the dogmas of faith and of morals."

How contrary is this doctrine to the Catholic dogma of the plenary power divinely conferred on the Sovereign Pontiff by Our Lord Jesus Christ, to guide, to supervise, and govern the Universal Church, no one can fail to see and understand clearly and evidently.

Amid so great a perversity of depraved opinions, We, remembering Our Apostolic duty, and solicitous before all things for Our most holy religion, for sound doctrine, for the salvation of the souls confided to Us, and for the welfare of human society itself, have considered the moment opportune to raise anew Our Apostolic voice. Therefore do We by Our Apostolic authority reprobate, denounce, and condemn generally and particularly all the evil opinions and doctrines specially mentioned in this Letter, and We wish that they may be held as reprobated, denounced and condemned by all the children of the Catholic Church.

But you know further, Venerable Brothers, that in our time the haters of all truth and justice and violent enemies of our religion have spread abroad other impious doctrines by means of pestilent books, pamphlets, and journals, which, distributed over the service of the earth, deceive the people and wickedly lie. You are not ignorant that in our day men are found who, animated and excited by the spirit of Satan, have arrived at that excess of impiety as not to fear to deny Our Lord and Master Jesus Christ, and to attack His Divinity with scandalous persistence. And here We cannot abstain from awarding You well-merited praise, Venerable Brothers, for all the care and zeal with which You have raised Your episcopal voice against so great an impiety.

And therefore in this present letter, We speak to You with all affection; to You who, called to partake Our cares, are Our greatest support in the midst of Our very great grief, Our joy and Our consolation, by reason of the excellent piety of which You give proof in maintaining religion, and the marvellous love, faith, and discipline with which, united by the strongest and most affectionate ties to Us and this Apostolic See, You strive valiantly and accurately to fulfil Your most weighty episcopal ministry. We do then expect from Your excellent pastoral zeal that, taking the sword of the Spirit, which is the Word of God, and strengthened by the grace of Our Lord Jesus Christ, You will watch with redoubled care, that the faithful committed to Your charge "abstain from evil pasturage, which Jesus Christ doth not till, because His Father hath not planted it." (St. Ignac. M. ad Philadelph. St. Leo, Epist. 156, al. 125.) Never cease, then, to inculcate on the faithful that all true happiness for mankind proceeds from our august religion, from its doctrines and practice, and that that people is happy who have the Lord for their God (Psalm 143). Teach them "that kingdoms rest upon the foundation of the Catholic faith (St. Celest. Epist. 22, ad Syn. Eph.), and that nothing is so deadly, nothing so certain to engender every ill, nothing so exposed to danger as for men to believe that they stand in need of nothing else than the free will which we received at birth, if we ask nothing further from the Lord—that is to say, if forgetting our Author, we abjure His power to show that we are free." And do not omit to teach "that the Royal power has been established not only to exercise the government of the world, but, above all, for the protection of the Church (St. Leo, Epist., 156 al 125), and that there is nothing more profitable and more glorious for the Sovereigns of States and Kings than to leave the Catholic Church to exercise its laws, and not to permit any to curtail its liberty;" as Our most wise and courageous Predecessor, St. Felix, wrote to the Emperor Zeno. "It is certain that it is advantageous for Sovereigns, when the cause of God is in question, to submit their Royal will according to His ordinance, to the Priests of Jesus Christ, and not to prefer it before them." (Pius VII. Epist., *Encycl.*, *Diu satis*, 15th May, 1800.)

And if always, so, especially at present, is it Our duty, Venerable Brothers, in the midst of the numerous calamities of the Church and of civil society in view of the terrible conspiracy of our adversaries against the Catholic Church and this Apostolic See, and the great accumulation of errors, it is before all things necessary to go with faith to the Throne of Grace to obtain mercy and find grace in timely aid. We have therefore judged it right to excite the piety of all the faithful in order that, with Us and with You all, they may pray without ceasing to the Father of lights and of mercies, supplicating and beseeching Him fervently and humbly, in order also in the plenitude of their faith they may seek refuge in Our Lord Jesus Christ who has redeemed us to God with His blood, that by their earnest and continual prayers, they may obtain from that most dear Heart, victim of burning charity for us, that it would draw all by the bonds of His love, and that all men being inflamed by His holy love may live according to His heart, pleasing God in all things, and being fruitful in all good works.

But, as there is no doubt that the prayers most agreeable to God are those of the men who approach Him with a heart pure from all stain, We have thought it good to open to Christians, with Apostolic liberality, the Heavenly treasures of the Church confided to Our dispensation, so that the faithful, more strongly drawn towards true piety and purified from the stain of their sins by the Sacrament of Penance, may more confidently offer up their prayers to God and obtain His mercy and grace.

By these Letters emanating from Our Apostolic authority, We grant to all and each of the faithful

of both sexes throughout the Catholic world a Plenary Indulgence in the manner of a Jubilee, during one month, up to the end of the coming year 1865, and not longer, to be carried into effect by You, Venerable Brethren, and the other legitimate local Ordinaries, in the form and manner laid down at the commencement of Our Sovereign Pontificate by Our Apostolical Letters, in form of a Brief, dated the 20th of November, *anno* 1846, and sent to the whole Episcopate of the world, commencing with the words, "*Arcano Divinae Providentiae consilio*," and with the faculties given by Us in those same Letters. We desire, however, that all the prescriptions of Our letters shall be observed, saving the exceptions We have declared are to be made. And We have granted this, notwithstanding all which might make to the contrary, even those worthy of special and individual mention and derogation; and in order that every doubt and difficulty may be removed, We have ordered that copies of those Letters should be again forwarded to You.

"Let us implore, Venerable Brethren, from our inmost hearts, and with all our souls, the mercy of God. He has encouraged us so to do, by saying: "I will not withdraw my mercy from them." Let us ask and we shall receive; and if there is slowness or delay in its reception, because we have grievously offended, let us knock, because to him that knocketh it shall be opened; if our prayers, groans, and tears, in which we must persist and be obstinate, knock at the door; and if our prayer be united; let each one pray to God, not for himself alone, but for all his brethren, as the Lord hath taught us to pray." (St. Cyprian, Epistle 11.) But, in order that God may accede more easily to Our and Your prayers, and to those of all His faithful servants, let us employ in all confidence as our Mediatrix with him the Virgin Mary, Mother of God, who "has destroyed all heresies throughout the world, and who, the most loving Mother of us all, is very gracious . . . and full of mercy . . . allows herself to be entreated by all, shows herself most clement towards all, and takes under her pitying care all our necessities with a most ample affection" (St. Bernard, *Germ. de duodecim perogativis B. M. V., in verbis Apocalyp.*), and who, "sitting as queen upon the right hand of her only begotten Son Our Lord Jesus Christ in a golden vestment clothed around with various adornments," there is nothing which she cannot obtain from Him. Let us implore also the intervention of the Blessed Peter, Chief of the Apostles, and of his co-Apostle Paul, and of all those Saints of Heaven, who, having already become the friends of God, have been admitted into the celestial kingdom, where they are crowned and bear palms, and who henceforth certain of their own immortality, are solicitous for our salvation.

In conclusion, We ask of God from Our inmost soul the abundance of all His celestial benefits for You, and We bestow upon You, Venerable Brethren, and upon all faithful Clergy, and Laity committed to Your care, Our Apostolic Benediction from the most loving depths of Our heart, in token of Our charity towards you.

PIUS PP. IX.

Given at Rome from St. Peter's, this 8th of December, 1864, the tenth anniversary of the Dogmatic Definition of the Immaculate Conception of the Virgin Mary, Mother of God, in the nineteenth year of Our Pontificate.

THE SYLLABUS OF THE PRINCIPAL ERRORS OF OUR TIME, WHICH ARE STIGMATIZED IN THE CONSISTORIAL ALLOCUTIONS, ENCYCLICAL, AND OTHER APOSTOLICAL LETTERS OF OUR MOST HOLY FATHER, POPE PIUS IX.

I. Pantheism, Naturalism, and Absolute Rationalism.

1. There exists no Divine Power, Supreme Being, Wisdom, and Providence distinct from the universe, and God is none other than nature, and is therefore mutable. In effect, God is produced in man and in

the world, and all things are God, and have the very substance of God. God is therefore one and the same thing with the world, and thence spirit is the same thing with matter, necessity with liberty, true with false, good with evil, justice with injustice. (Allocution *Maxima quidem*, 9th June, 1862.)

2. All action of God upon man and the world is to be denied. (Allocution *Maxima quidem*, 9th June, 1862.)

3. Human reason, without any regard to God, is the sole arbiter of truth and falsehood, of good and evil; it is its own law to itself, and suffices by its natural force to secure the welfare of men and of nations. (Allocution *Maxima quidem*, 9th June, 1862.)

4. All the truths of religion are derived from the native strength of human reason; whence reason is the master rule by which man can and ought to arrive at the knowledge of all truths of every kind. (Encyclical letters, *Qui pluribus*, 9th November, 1846, *Singulari quidem*, 17th March, 1856, and the Allocution *Maxima quidem*, 9th June, 1862.)

5. Divine revelation is imperfect, and, therefore, subject to a continual and indefinite progress, which corresponds with the progress of human reason. (Encyclical *Qui pluribus*, 9th November, 1846, and the Allocution *Maxima quidem*, 9th June, 1862.)

6. Christian faith is in opposition to human reason, and divine revelation not only does not benefit, but even injures the perfection of man. (Encyclical *Qui pluribus*, 9th November, 1846, and the Allocution *Maxima quidem*, 9th June, 1862.)

7. The prophecies and miracles, uttered and narrated in the Sacred Scriptures, are the fictions of poets; and the mysteries of the Christian faith, the result of philosophical investigations. In the books of the two Testaments there are contained mythical inventions, and Jesus Christ is Himself a mythical fiction. (Encyclical *Qui pluribus*, 9th November, 1846, and the Allocution *Maxima quidem*, 9th June, 1862.)

II. Moderate Rationalism.

8. As human reason is placed on a level with Religion, so theological matters must be treated in the same manner as philosophical ones. (Allocution *Singulari quidam perfusi*, 9th December, 1854.)

9. All the dogmas of the Christian Religion are, without exception, the object of natural science or philosophy, and human reason, instructed solely by history, is able, by its own natural strength and principles, to arrive at the true knowledge of even the most abstruse dogmas: provided such dogmas be proposed as subject matter for human reason. (Letter *ad Archiep. Frising. Gravissimas*, 11th December, 1862—to the same, *Tuas libenter*, 21st December, 1863.)

10. As the philosopher is one thing, and philosophy is another, so it is the right and duty of the philosopher to submit himself to the authority which he shall have recognized as true; but philosophy neither can nor ought to submit to any authority. (Letter *ad Archiep. Frising. Gravissimas*, 11th December, 1862—to the same, *Tuas libenter*, 21st December, 1863.)

11. The Church not only ought never to animadvert upon philosophy, but ought to tolerate the errors of philosophy, leaving to philosophy the care of their correction. (Letter *ad Archiep. Frising.* 11th December, 1862.)

12. The decrees of the Apostolic See and of the Roman Congregation fetter the free progress of science. (Id. *Ibid.*)

13. The method and principles by which the old scholastic Doctors cultivated theology, are no longer suitable to the demands of the age and the progress of science. (Id. *Tuas libenter*, 21st December, 1863.)

14. Philosophy must be treated of without any account being taken of supernatural revelation. (Id. *Ibid.*)

N. B. To the rationalistic system belong, in great part, the errors of Anthony Gunther, condemned in the letter to the Cardinal Archbishop of Cologne, "*Eximiam tuam*," June 15, 1847; and in that to the Bishop of Breslau, "*Dolore haud mediocri*," April 30, 1860.

III. Indifferentism, Latitudinarianism.

15. Every man is free to embrace and profess the religion he shall believe true, guided by the light of reason. (Apostolic Letters, Multiplices inter, 10th June, 1851. Allocution Maxima quidem, 9th June, 1862.)

16. Men may in any religion find the way of eternal salvation, and obtain eternal salvation. (Encyclical letter, Qui pluribus, 9th November, 1846. Allocution, Ubi primum, 17th December, 1847. Encyclical letter, Singulari quidem, 17th March, 1856.)

17. We may entertain at least a well-founded hope for the eternal salvation of all those who are in no manner in the true Church of Christ. (Allocution Singulari quadam, 9th December, 1854. Encyclical letter, Quanto conficiamur, 17th August, 1863.)

18. Protestantism is nothing more than another form of the same true Christian Religion, in which it is possible to be equally pleasing to God as in the Catholic Church. (Encyclical letter, Noscitis et nobiscum, 8th December, 1849.)

IV. Socialism, Communism, Secret Societies, Biblical Societies, Clerico-Liberal Societies.

Pests of this description are frequently rebuked in the severest terms in the Encyc. Qui pluribus, Nov. 9, 1846; Alloc. Quibus quantisque, April 20, 1849; Encyc. Noscitis et Nobiscum, Dec. 8, 1849; Alloc. Singulari quadam, Dec. 9, 1854; Encyc. Quanto conficiamur mœnore, Aug. 10, 1863.

V. Errors concerning the Church and her Rights.

19. The Church is not a true, and perfect, and entirely free society, nor does she enjoy peculiar and perpetual rights conferred upon her by her Divine Founder, but it appertains to the civil power to define what are the rights and limits with which the Church may exercise authority. (Allocution Singulari quadam, 9th December, 1854. Multis gravibusque, 17th December, 1860. Maxima quidem, 9th June, 1862.)

20. The ecclesiastical power must not exercise its authority without the permission and assent of the civil Government. (Allocution, Meminit unusquisque, 30th September, 1861.)

21. The Church has not the power of defining dogmatically, that the Religion of the Catholic Church is the only true Religion. (Apostolic Letters, Multiplices inter, 10th June, 1851.)

22. The obligation which binds Catholic teachers and authors applies only to those things which are proposed for universal belief as dogmas of the faith, by the infallible judgment of the Church. (Letters ad Archiep. Frising. Tuas libenter, 21st Dec., 1863.)

23. The Roman Pontiffs and Ecumenical Councils have exceeded the limits of their power, have usurped the rights of Princes, and have even committed errors in defining matters of faith and morals. (Apost. Letter, Multiplices inter, 10th June, 1851.)

24. The Church has not the power of availing herself of force, or any direct or indirect temporal power. (Letter Apost. Ad Apostolicæ, 22d Aug., 1851.)

25. In addition to the authority inherent in the Episcopate, a further and temporal power is granted to it by the civil authority, either expressly or tacitly, which power is on that account also revocable by the civil authority whenever it pleases. (Letter Apost. Ad Apostolicæ, 22d Aug., 1851.)

26. The Church has not the innate and legitimate right of acquisition and possession. (Allocution Nunquam fore, 15th Dec., 1856. Encyclical Incredibili, 17th Sept., 1863.)

27. The ministers of the Church and the Roman Pontiff ought to be absolutely excluded from all charge and dominion over temporal affairs. (Allocution Maxima quidem, 9th June, 1862.)

28. Bishops have not the right of promulgating even their Apostolic letters, without the permission of the Government. (Allocution Nunquam fore, 15th December, 1856.)

29. Dispensations granted by the Roman Pontiff must be considered null, unless they have been asked for by the civil Government. (Id. Ibid.)

30. The immunity of the Church and of ecclesiastical persons derives its origin from civil law. (Apost. Multiplices inter, 10th June, 1851.)

31. Ecclesiastical Courts for the temporal causes, of the clergy, whether civil or criminal, ought by all means to be abolished, even without the concurrence and against the protest of the Holy See. (Allocution Acerbissimum, 27th September, 1852. And. Nunquam fore, 15th December, 1856.)

32. The personal immunity exonerating the clergy from military service may be abolished, without violation either of natural right or of equity. Its abolition is called for by civil progress, especially in a community constituted upon principles of Liberal Government. (Letter to the Archbishop of Montreal, Singularis nobisque, 29th September, 1864.)

33. It does not appertain exclusively to ecclesiastical jurisdiction, by any right, proper and inherent, to direct the teaching of theological subjects. (Letter ad Archiep. Frising. Tuas libenter, 21st December, 1863.)

34. The teaching of those, who compare the Sovereign Pontiff to a free Sovereign acting in the Universal Church, is a doctrine which prevailed in the Middle Ages. (Letter Apost. Ad Apostolicæ, 22d August, 1851.)

35. There would be no obstacle to the sentence of a General Council, or the act of all the universal peoples, transferring the Pontifical Sovereignty from the Bishop and city of Rome to some other bishopric and some other city. (Id. Ibid.)

36. The definition of a National Council does not admit of any subsequent discussion, and the civil power can regard as settled an affair decided by such National Council. (Id. Ibid.)

37. National Churches can be established, after being withdrawn and plainly separated from the authority of the Roman Pontiff. (Allocution Multis gravibusque, 17th December, 1860. Jamdudum cernimus, 18th March, 1861.)

38. Roman Pontiffs have, by their too arbitrary conduct, contributed to the division of the Church into Eastern and Western. (Letter Apost. Ad Apostolicæ, 22d August, 1851.)

VI. Errors about Civil Society, considered both in itself and in its Relation to the Church.

39. The Republic is the origin and source of all rights, and possesses rights which are not circumscribed by any limits. (Allocution Maxima quidem, 9th June, 1862.)

40. The teaching of the Catholic Church is opposed to the well-being and interests of society. (Encyclical Qui pluribus, 9th November, 1846. Allocution Quibus quantisque, 20th April, 1849.)

41. The Civil power, even when exercised by an infidel Sovereign, possesses an indirect and negative power over religious affairs. It therefore possesses not only the right called that of *exequatur*, but that of the (so-called) *appellatio ab abusu*.* (Apostolic Letter, Ad Apostolicæ, 22d August, 1861.)

42. In the case of conflicting laws between the two Powers, the civil law ought to prevail. (Letter Apost. Ad Apostolicæ, 22d August, 1851.)

43. The civil power has a right to break, and to declare and render null the conventions (commonly called Concordats) concluded with the Apostolic See, relative to the use of rights appertaining to the ecclesiastical immunity, without the consent of the Holy See, and even contrary to its protest. (Allocution In consistoriali, 1st November, 1850. Multis gravibusque, 17th December, 1860.)

44. The civil authority may interfere in matters relating to Religion, morality, and spiritual government. Hence it has control over the instructions for the guidance of consciences issued, conformably with their mission, by the Pastors of the Church. Further, it possesses power to decree, in the matter of admin-

* The power of authorizing official acts of the Papal power, and of correcting the alleged abuses of the same.

istering the divine Sacraments, as to the dispositions necessary for their reception. (Allocation In Consistoriali, 1st November, 1850. Allocation Maxima quidem, 9th June, 1862.)

45. The entire direction of public schools, in which the youth of Christian States are educated, except (to a certain extent) in the case of Episcopal Seminaries, may and must appertain to the civil power, and belong to it so far, that no other authority whatsoever shall be recognized as having any right to interfere in the discipline of the schools, the arrangement of the studies, the taking of degrees, or the choice and approval of the teachers. (Allocation In Consistoriali, 1st November, 1850. Allocation Quibus luctuosissimis, 5th September, 1851.)

46. Much more, even in Clerical Seminaries, the method of study to be adopted is subject to the civil authority. (Allocation Nunquam fore, 15th December, 1856.)

47. The best theory of civil society requires, that popular schools open to the children of all classes, and, generally, all public institutes intended for instruction in letters and philosophy, and for conducting the education of the young, should be freed from all ecclesiastical authority, government, and interference, and should be fully subject to the civil and political power, in conformity with the will of rulers and the prevalent opinions of the age. (Letter to the Archbishop of Fribourg, Quum non sine, 14th July, 1864.)

48. This system of instructing youth, which consists in separating it from the Catholic faith and from the power of the Church, and in teaching exclusively, or at least primarily, the knowledge of natural things and the earthly ends of social life alone, may be approved by Catholics. (Id. Ibid.)

49. The civil power has the right to prevent ministers of Religion, and the faithful, from communicating freely and mutually with each other, and with the Roman Pontiff. (Allocation Maxima quidem, 9th June, 1862.)

50. The secular authority possesses, as inherent in itself, the right of presenting Bishops, and may require of them that they take possession of their dioceses, before having received canonical institution and the Apostolic letters from the Holy See. (Allocation Nunquam fore, 15th December, 1856.)

51. And further, the Secular Government has the right of deposing Bishops from their Pastoral functions, and it is not bound to obey the Roman Pontiff in those things which relate to Episcopal Sees and the institution of Bishops. (Letter Apost. Multiplices inter, 10th June, 1851. Allocation Acerbissimum, 27th Sept., 1852.)

52. The Government has of itself the right to alter the age prescribed by the Church for the religious profession, both of men and women; and it may enjoin upon all religious establishments to admit no person to take solemn vows without its permission. (Allocation Nunquam fore, 15th Dec., 1856.)

53. The laws for the protection of religious establishments, and securing their rights and duties, ought to be abolished: nay more, the civil government may lend its assistance to all who desire to quit the religious life they have undertaken, and break their vows. The government may also suppress Religious Orders, collegiate Churches, and simple Benefices, even those belonging to private patronage, and submit their goods and revenues to the administration and disposal of the civil power. (Allocation Acerbissimum, 27th Sept., 1852. Allocation Probe meminertis, 22d January, 1855. Allocation Cum sæpe, 26th July, 1855.)

54. Kings and princes are not only exempt from the jurisdiction of the Church, but are superior to the Church, in litigated questions of jurisdiction. (Letter Apost. Multiplices inter, 10th June, 1851.)

55. The Church ought to be separated from the State, and the State from the Church. (Allocation Acerbissimum, 27th September, 1852.)

VII. *Errors concerning Natural and Christian Ethics.*

56. Moral laws do not stand in need of the divine sanction, and there is no necessity that human laws should be conformable to the law of nature, and receive their sanction from God. (Allocation Maxima quidem, 9th June, 1862.)

57. Knowledge of philosophical things and morals, and also civil laws, may and must be independent of divine and ecclesiastical authority. (Allocation Maxima quidem, 9th June, 1862.)

58. No other forces are to be recognized than those which reside in matter; and all moral teaching and moral excellence ought to be made to consist in the accumulation and increase of riches by every possible means, and in the enjoyment of pleasure. (Allocation Maxima quidem, 9th June, 1862. Encyclical Quanto conficiamur, 10th August, 1863.)

59. Right consists in the material fact, and all human duties are but vain words, and all human acts have the force of right. (Allocation Maxima quidem, 9th June, 1862.)

60. Authority is nothing else but the result of numerical superiority and material force. (Allocation Maxima quidem, 9th June, 1862.)

61. An unjust act, being successful, inflicts no injury upon the sanctity of right. (Allocation Jamdudum cernimus, 18th March, 1861.)

62. The principle of *non-intervention*, as it is called, ought to be proclaimed and adhered to. (Allocation Novos et ante, 28th September, 1860.)

63. It is allowable to refuse obedience to legitimate Princes; nay more, to rise in insurrection against them. (Encyclical Qui pluribus, 9th November, 1846. Allocation Quisque vestrum, 4th October, 1847. Encyclical Noscitis et nobiscum, 8th December, 1849. Letter Apostolicæ Cum Catholica, 26th March, 1860.)

64. The violation of a solemn oath, even every wicked and flagitious action repugnant to the eternal law, is not only not blamable, but quite lawful, and worthy of the highest praise, when done for the love of country. (Allocation Quibus quantisque, 20th April, 1849.)

VIII. *Errors concerning Christian Marriage.*

65. It cannot be by any means tolerated, to maintain that Christ has raised marriage to the dignity of a sacrament. (Apostolical Letter, Ad Apostolicæ, 22d August, 1851.)

66. The sacrament of marriage is only an adjunct of the contract, and separable from it, and the sacrament itself consists in the nuptial benediction alone. (Id. Ibid.)

67. By the law of nature, the marriage tie is not indissoluble, and in many cases divorce, properly so called, may be pronounced by the civil authority. (Id. Ibid.; Allocation Acerbissimum, 27th September, 1852.)

68. The Church has not the power of laying down what are diriment impediments to marriage. The civil authority does possess such a power, and can do away with existing impediments to marriage. (Let. Apost. Multiplices inter, 10th June, 1851.)

69. The Church only commenced in later ages to bring in diriment impediments, and then availing herself of a right not her own, but borrowed from the civil power. (Let. Apost. Ad Apostolicæ, 22d Aug., 1851.)

70. The canons of the Council of Trent, which pronounce censure of anathema against those who deny to the Church the right of laying down what are diriment impediments, either are not dogmatic, or must be understood as referring only to such borrowed power. (Let. Apost. Ibid.)

71. The form of solemnizing marriage prescribed by the said Council, under penalty of nullity, does not bind in cases where the civil law has appointed another form, and where it decrees that this new form shall effectuate a valid marriage. (Id. Ibid.)

72. Boniface VIII. is the first who declared, that the vow of chastity pronounced at Ordination annuls nuptials. (Id. Ibid.)

73. A merely civil contract may, among Christians, constitute a true marriage; and it is false, either that the marriage contract between Christians is always a sacrament, or that the contract is null if the sacrament be excluded. (Id. Ibid., Letter to King of Sardinia, 9th September, 1852. Allocution Acerbissimum, 27th September, 1852; Multis gravibusque, 17th December, 1860.)

74. Matrimonial causes and espousals belong by their very nature to civil jurisdiction. (Let. Apost. Ad Apostolicæ, 22d August, 1851. Allocution Acerbissimum, 27th September, 1862.)

N. B. Two other errors may tend in this direction, those upon the abolition of the celibacy of Priests, and the preference due to the state of marriage over that of virginity. These have been proscribed; the first in the Encyclical "*Qui pluribus*," Nov. 9, 1846; the second in the Letters Apostolical "*Multiplices inter*," June 10, 1851.

IX. Errors regarding the Civil Power of the Sovereign Pontiff.

75. The children of the Christian and Catholic Church are not agreed upon the compatibility of the temporal with the spiritual power. (Let. Apost. Ad Apostolicæ, 22d August, 1851.)

76. The abolition of the temporal power, of which the Apostolic See is possessed, would contribute in the greatest degree to the liberty and prosperity of the Church. (Al. Quibus quantisque, 20th April, 1849.)

N. B. Besides these errors, explicitly noted, many others are impliedly rebuked by the proposed and asserted doctrine, which all Catholics are bound most firmly to hold, touching the temporal Sovereignty of the Roman Pontiff. These doctrines are clearly stated in the Allocutions "*Quibus quantisque*," April 20, 1849; and "*Si semper antea*," May 20, 1850; Letters Apost. "*Quum Catholica Ecclesia*," March 26, 1860; Allocutions "*Novos*," Sept. 28, 1860; "*Jamdudum*," March 18, 1861, and "*Maxima quidem*," June 9, 1862.

X. Errors having Reference to Modern Liberalism.

77. In the present day, it is no longer expedient that the Catholic Religion shall be held as the only Religion of the State, to the exclusion of all other modes of Worship. (Allocution Nemo vestrum, 26th July, 1855.)

78. Whence it has been wisely provided by law, in some countries called Catholic, that persons coming to reside therein shall enjoy the public exercise of their own worship. (Allocution Acerbissimum, 27th September, 1852.)

79. Moreover it is false, that the civil liberty of every mode of worship, and the full power given to all of overtly and publicly manifesting their opinions and their ideas, of all kinds whatsoever, conduce more easily to corrupt the morals and minds of the people, and to the propagation of the pest of indifference. (Allocution Nunquam fore, 15th December, 1856.)

80. The Roman Pontiff can and ought to reconcile himself to, and agree with progress, liberalism, and civilization as lately introduced. (Allocution Jamdudum cernimus, 18th March, 1861.)—*Pastoral Letter of Archbishop Spaulding, &c., &c.*

Instructions to Confederate Cruisers.

DEPARTMENT OF STATE, RICHMOND, Sept. 8, 1864.

Hon. S. R. Mallory, Secretary of the Navy.

SIR: I have the honor to acknowledge receipt of the following papers communicated by you to this Department on the 22d ult., under instructions of the President.

Confidential Communication to be made to the Officers in command of the "Florida," a vessel of war of the so-styled Confederate States.

First: My attention having been drawn to the circumstances of the Martaban, a vessel with a British register and papers, having been burned at sea by the Alabama, I have issued the following instructions to the officers under my command.

To capture and send to England for adjudication in the Admiralty Court every vessel by which a British vessel (*i. e.* with legal British papers) is burned at sea.

You are further to acquaint him that, the right or otherwise of the Alabama to burn the Martaban being not altogether free from doubt, I referred the question on the 2d of May last for instructions, which led me to expect a reply by the next mail. Should a view different from that which I have found it my duty to take of the question be arrived at by my superiors, I shall not fail to communicate it to him with the least possible delay, should the Florida still be on the station under my command.

Second: That, under these circumstances, it will be very satisfactory to me, if he can find it consistent with his duty, to give you a written assurance of his intention to forbear from any act of the like description until he has received special instructions in regard to this question from his Government, and that I shall be obliged by his communicating the tenor of such instructions to me by the earliest opportunity which he finds convenient.

Third: That the view I take of the question, and which I submit for his serious consideration, is as follows:

1st. That a belligerent has the right to burn the vessel of an enemy at sea.

2d. That a belligerent has the right to capture and to send a neutral for adjudication in an Admiralty Court, but in no case to burn her at sea prior to condemnation; and that if circumstances do not admit of his sending her in for adjudication in an Admiralty Court, then she should be dismissed.

Fourth: That the care with which officers in command of Confederate vessels of war have hitherto avoided giving just cause of offence to neutrals, induces me to indulge in the belief that he will avoid any act which may produce consequences which would be matter of much regret alike to me and to my superior; and that I beg to call his attention to the annexed opinion of Lord Stowell on this question, which I incline to think will find acceptance with the British Government.

J. HOPE, Vice-Admiral.

The paper annexed to the foregoing communication is in the following words:

Opinion of Lord Stowell on Capture and its Incidents.

Upon the surrender of a vessel under an enemy's flag on the high seas, a belligerent may destroy her under the general law of nations; and if a captor is unable to bring her into port, he will be justified toward his own Government in destroying her.

The instructions of his own Government may, indeed, require him to bring into port every capture which he may make, but he may be actually engaged on a service which will not allow him to put a prize crew on board the vessel which he has captured, in order that she may be taken into port. Under such a collision of duties, Lord Stowell has held that nothing is left to the belligerent vessel but to destroy the enemy's vessel which he has taken, for she cannot, consistently with her general duty to her own country, or, indeed, under its express injunctions, permit enemy's property to sail away unmolested. If it should be impossible to bring her in, her next duty is to destroy the enemy's property. When it is doubtful whether it is enemy's property, and it is impossible to bring it in, no such obligation arises, and the safe and proper course is to dismiss. When it is neutral, the act of destruction cannot be justified to the neutral owner by the gravest importance of such an act to the captor's own State. To the neutral it can only be justified, under any circumstances, by a full restitution in value. [Law of Nations, Dr. Twiss, 1863.]

Remark.—It is to be observed that, should the Confederate States fail in establishing their independence, then the above-named restitution in value would be impossible.

I hold this consideration to be an imperative obligation for forbearance on the part of the belligerent and the dismissal of the neutral vessel.

J. HOPE, Vice-Admiral.

The answer of Lieutenant-Commanding Morris to the foregoing communication is as follows:

C. S. STEAMER FLORIDA,
ST. GEORGE'S, BERMUDA, June 20, 1864. }

SIR: Having considered the confidential communication of Sir James Hope, I have no hesitation in assuring you that it has been, and is now my intention to allow all neutral vessels (*i. e.* vessels producing legal papers) to pass, and that such are my instructions from my Government. I am, sir, respectfully, your obedient servant.

C. M. MORRIS, Lieut. Com.

J. W. ASHLEY, Esq., R. N.

After conference with the President, it has been deemed unnecessary to make extended comment on the paper signed by the vice-admiral, for the reason that it was evidently hazarded with distrust, until instructions could be obtained from his superiors. It can scarcely be assumed by us as possible that the British Government will concur in opinion with the distinguished naval officer that British Admiralty Courts have jurisdiction over the ships of war of a foreign Government with which Great Britain is at peace; or that the rights of this Government, as an acknowledged belligerent, can be affected by the fact that Great Britain has not chosen to recognize the independence of the Confederacy; or that the proper course for a professedly neutral nation, when complaining of alleged aggressions on its neutral commerce, is to commence hostilities on the high seas against one belligerent on the first occasion for complaint and without previous remonstrance or demand for redress, while remaining passive as to the other belligerent, after three years of constant and unavailing remonstrances against hundreds of outrages and aggressions.

The purpose of the President in requesting that the papers should be referred to this Department was to obtain for the guidance of the naval officers in command of our cruisers such further and fuller instructions for the discharge of their duties as the experience of the war has shown to be necessary. These instructions I have now the honor to forward to you for transmission to your subordinates.

Minute of Instructions.

The cases which occur for decision by our cruisers may be classified as follows:

A. A vessel under enemy's flag without cargo, or with cargo, belonging exclusively to enemy.

B. A vessel under enemy's flag with cargo, wholly or in part belonging to neutrals.

C. A vessel really neutral with cargo wholly or in part belonging to the enemy.

D. A vessel ostensibly neutral, but really hostile, fraudulently placed under a neutral flag and furnished with fraudulent papers as a cover to protect her from capture.

A. The right of our cruisers to capture enemy's property on the high seas is of course unquestioned. No condemnation by an Admiralty Court is necessary to vest title to such property in this Government. The capture itself gives instant title to the captors. The property so captured should in all cases be at once destroyed if it be not in the power of the captors to dispose of it otherwise for the benefit of the Confederacy. Enemy's vessels thus captured may be armed by the captors and placed under command of any commissioned officer of the Confederate States, and used either as tenders to the captors or detached as independent cruisers. Such vessels, so armed and commanded, are as fully entitled to the rights of national armed vessels as if built and equipped in our own waters. On this point it may be proper to observe that the British Government, after violating this principle of public law by

the seizure of the Tuscaloosa at the Cape of Good Hope, is understood to have admitted its error, and although it has not yet tendered us the satisfaction due for so violent an aggression on our rights, it published on the 2d of June last instructions relative to the treatment of prizes captured by either belligerent; and while refusing them permission to enter British ports, makes an express exception in favor of "a vessel which shall have been actually and *bona fide* converted into, and used as, a public vessel of war."

B. A vessel under enemy's flag with cargo wholly or in part belonging to neutrals:

Under ordinary circumstances this case would present no embarrassment. The captured vessel would be taken into a port of the captors, or of a neutral country; the portion of the cargo belonging to the neutral would be delivered to the owners, and the vessel, with such portion of the cargo as belonged to the enemy, would be condemned as prize.

The action of neutral governments has placed serious obstacles in the way of doing justice to their own people. They have closed their ports to the admission of captured vessels, and have thus rendered it impossible to make delivery in their own ports of the property of their own subjects found on board of the vessels of our enemies; while it would be exposing those vessels to almost certain recapture to attempt to bring them into our ports, for the captured vessels are almost invariably sailing vessels, and the enemy's cruisers of our ports are steamers. In most instances heretofore it has been found practicable to reconcile to a certain extent the exercises of our own just rights as belligerents with a due regard for the claims of neutrals, by allowing the vessels of the enemy when partially laden with neutral goods to be relieved on ransom bonds. But it is obvious that this is a mode rather of eluding than of solving the difficulty, and that we cannot allow to be established as a rule that our enemies may cover their shipping from capture during the war, by simply carrying neutral goods as a part of their cargo. If, for instance, Great Britain will not permit a captured enemy's vessels to be carried into one of her ports for the purpose of their delivering to a British subject his goods found on board, she would certainly have no just ground of complaint that the goods were not restored to their owner. If, therefore, on the renewed representations we are about to make, we find neutral nations persist in refusing to receive the property of their subjects in their own ports, when captured by us on enemy's vessels, it will become necessary to instruct our cruisers to destroy such property whenever they are unable to bring the prize into our ports. In the mean time it is deemed proper, as evidence of that respect for the rights of others which has been so seldom extended toward us in this war, that the commanders of our national cruisers should be instructed to continue their former practice of allowing the enemy to ransom his vessel in cases where the neutral property on board is of large value, or bears any considerable proportion to that of the enemy; but if a ransom bond is refused, or if the proportion of neutral property on board is small compared with the value of the vessel and hostile cargo, the whole should be destroyed, whenever the prize cannot be brought into a port of our own or of a neutral country.

C. A vessel really neutral, with cargo wholly or in part belonging to the enemy.

Under the law of nations as established prior to the year 1856, such a vessel would have been liable to capture, for the purpose of being brought into port, when the hostile cargo would be condemned as prize, and the neutral vessel and the neutral portion of the cargo would be liberated.

By the Paris Declaration of 1856, it was declared that "the neutral flag covers enemy's goods, with the exception of contraband of war;" and this rule was adopted by the resolutions of Congress of August 13, 1861.

In the President's Message to Congress on December 7, 1863, he pointed out that this concession of belligerent rights in favor of neutrals had been made by the Confederacy in return for an obligation entered into by Great Britain and France, that they would comply with the rule of international law, on the subject of blockades—also laid down in the declaration of Paris—that both these Powers had failed to fulfil their promise, and that the Confederacy was thereby released from its obligations toward them. But the President, at the same time, declared that the principles established by the Paris Convention were “more just, more humane, more consonant with modern civilization than those belligerent pretensions which great naval Powers have hitherto sought to introduce into the maritime code.” He announced, that it was the policy of this Government to forego its right to retract the assent previously given to this rule of maritime law.

The cruisers of the Confederacy will, therefore, allow vessels of neutrals to pass free, unless laden with contraband of war destined for the enemy's ports. When such vessels are found to be laden with goods contraband of war, the contraband goods, if not the property of the owner of the vessel, are to be taken out, if practicable, and transhipped or destroyed, and she is to be allowed to continue her voyage. But if the owner of the vessel has put on board contraband goods belonging to himself, destined for the enemy's country, he thereby forfeits the neutral character, and the ship is to be considered an enemy's vessel, and to be dealt with as such. No conflict with neutral Powers on this subject is to be apprehended, as they have with entire unanimity issued proclamations forbidding their subjects during the present war from engaging in contraband trade, under penalty of forfeiture of national protection.

D. A vessel ostensibly neutral, but really hostile, fraudulently placed under neutral flag, and furnished with fraudulent papers to protect her from capture:

Whenever, upon the seizure of such a vessel, she is admitted by those in command to belong to the enemy, and her neutral flag and papers are admitted to be a mere cover, there can be no difficulty in dealing with such a vessel as though sailing under an enemy's flag.

The embarrassment in actual practice may be considered as occurring almost exclusively in cases where an enemy's vessel has been since the commencement of the present war transferred to neutrals. The law of nations on the subject of the right of a belligerent to make legal sale to neutrals *flagrante bello* is not settled by universal concurrence. Great Britain and the United States maintain the validity of such sales when *bona fide*, while France and Russia, and perhaps other European Continental Powers, hold that belligerent vessels sold to a neutral subsequent to the declaration of war are good prizes to the other belligerent, although bearing the neutral flag. The rule established in the United States was adopted prior to the secession of the Confederate States, and may be assumed to be binding on us until otherwise established by Congress.

Our cruisers ought, therefore, to be instructed that where a vessel of the United States has been sold in good faith to a neutral since the commencement of the war, and where the title is so absolutely transferred as to divest the enemy of any future interest in the vessel, she is free from capture. If, however, any enemy's interest in the vessel remain, if she be mortgaged or hypothecated to the enemy, she is as much liable to be dealt with as a hostile vessel as though no transfer to the neutral had been made.

Appended hereto is a list of the enemy's vessels transferred to neutrals since the beginning of the war, and known to be mortgaged to the enemy by the ostensible neutral owners. These and all other vessels in like condition are liable to capture by our cruisers as good prizes of war.

It frequently occurs, however, that a belligerent

makes simulated sales of vessels to neutrals with the view of protecting them from capture, and, under ordinary circumstances, when the other belligerent has reason to suspect the good faith of the transfer, the suspected vessel is brought into Court, for adjudication by the Admiralty.

This course is now not open to our cruisers for the reasons above explained, and the only instructions, therefore, practically applicable, under the circumstances, are the following:

The captor should in every case make rigid examination of the papers and documents of every vessel sailing under a neutral flag known to have belonged to the enemy at the commencement of the war.

He should take into consideration the nature of the trade in which the vessel is engaged, the national character of the master, the papers found on board, the place at which the alleged sale to the neutral took effect by delivery of the vessel, and every other circumstance tending to establish the true nature of the transfer, and to satisfy his mind whether the vessel be really neutral or merely disguised as such.

If the captured vessel has double sets of papers, or if papers have been destroyed, or subducted by her master during the chase, or if she has continued in the same course of trade, and under the same master since the alleged sale to the neutral, it may be safely concluded that the property is still hostile and covered by fraudulent use of neutral flag.

In these and all other cases, when there is great and decided preponderance of evidence to show that the vessel is really enemy's property, the cruiser must act on his conviction and treat her as such, leaving to his Government the responsibility of satisfying any neutral claim for her value.

But whenever the evidence leaves serious doubt as to the true character of the transfer, it will be proper rather to dismiss the vessel if she cannot be brought into port, than to exercise a harsh and doubtful belligerent right.

There is reason to hope, however, that most of the embarrassment existing on this branch of the subject will soon be ended by a modification of the orders of the British Government, which will permit justice to be done to its own subjects. The attempt to cover the enemy's vessels from capture by the fraudulent use of neutral papers has been made almost exclusively by collusion between the enemy and British subjects. This has gone to such an extent that such vessels are familiarly termed by British naval officers “whitewashed.” In the report by Commander Wood of his interview with Vice-Admiral Hope, in the harbour of Halifax, we are informed that the British officer inquired what were the instructions in the case of vessels which had recently changed flags, or were “whitewashed;” that Commander Wood answered that, “unless the papers were clearly fraudulent, he would let the vessel go;” that Vice-Admiral Hope then inquired if Commander Wood had seen his communication to Captain Morris, of the Florida, and said that “his Government required that in all such cases the vessel should be brought into an English port to have the case decided on or adjudicated.” Commander Wood is not certain whether the word “decided” or “adjudicated” was used.

If the British Government has, in the interest of its own subjects, become sensible of the impropriety and impolicy of shutting its ports to the introduction of prizes made by our vessels in all cases in which British claimants assert title to vessel or cargo, the instruction will be given to our cruisers to take into British ports all such vessels, there to remain until our Admiralty Courts have exercised their rightful exclusive jurisdiction over the prize questions involved in such captures. We have, for the present, no further information on this subject than the loose conversation above referred to, and this cannot be made the basis of action by our cruisers. I have the honor to be, Sir, very respectfully, your obedient servant.

J. P. BENJAMIN, Secretary of State.

Proceedings relative to Peace.

The correspondence respecting peace in 1864 will be found under the title UNITED STATES. At the commencement of 1865 the following further proceedings took place :

PRESIDENT LINCOLN'S MESSAGE RELATIVE TO THE PEACE CONFERENCE AT FORTRESS MONROE.

To the Honorable the House of Representatives :

In response to your resolution of the 8th inst., requesting information in relation to a conference held in Hampton Roads, I have the honor to state that on the date I gave Francis P. Blair, senior, a card written as follows, to wit :

"DECEMBER 28, 1864.

Allow the bearer, F. P. Blair, Sr., to pass our lines, go South and return.

(Signed)

A. LINCOLN."

That at the time I was informed that Mr. Blair sought the card as a means of getting to Richmond, Va., but he was given no authority to speak or act for the Government. Nor was I informed of any thing he would say or do on his own account or otherwise.

Mr. Blair told me that he had been to Richmond and had seen Mr. Jefferson Davis, and he (Mr. Blair) at the same time left with me a manuscript letter as follows, to wit :

"RICHMOND, VA., Jan. 12, 1865.

F. P. Blair, Esq. :

Sir : I have deemed it proper and probably desirable to you to give you in this form the substance of the remarks made by me to be repeated by you to President Lincoln, &c. I have no disposition to find obstacles in forms, and am willing now, as heretofore, to enter into negotiations for the restoration of peace. I am ready to send a commission whenever I have reason to suppose it will be received, or to receive a commission if the United States Government shall choose to send one. Notwithstanding the rejection of our former offers, I would, if you could promise that a commission, minister, or other agent would be received, appoint one immediately, and renew the effort to enter into a conference with a view to secure peace to the two countries.

Yours, &c.,

JEFFERSON DAVIS."

Afterward, with a view that it should be shown to Mr. Davis, I wrote and delivered to Mr. Blair a letter, as follows, to wit :

"WASHINGTON, Jan. 18, 1865.

F. P. Blair, Esq. :

Sir : You having shown me Mr. Davis' letter to you of the 12th inst., you may say to him that I have constantly been, am now, and shall continue ready to receive any agent whom he, or any other influential person now resisting the national authority, may informally send me, with a view of securing peace to the people of our common country.

Yours, &c.,

A. LINCOLN."

Afterward Mr. Blair dictated for and authorized me to make an entry on the back of my retained copy of the letter just above recited, which is as follows :

"JANUARY 28, 1865.

To-day Mr. Blair tells me that on the 21st inst. he delivered to Mr. Davis the original, of which the within is a copy, and left it with him ; that at the time of delivering Mr. Davis read it over twice in Mr. Blair's presence, at the close of which he (Mr. B.) remarked that the part about our common country related to the part of Mr. Davis's letter about the two countries, to which Mr. D. replied that he understood it.

A. LINCOLN."

Afterward the Secretary of War placed in my hands the following telegram, indorsed by him, as appears :

"OFFICE U. S. MILITARY TELEGRAPH, }
War Department. }

[CIPHER.] The following telegram was received at Washington, Jan. 29, 1865 :

'FROM HEADQUARTERS ARMY OF THE JAMES, }
6:30 P. M., Jan. 29, 1865. }

To Hon. E. M. Stanton, Secretary of War :

The following despatch is just received from Major-General Parke, who refers it to me for my action. I refer it to you in lieu of Gen. Grant's absence.

(Signed) E. O. C. ORD, Maj.-Gen. Comdg.'

'HEADQUARTERS ARMY OF THE JAMES.

The following despatch is forwarded to you for your action, since I have no knowledge of General Grant's having had any understanding of this kind. I refer this matter to you as the ranking officer present in the two armies.

(Signed)

JOHN G. PARKE, Maj.-Gen. Comdg.'

'FROM HEADQUARTERS NINTH ARMY CORPS, }
January 29, 1865. }

Major-General John G. Parke, Headquarters Army of the Potomac :

Alexander H. Stephens, R. M. T. Hunter, and J. A. Campbell desire to cross my lines, in accordance with an understanding claimed to exist with Lieut.-Gen. Grant, on their way to Washington as Peace Commissioners. Shall they be admitted? They desire an early answer, so as to come through immediately. They would like to reach City Point to-night if they can. If they cannot do this they would like to come through to-morrow morning.

O. B. WILSON, Major Comm'g Ninth Corps.'

Respectfully referred to the President for such instructions as he may be pleased to give.

EDWIN M. STANTON, Secretary of War."

JANUARY 29, 1865—8:30 P. M.

It appears that about the time of placing the foregoing telegram in my hands the Secretary of War despatched to General Ord as follows, to wit :

"WAR DEPARTMENT, WASHINGTON CITY, }
Jan. 29, 1865—10 P. M. }

Major-General Ord :

This Department has no knowledge of any understanding by Gen. Grant to allow any person to come within his lines as commissioners of any sort. You will therefore allow no one to come into your lines under such character or profession until you receive the President's instructions, to whom your telegrams will be submitted for his directions.

EDWIN M. STANTON, Secretary of War."

[SENT IN CIPHER AT 2 A. M.]

Afterward, by my directions, the Secretary of War telegraphed Gen. Ord as follows, to wit :

"WAR DEPARTMENT, WASHINGTON CITY, D. C., }
Jan. 30, 1865—10 A. M. }

Major-General E. O. C. Ord, Headquarters Army of the James :

By the direction of the President you are instructed to inform the three gentlemen, Messrs. Stephens, Hunter, and Campbell, that a message will be despatched to them at or near where they now are without unnecessary delay.

EDWIN M. STANTON, Secretary of War."

Afterward I prepared and put into the hands of Major Thomas T. Eckert the following instructions :

EXECUTIVE MANSION, WASHINGTON, Jan. 30, 1865.

Major T. T. Eckert :

Sir : You will proceed with the documents placed in your hands, and on reaching Gen. Ord will deliver him the letter addressed him by the Secretary of War. Then, by Gen. Ord's assistance, procure an interview with Messrs. Stephens, Hunter, and Campbell, or any of them, deliver to him or them the paper on which your own letter is written. Note on the copy which you retain the time of delivery and to whom delivered. Receive their answer in writing, waiting a reasonable time for it, and which, if it contain their decision to come through without further conditions, will be your warrant to ask Gen. Ord to pass them through as directed in the letter of the Secretary of War. If by their answer they decline to come, or propose other terms, do not have

them passed through. And this being your whole duty return and report to me.

Yours truly, A. LINCOLN."

"CITY POINT, Feb. 1, 1865.

Messrs. Alexander H. Stephens, J. A. Campbell, and R. M. T. Hunter :

Gentlemen: I am instructed by the President of the United States to place this paper in your hands, with the information that if you pass through the United States military lines, it will be understood that you do so for the purpose of an informal conference on the basis of that letter, a copy of which is on the reverse side of this sheet; and that you choose to pass on such understanding, and so notify me in writing. I will procure the Commanding General to pass you through the lines and to Fortress Monroe under such military precautions as he may deem prudent, and at which place you will be met in due time by some person or persons for the purpose of such informal conference; and, further, that you shall have protection, safe conduct, and safe return in all events.

THOMAS T. ECKERT,
Major and Aide-de-Camp."

Afterward, but before Major Eckert had departed, the following despatch was received from General Grant :

"OFFICE U. S. MILITARY TELEGRAPH, {
[CIPHER.] War Department. }

The following telegram was received at Washington, Jan. 31, 1865, from City Point, Va., 10:30 A. M., Jan. 31, 1865:

'His Excellency Abraham Lincoln, President of the United States :

The following communication was received here last evening :

"PETERSBURG, VA., Jan. 30, 1865.
Lieut.-Gen. U. S. Grant, Commanding Armies of the United States :

Sir: We desire to pass your lines under safe conduct, and to proceed to Washington to hold a conference with President Lincoln upon the subject of the existing war, and with a view of ascertaining upon what terms it may be terminated, in pursuance of the course indicated by him in his letter to Mr. Blair of Jan. 18, 1865, of which we presume you have a copy, and if not, we wish to see you in person, if convenient, and to confer with you on the subject.

Very respectfully, yours,

ALEXANDER H. STEPHENS,
J. A. CAMPBELL.
R. M. T. HUNTER."

I have sent directions to receive these gentlemen, and expect to have them at my quarters this evening awaiting your instructions.

U. S. GRANT, Lieut.-General,
Commanding Armies of the United States.' "

This, it will be perceived, transferred Gen. Ord's agency in the matter to Gen. Grant. I resolved, however, to send Major Eckert forward with his message, and accordingly telegraphed Gen. Grant as follows, to wit :

"EXECUTIVE MANSION, WASHINGTON, {
Jan. 31, 1865. }

Lieut.-Gen. Grant, City Point, Va. :

A messenger is coming to you on the business contained in your despatch. Detain the gentlemen in comfortable quarters until he arrives, and then act upon the message he brings as far as applicable, it having been made up to pass through Gen. Ord's hands, and when the gentlemen were supposed to be beyond our lines.

A. LINCOLN."

[SENT IN CIPHER AT 1:30 P. M.]

When Major Eckert departed he bore with him a letter of the Secretary of War to Gen. Grant as follows, to wit :

"WAR DEPARTMENT, WASHINGTON, D. C., Jan. 30, 1865.
Lieut.-General Grant, Commanding, &c.

General: The President desires that you procure for the bearer, Major Thomas T. Eckert, an interview

with Messrs. Stephens, Hunter, and Campbell, and if, on his return to you he requests it, pass them through our lines to Fortress Monroe by such route and under such military precautions as you may deem prudent, giving them protection and comfortable quarters while there, and that you let none of this have any effect upon any of your movements or plans.

By order of the President,

EDWIN M. STANTON, Secretary of War."

Supposing the proper point to be then reached, I despatched the Secretary of State with the following instructions, Major Eckert, however, going ahead of him :

"EXECUTIVE MANSION, Jan. 31, 1865.

Hon. Wm. H. Seward, Secretary of State :

You will proceed to Fortress Monroe, Va., there to meet and informally confer with Messrs. Stephens, Hunter, and Campbell on the basis of my letter to F. P. Blair, Esq., of Jan. 18, 1865, a copy of which you have. You will make known to them that three things are indispensable, to wit: 1st, the restoration of the national authority throughout all the States; 2d, no receding by the Executive of the United States on the slavery question from the position assumed thereon in the late annual message to Congress, and in the preceding documents; 3d, no cessation of hostilities short of an end of the war and the disbanding of all the forces hostile to the Government. You will inform them that all propositions of theirs not inconsistent with the above will be considered and passed upon in a spirit of sincere liberality. You will hear all they may choose to say and report it to me. You will not assume to definitely consummate any thing. Yours, &c., ABRAHAM LINCOLN."

On the day of its date the following telegram was sent to Gen. Grant :

"WAR DEPARTMENT, WASHINGTON, Feb. 1, 1865.

Lieut.-General Grant, City Point, Va. :

Let nothing which is transpiring change, hinder, or delay your military movements or plans.

A. LINCOLN."

[SENT IN CIPHER AT 9:30 A. M.]

Afterward the following despatch was received from Gen. Grant :

"OFFICE U. S. TELEGRAPH, WAR DEPARTMENT.

[IN CIPHER.]

The following telegram was received at Washington at 2:30 P. M., Feb. 1, 1865, from City Point, Va., Feb. 1, 12:30 P. M., 1865:

'His Excellency A. Lincoln, President of the United States :

Your despatch is received. There will be no armistice in consequence of the presence of Mr. Stephens and others within our lines. The troops are kept in readiness to move at the shortest notice if occasion should justify it.

U. S. GRANT, Lieut.-Gen.' "

To notify Major Eckert that the Secretary of State would be at Fortress Monroe and to put them in communication, the following despatch was sent :

"WAR DEPARTMENT, WASHINGTON, Feb. 1, 1865.

T. T. Eckert, care Gen. Grant, City Point, Va. :

Call at Fortress Monroe and put yourself under the direction of Mr. S., whom you will find there.

A. LINCOLN."

On the morning of the 2d inst. the following telegrams were received by me from the Secretary of State and Major Eckert :

"FORTRESS MONROE, VA.—11:30 P. M., Feb. 1, 1865.

The President of the United States :

Arrived here this evening. Richmond party not here. I remain here. W. H. SEWARD."

"CITY POINT, VA., 10 P. M., Feb. 1, 1865.

His Excellency A. Lincoln, President of the United States :

I have the honor to report the delivery of your communication and my letter at 4:15 this afternoon, to which I received a reply at 6 P. M., but not satisfactory. At 8 P. M. the following note, addressed to Gen. Grant, was received :

'CITY POINT, VA., Feb. 1, 1865.

To Lieut.-Gen. Grant :

Sir: We desire to go to Washington City to confer informally with the President personally, in reference to the matters mentioned in his letter to Mr. Blair of the 18th of January, ult., without any personal compromise on any question in the letter. We have the permission to do so from the authorities in Richmond.

Very respectfully yours,
ALEX. H. STEPHENS,
R. M. T. HUNTER,
J. A. CAMPBELL."

At 9:30 P. M. I notified them that they could not proceed further unless they complied with the terms expressed in my letter. The point of meeting designated in the above would not in my opinion be insisted upon. I think Fortress Monroe would be acceptable. Having complied with my instructions, will return to Washington to-morrow unless otherwise ordered. THOMAS T. ECKERT, Major, &c."

On reading this despatch of Major Eckert's, I was about to recall him and the Secretary of State, when the following telegram of Gen. Grant to the Secretary of War was shown me :

"OFFICE U. S. MILITARY TELEGRAPH, WAR DEPARTMENT.
[IN CIPHER.]

The following telegram, received at Washington at 4:35 A. M., Feb. 2, 1865, from City Point, Va., Feb. 1, 1865 :

'Hon. Edwin M. Stanton, Secretary of War :

Now that the interview between Major Eckert, under his written instructions, and Mr. Stephens and party has ended, I will state confidentially, but not officially, to become a matter of record, that I am convinced, upon conversation with Messrs. Stephens and Hunter, that their intentions are good and their desire sincere to restore peace and Union. I have not felt myself at liberty to express even views of my own, or to account for my reticence. This has placed me in an awkward position, which I could have avoided by not seeing them in the first instance. I fear now their going back without any expression to any one in authority will have a bad influence. At the same time I recognize the difficulties in the way of receiving their informal commissioners at this time, and I do not know what to recommend. I am sorry, however, that Mr. Lincoln cannot have an interview with the two named in this despatch, if not all three now within our lines. Their letter to me was all that the President's instructions contemplated to secure their safe conduct if they had used the same language to Capt. Eckert.

U. S. GRANT, Lieutenant-General."

This despatch of Gen. Grant changed my purpose, and accordingly I telegraphed him and the Secretary of War as follows :

"WAR DEPARTMENT, WASHINGTON, Feb. 2, 1865.

To Lieut.-Gen. Grant, City Point, Va. :

Say to the gentlemen that I will meet them personally at Fortress Monroe as soon as I can get there.

A. LINCOLN."

[SENT IN CIPHER AT 9 A. M.]

"WAR DEPARTMENT, WASHINGTON, D. C., Feb. 2, 1865.

To Hon. Wm. H. Seward, Fortress Monroe, Va. :

Induced by a despatch from Gen. Grant, I join you at Fortress Monroe as soon as I can come.

A. LINCOLN."

[SENT IN CIPHER AT 9 A. M.]

Before starting the following despatch was shown me. I proceeded nevertheless :

"OFFICE U. S. MILITARY TELEGRAPH, WAR DEPARTMENT.

[IN CIPHER.]

The following telegram was received at Washington, Feb. 2, 1865, from City Point, Va., 9 A. M., Feb. 2, 1865 :

'To Hon. W. H. Seward, Sec'y of State, Fortress Monroe:

[Copy to Hon. E. M. Stanton, Secretary of War.]

The gentlemen here have accepted the proposed terms and will leave for Fortress Monroe at 9:30 A. M.

U. S. GRANT, Lieut.-Gen."

On the night of the 2d, I reached Hampton Roads, and found the Secretary of State and Major Eckert in a steamer anchored off the shore, and learned of them that the Richmond gentlemen were in another steamer, also anchored off shore in the Roads, and that the Secretary of State had not yet seen or communicated with them. I ascertained that Major Eckert had literally complied with his instructions, and I saw for the first time the answer of the Richmond gentlemen to him, which in his despatch to me of the 1st, he characterized as not satisfactory. That answer is as follows, to wit :

"CITY POINT, Va., Feb. 1, 1865.

To Thos T Eckert, Major and Aide-de-camp.

Major: Your note delivered by yourself this day has been considered. In reply, we have to say that we were furnished with a copy of the letter of President Lincoln to F. P. Blair, of the 18th of January ult. Another copy of which is appended to your note. Our intentions are contained in the letter, of which the following is a copy :

'RICHMOND, Jan. 23, 1865.

In conformity with the letter of Mr. Lincoln, of which the foregoing is a copy, you are to proceed to Washington City for an informal conference with him upon the issues involved in the existing war and for the purpose of securing peace to the two countries.

With great respect, your obedient servant,

JEFFERSON DAVIS."

The substantial object to be attained by the informal conference is to ascertain upon what terms the existing war can be terminated honorably. Our instructions contemplate a personal interview between President Lincoln and ourselves at Washington; but with this explanation, we are ready to meet any person or persons that President Lincoln may appoint, at such place as he may designate. Our earnest desire is that a just and honorable peace may be agreed upon, and we are prepared to receive or to submit propositions which may possibly lead to the attainment of that end.

Very respectfully yours,

ALEXANDER H. STEPHENS,
R. M. T. HUNTER,
JOHN A. CAMPBELL."

A note of these gentlemen, subsequently addressed to Gen. Grant, has already been given in Major Eckert's despatch of the 1st inst. I also saw here for the first time the following note addressed by the Richmond gentlemen to Major Eckert :

"CITY POINT, VA., Feb. 2, 1865.

Thomas T. Eckert, Major and A. D. C.

Major: In reply to your verbal statement that your instructions did not allow you to alter the conditions upon which a passport would be given to us, we say that we are willing to proceed to Fortress Monroe, and there to have an informal conference with any person or persons that President Lincoln may appoint, on the basis of his letter to Francis P. Blair of the 18th of January ultimo, or upon any other terms or conditions that he may hereafter propose not inconsistent with the essential principles of self-government and popular rights, upon which our institutions are founded. It is our earnest wish to ascertain, after a free interchange of ideas and information, upon what principles and terms, if any, a just and honorable peace can be established without the further effusion of blood, and to contribute our utmost efforts to accomplish such a result. We think it better to add, that in accepting your passport we are not to be understood as committing ourselves to any thing, but to carry on this informal conference with the views and feelings above expressed.

Very respectfully yours, &c.,

ALEX. H. STEPHENS,
J. A. CAMPBELL,
R. M. T. HUNTER."

[NOTE. The above communication was delivered

to me at Fortress Monroe at 4.40 P. M., Feb. 2, by Lieut.-Col. Babcock, of Gen. Grant's staff.

THOS. T. ECKERT, Major and A. D. C.]

"EXECUTIVE MANSION, Feb. 10, 1865.

On the morning of the 3d, the gentlemen, Messrs. Stephens, Hunter, and Campbell came aboard of our steamer and had an interview with the Secretary of State and myself of several hours' duration. No question of preliminaries to the meeting was then and there made or mentioned. No other person was present. No papers were exchanged or produced, and it was in advance agreed that the conversation was to be informal and verbal merely. On my part the whole substance of the instructions to the Secretary of State, hereinbefore recited, was stated and insisted upon, and nothing was said inconsistent therewith, while by the other party it was not said that in any event or on any condition they ever would consent to reunion; and yet they equally omitted to declare that they would never so consent. They seemed to desire a postponement of that question and the adoption of some other course first, which, as some of them seemed to argue, might or might not lead to reunion, but which course we thought would amount to an indefinite postponement.

The conference ended without result.

The foregoing, containing, as is believed, all the information sought, is respectfully submitted.

ABRAHAM LINCOLN."

The following was inclosed in the message sent to the Senate by the President:

"DEPARTMENT OF STATE, WASHINGTON, Feb. 10, 1865.

The Secretary of State, to whom was referred a resolution of the Senate of the 8th instant, requesting the President of the United States, if, in his opinion, it is not incompatible with the public interest, to furnish to the Senate any information in his possession concerning the recent conversation or communications with certain rebels said to have occurred under Executive sanction, including communications with the rebel Jefferson Davis, and any correspondence relating thereto, has the honor to report that the Senate may properly be referred to a special message of the President, bearing upon the subject of the resolution and transmitted to the House this day. Appended to this report is a copy of the instructions which has been addressed to Charles Francis Adams, Esq., Envoy Extraordinary and Minister Plenipotentiary of the United States at London, and which is the only correspondence found in this Department touching the subject referred to in the resolution.

Respectfully submitted, WM. H. SEWARD."

MR. SEWARD TO MR. ADAMS.

DEPARTMENT OF STATE, WASHINGTON, Feb. 9, 1865.

Sir: It is true that in times of peace there are always instigators of war. So soon as a war begins there are citizens who emphatically demand negotiations of peace. The advocates of war, after an agitation longer or shorter, generally gain their fearful end, though the war declared is not unfrequently unnecessary and unwise. So peace agitators, in time of war, ultimately bring about an abandonment of the conflict, sometimes without securing the advantages which were originally expected from the conflict. The agitators for war in times of peace, and for peace in time of war, are not unnecessarily, or perhaps ordinarily, unpatriotic in their purposes or motives. Results alone determine whether they are wise or unwise. The treaty of peace concluded at Guadalupe Hidalgo was secured by an irregular negotiation under the Don of the government.

Some of the efforts which have been made to bring about negotiations with a view to end our civil war are known to the whole world, because they have employed foreign as well domestic agents. Others with whom you have had to deal confidentially are known to yourself, although they have not publicly transpired. Other efforts have occurred here which are known only to the persons actually moving in them and to this Government.

I am now to give for your information an account of an affair of the same general character which recently received much attention here, and which doubtless will excite inquiry abroad. A few days ago Francis P. Blair, Esq., of Maryland, obtained from the President a simple leave to pass through our lines without definite views known to the Government.

Mr. Blair visited Richmond, and on his return he showed to the President a letter which Jefferson Davis had written to Mr. Blair, in which Davis wrote that Mr. Blair was at liberty to say to President Lincoln that Davis was now, as he always had been, willing to send commissioners if assured they would be received, or to receive any that should be sent; that he was not disposed to find obstacles in forms; that he would send commissioners to confer with the President with a view to a restoration of peace between the two countries, if he could be assured they would be received. The President, therefore, on the 18th day of January, addressed a note to Mr. Blair, in which the President, after acknowledging that he had read the note of Mr. Davis, said that he was, is, and always should be, willing to receive any agents that Mr. Davis, or any other influential man now actually resisting the authority of the Government, might send to confer informally with the President, with a view to the restoration of peace to the people of our common country. Mr. Blair visited Richmond with this letter and then again came back to Washington on the 29th ult.

We were advised from the camp of Lieut.-General Grant that Alex. H. Stephens, R. M. T. Hunter and J. A. Campbell were applying for leave to pass through the lines to Washington, as Peace Commissioners, to confer with the President. They were permitted by the Lieut.-General to come to his headquarters, to await there the decision of the President. Major Eckert was sent down to meet the party from Richmond at General Grant's headquarters. The major was directed to deliver to them a copy of the President's letter to Mr. Blair, with a note to be addressed to them and signed by the major, in which they were directly informed that if they should be allowed to pass our lines they would be understood as coming for an informal conference upon the basis of the aforementioned letter of the 18th of January to Mr. Blair. If they should express their assent to this condition in writing, then Major Eckert was directed to give them safe conduct to Fortress Monroe, where a person coming from the President would meet them.

It being thought probable, from a report of their conversation with Lieut.-Gen. Grant, that the Richmond party would in the manner prescribed accept the conditions mentioned, the Secretary of State was charged by the President with the duty of representing this Government in the expected informal conference.

The Secretary arrived at Fortress Monroe in the night of the 1st of February. Major Eckert met him on the morning of the 2d of February, with the information that the persons who had come from Richmond had not accepted in writing the conditions upon which he was allowed to give them conduct to Fortress Monroe. The major had given the same information by telegraph to the President at Washington. On receiving this information the President prepared a telegram, directing the Secretary to return to Washington. The Secretary was preparing at the same moment to so return without waiting for information from the President, but at this juncture Lieut.-Gen. Grant telegraphed to the Secretary of War, as well as to the Secretary of State, that the party from Richmond had reconsidered and accepted the condition tendered them through Major Eckert, and Gen. Grant urgently advised the President to confer in person with the Richmond party.

Under these circumstances the Secretary, by the President's direction, remained at Fortress Monroe,

and the President joined him there in the night of the 2d of February. The Richmond party was brought down the James River, in a United State steam transport during the day, and the transport was anchored in Hampton Roads.

On the morning of the 3d inst., the President, attended by the Secretary, received Messrs. Stephens, Hunter, and Campbell on board.

The conference was altogether informal. There was no attendance of secretaries, clerks, or other witnesses. Nothing was written or read. The conversation—although earnest and full—was calm and courteous and kind on both sides. The Richmond party approached the discussion rather indirectly, and at no time did they make categorical demands, or tender formal stipulations or absolute refusals. Nevertheless, during the conference, which lasted four hours, the several points at issue between the Government and the insurgents were distinctly raised, and discussed fully, intelligently, and in an amicable spirit.

What the insurgent party seemed chiefly to favor was a postponement of the question of separation upon which the war is waged and a mutual direction of the efforts of the Government as well as those of the insurgents to some extrinsic policy or scheme for a season, during which passions might be expected to subside and the armies be reduced, and trade and intercourse between the people of both sections be resumed. It was suggested by them that through such postponement we might now have immediate peace with some, not very certain, prospect of an ultimate satisfactory adjustment of the political relations between the Government and the States, section or people now engaged in conflict with it. The suggestion, though deliberately considered, was nevertheless regarded by the President as one of armistice or truce, and he announced that we can agree to no cessation or suspension of hostilities except on the basis of the disbandment of the insurgent forces, and the restoration of the national authority throughout all the States in the Union, collaterally and in subordination to the proposition which was thus announced.

The anti-slavery policy of the United States was reviewed in all its bearings, and the President announced that he must not be expected to depart from the positions he had heretofore assumed in his proclamation of emancipation and other documents, as these positions were reiterated in his annual message.

It was further declared by the President that the complete restoration of the National authority everywhere was an indispensable condition of any assent on our part to whatever form of peace might be proposed. The President assured the other party that while he must adhere to these positions, he would be prepared, so far as power is lodged with the Executive, to exercise liberality. His power, however, is limited by the Constitution, and when peace should be made, Congress must necessarily act in regard to the approbation of money and to the admission of Representatives from the insurrectionary States.

The Richmond party were then informed that Congress had, on the 31st ult., adopted, by a Constitutional majority, a joint resolution submitting to the several States the proposition to abolish slavery throughout the Union, and that there is every reason to expect that it will be accepted by three-fourths of the States, so as to become a part of the National organic law.

The conference came to an end by mutual acquiescence, without producing an agreement of views upon the several matters discussed, or any of them. Nevertheless, it is perhaps of some importance that we have been able to submit our opinions and views directly to prominent insurgents, and to hear them in answer in a courteous and not unfriendly manner.

I am, sir, your obedient servant.

WM. H. SEWARD.

REPORT OF MESSRS. STEPHENS, HUNTER, AND CAMPBELL.

EXECUTIVE OFFICE, RICHMOND, February 6, 1865.

To the Senate and House of Representatives of the Confederate States of America:

Having recently received a written notification which satisfied me that the President of the United States was disposed to confer informally with unofficial agents which might be sent by me, with a view to the restoration of peace, I requested the Hon. Alexander H. Stephens, the Hon. R. M. T. Hunter, and the Hon. John A. Campbell to proceed through our lines and to hold conference with Mr. Lincoln, or any one he might depute to represent him.

I herewith transmit, for the information of Congress, the report of the eminent citizens above named, showing that the enemy refused to enter into negotiations with the Confederate States, or any one of them separately, or to give to our people any other terms or guaranties than those which the conqueror may grant, or to permit us to have peace on any other basis than our unconditional submission to their rule, coupled with the acceptance of their recent legislation on the subject of the relations between the white and black population of each State. Such is, as I understand, the effect of the amendment to the Constitution which has been adopted by the Congress of the United States.

JEFFERSON DAVIS.

RICHMOND VA., February 5, 1865.

To the President of the Confederate States:

SIR: Under your letter of appointment of the 28th ult., we proceeded to seek an "informal conference" with Abraham Lincoln, President of the United States, upon the subject mentioned in the letter. The conference was granted, and took place on the 30th inst., on board of a steamer in Hampton Roads, where we met President Lincoln and the Hon. Mr. Seward, Secretary of State of the United States. It continued for several hours, and was both full and explicit.

We learned from them that the message of President Lincoln to the Congress of the United States in December last explains clearly and distinctly his sentiments as to the terms, conditions, and method of proceeding by which peace can be secured to the people, and we were not informed that they would be modified or altered to obtain that end. We understand from him that no terms or proposals of any treaty or agreement looking to an ultimate settlement would be entertained or made by him with the Confederate States, because that would be a recognition of their existence as a separate power, which, under no circumstances, would be done; and for like reasons that no such terms would be entertained by him from the States separately; that no extended truce or armistice (as at present advised) would be granted, without a satisfactory assurance in advance of a complete restoration of the authority of the United States over all places within the States of the Confederacy.

That whatever consequence may follow from the reestablishment of that authority must be accepted; but that individuals, subject to pains and penalties under the laws of the United States, might rely upon a very liberal use of the power confided to him to remit those pains and penalties if peace be restored.

During the conference the proposed amendment to the Constitution of the United States, adopted by Congress on the 31st ult., was brought to our notice. This amendment declares that neither slavery nor involuntary servitude, except for crimes, should exist within the United States, or any place within their jurisdiction, and that Congress should have power to enforce this amendment by appropriate legislation. Of all the correspondence that preceded the conference herein mentioned, and leading to the same, you have heretofore been informed.

Very respectfully, your obedient servants,

ALEX. H. STEPHENS,
R. M. T. HUNTER,
JOHN A. CAMPBELL.

Q

QUINCY JOSIAH, an American statesman, born in Boston, February 4, 1772, died in Quincy, Mass., July 1, 1864. He was the only son of Josiah Quincy, jr., the noted patriot and orator of ante-revolutionary times, who dying a few months before the outbreak of the war of independence, bequeathed to his infant offspring the works of Sidney, Locke, and Bacon, with the additional wish, "May the Spirit of Liberty rest upon him!" Young Quincy received his preliminary education at Phillips' Academy, Andover, Mass., and was graduated at Harvard College in 1790, with the highest honors of his class. In 1793 he commenced the practice of the law in Boston, but amidst the political turmoil of the time he showed less inclination for a professional than for a public career, which seemed more suited to his peculiar turn of mind, and to which the example of his father and the expectations of his friends incited him. Though courted by the anti-federalists, he early associated himself with the federal party, to which he remained faithful while it had a name or organization, and from the principles of which he never swerved to the day of his death. In 1797 he married Eliza, daughter of Col. John Morton, of New York, with whom he lived most happily for fifty-three years; and in 1800, being then twenty-eight years of age, he was brought forward by the federalists as their candidate to represent the Boston district in Congress, but was defeated by William Eustis, afterwards Secretary of the Navy. At the next congressional election, John Quincy Adams was the federal candidate, but met with even less success than Mr. Quincy, who in 1804 finally prevailed over his old antagonist by a handsome majority, and in December, 1805, took his seat as a member of the Ninth Congress. By successive elections he held this position until 1813, when he declined a renomination and retired to private life. His oratorical abilities, readiness in debate, wit, sarcasm, and extensive political knowledge, made him the leader of the small but resolute band of federalists, who maintained in the national legislature a hopeless opposition to the dominant republican party. He proved a constant thorn in the side of the administrations of Jefferson and Madison, and in the acrimonious warfare then carried on in Congress, no one showed himself a more consummate master of fence. He often indeed went beyond the limits of parliamentary decorum, seeming rather to court than to shun opposition; and some of his speeches are remarkable for passionate declamation and invective. The embargo, the purchase of Louisiana, and the war of 1812, were among the chief measures which he opposed, and he was one of the first to denounce the slaveholding interest as a rising and dangerous tyranny.

Upon retiring from Congress Mr. Quincy, having at his command an ample fortune, hoped to be able to devote much of his time to agricultural pursuits at his country seat in Quincy, near Boston. But he had assumed too conspicuous a position to be at once spared by his party, and he was almost immediately elected to the Massachusetts State Senate, where he continued to be a no less earnest opponent of the war than when in Congress. One of his most conspicuous acts in the former body, was the framing of a preamble and resolution on the capture of the British corvette *Peacock*, by the *Hornet*, under Captain Lawrence. The preamble praised the conduct of the commander, officers, and crew of the *Hornet*, but the resolution which followed declared that the "war was waged without justifiable cause," and that it did not become a moral and religious people to express approbation of exploits not immediately connected with the defence of the seacoast and harbors of the country. He remained in the Senate until 1820, when, on the ground that his course was compromising the interests of his party, he failed to obtain a renomination. He was immediately, however, elected to the Massachusetts House of Representatives from Boston, and became speaker of that body. He filled the same office at the next session of the Legislature in 1821, but resigned before the expiration of his term, in order to accept the position of judge of the Municipal Court of Boston. In this capacity he laid down, for the first time, the doctrine, now generally accepted, that the publication of the truth with good intentions and for a justifiable motive, is not libellous. In 1823 he was elected mayor of Boston, and held the office by successive reëlections until 1828, when he was appointed President of Harvard University to succeed Dr. Kirkland. He was inaugurated in June, 1829, and discharged the duties of his office with eminent ability and usefulness until the summer of 1845, when, having reached the ripe age of 73, he retired permanently to private life.

His remaining years were rendered agreeable by the pursuit of literature, and by the society of his numerous friends and of his family. A constitution of remarkable strength enabled him to undertake duties usually assumed by men of early manhood or middle life, and he entered into them with an enthusiasm characteristic of his early career. Even after he had passed his 90th year, his hale and but slightly bowed figure could frequently be seen about the streets of Boston, where he was universally respected, and even venerated, as the sole survivor of an older race of statesmen. His manners, frank, cordial, and conciliating, his unselfish kindness of heart, and his integrity of character, against which not even his most in-

veterate political enemies had ever breathed a suspicion, all contributed to render his old age interesting and endearing. Few men, it may be said, have ever so completely outlived the animosity which party rancor had associated with their character. Though retired from political life he continued to be in theory a federalist of the early type, and an uncompromising opponent of a slaveholding power. He was a warm advocate of the election of Col. Fremont in 1856, in whose behalf he wrote and even spoke in public, though then in his 85th year; and the outbreak of the rebellion in 1861 found him a staunch supporter of the Government, notwithstanding the infirmities of age prevented him from taking an active part in

support of the Union. He looked upon the war as the most hopeful sign of the country's future that he had ever seen, and predicted from the date of its termination the commencement of a new and grander epoch of national greatness.

Besides a number of speeches in Congress and occasional orations, in which he evinced a considerable degree of florid eloquence, Mr. Quincy published a memoir of his father; "History of Harvard University" (2 vols., Cambridge, 1840), expanded from his oration at the second Centennial of the University; "Municipal History of Boston during two centuries;" "Life of John Quincy Adams," and some miscellaneous works.

R

RANNEY, MOSES H., M.D., an American physician, born at Stockbridge, Vt., Aug. 16th, 1814, died in New York, of typhus fever, Dec. 7th, 1864. He graduated at the Berkshire Medical Institute, at Pittsfield, Mass., in 1838, and subsequently practised his profession in Saugsbury, Vt., for seven years. In 1845 he removed to New York City, and was appointed assistant physician of Bellevue Hospital. After a due course of service he was appointed resident physician of the lunatic asylum on Blackwell's Island, in 1847, which position he held until his decease. He occupied a high place in the medical profession, and was thoroughly adapted for the important and responsible position to which he was called, and from his experience and close application to the study of mental diseases was accounted as an authority both in the profession and in the courts; his opinions being frequently made the basis of judicial decisions. Dr. Ranney was a member of the New York Pathological Society, and a frequent contributor to the medical and psychological journals of the United States.

RANSOM, THOMAS EDWARD GREENFIELD, a brigadier-general of U. S. volunteers, born in Norwich, Vt., November 29, 1834, died of dysentery at Rome, Ga., October 29, 1864. In 1846 he entered Norwich University, continuing there, with the exception of a short interval, until the age of seventeen. In 1851 he entered upon the practise of his profession as an engineer, in LaSalle County, Illinois. Three years later he embarked in the real estate business at Peru in that State, and in 1855 removed to Chicago to become a member of a firm largely engaged in land operations. At a later period he removed to Fayette County, and while engaged in trade acted as an agent for the Illinois Central Railroad Company. At the commencement of the war he raised a company and proceeded to Camp Yates, at Springfield, April 24, 1861, where it was organized into the 11th Illinois volunteers, and upon the election of offi-

cers he was made major. After the expiration of the three months' service the regiment was reorganized and mustered in for three years, Ransom being elected lieutenant-colonel. On the night of the 19th of August, in a brilliant dash upon Charleston, Mo., he was severely wounded, and in consequence was granted a furlough of thirty days, but reported for duty upon the seventh day. He participated in the capture of Fort Henry, and led his regiment in the assault upon Fort Donelson, where he was again severely wounded, his clothing being pierced by six bullets, but he would not leave the field until the battle was ended. For his gallantry upon that occasion he was promoted to the colonelcy. At Shiloh Colonel Ransom led his regiment through the hottest part of the battle, and was mentioned by Major-General McClelland in his official report as "performing prodigies of valor, though reeling in his saddle and streaming with blood from a serious wound." He subsequently served upon the staff of Gen. McClelland, and also upon that of Gen. Grant, who has on several occasions borne testimony to his bravery as an officer. In January, 1863, Ransom was appointed brigadier-general, his commission dating from November, 1862. He won honor to himself at Vicksburg and during the Red River campaign, commanded a division until Gen. McClelland fell ill, when the command of the corps devolved upon him. In the disastrous battle of Sabine Cross-Roads, April, 1864, while fighting with a courage and bravery unsurpassed, he was severely wounded in the knee. The limb was examined by four surgeons, two advising amputation, and the others deeming it unnecessary. Subsequently Gen. Ransom was assigned to the command of the Fourth division, Sixteenth army corps, operating in the vicinity of Atlanta, from thence was promoted to the command of the left wing of the corps, and finally to the command of the Seventeenth corps. From the date of the capitulation of

Atlanta, Gen. Ransom had suffered from a severe attack of dysentery, but no consideration would induce him to leave the post of duty. While his corps was in pursuit of Hood's army he directed its movements though obliged to ride in an ambulance, being too weak to sit upon his horse, and soon after sank under the power of his disease. His career, though short, was brilliant. He was a man of fine genius, great military capacity, and of unblemished personal character.

REEDER, ANDREW H., ex-Governor of Kansas, born near Trenton, N. J., about 1808, died at Easton, Pa., July 5th, 1864. When a boy he removed to Easton, where he spent the greater portion of his life. He studied law, was admitted early to the bar, and by his own merit rose to a position of distinction. He was a prominent and influential member of the Democratic party, but never would accept any office until 1854, when, without solicitation upon his part, or any knowledge that his name was presented, he was appointed first governor of Kansas. He went out with the intention of executing the law in accordance with the squatter sovereignty doctrine of Senator Douglas, but the troubles arising from the election frauds made him a Republican. In July, 1855, Gov. Reeder was removed from office. He, however, remained in the State, and was unanimously elected by the people their delegate to Congress, and afterwards, by the legislature convened under the Topeka constitution, the first United States Senator from Kansas, but the constitution not having been ratified by Congress he did not take his seat. At the outbreak of the war the first military appointments made by the President were Nathaniel Lyon and Gov. Reeder to be brigadier-generals of the regular army. The latter, upon mature deliberation, arrived at the patriotic conclusion that he was too far advanced in life to learn a new profession upon the field of battle. His contributions to his country have, nevertheless, been large, his three sons having immediately entered the army.

REFORMED CHURCHES.—The following is a summary of the statistics of the German Reformed Church in the United States in 1864: General Synod, 1; Synods, 2; Classes, 27; Ministers, 460; Congregations, 1,134; Members, 107,394; Unconfirmed Members, 73,576; Baptisms, 10,829; Confirmations, 4,903; Received on Certificate, 1,612; Communicants, 89,115; Excommunicated, 160; Dismissed, 674; Deaths, 4,675; Sabbath Schools, 852; Sabbath School scholars (one Synod only reported), 20,551; Benevolent Contributions, \$97,041.30. This, as compared with the report of the previous year, shows an increase of one Classis, 13 Ministers, 35 Congregations, 8,619 Members, 7,275 Unconfirmed Members, 1,744 Communicants, and \$77,512.46 contributions for benevolent objects. There are 42 Sabbath Schools less reported, but an increase of 3,147 Sabbath School scholars. Baptisms were 910 less, the Confirmations 649, and Deaths 4. The most prominent feature of

the past year in this Church was the Convention held at Reading, Pa., in May, to close, with appropriate services, the three hundredth anniversary of the adoption of the Heidelberg Catechism. The tercentenary contributions were reported to amount to over \$103,000. These contributions gave a new impulse to the theological and benevolent activities of the Reformed Church in this country. Corresponding services were also held in the Reformed Churches of Holland and Germany.

The General Synod of the Dutch Reformed Church met on June 1st, at Schenectady, and elected Rev. Philip Phelps, Jr., Moderator. The Church consists of the three Particular Synods of Albany, New York, and Chicago, the latter of which, being of recent origin, furnished this year, for the first time, the President of the General Synod. The Church has highly-flourishing missions at Arcot, in India, and Amoy, in China. The missionaries at the latter place have been for several years requested by the General Synod to establish themselves as a Classis of the Dutch Reformed Church of the United States, while they themselves regard it as better for the interests of their mission to unite for the present with the English Presbyterian missions at Amoy. The General Synod, while adhering to their former views, yet resolved to leave the decision as to the proper time of forming a Classis, to the judgment of the missionaries. The contributions of the Church for foreign missions were reported to be \$21,686, against \$20,742 in 1863, still only 286 out of 422 churches have contributed.

Resolutions were adopted sympathizing with the Government, and thus speaking of slavery:

In time past the General Synod has not deemed it necessary to give forth a judgment in regard to the system of American slavery, inasmuch as it existed in regions beyond the bounds of our Church; yet as in the overruling providence of that God who knows how to make the wrath of man to praise him, there is a prospect opened for the ultimate and entire removal of that system which embodies so much of moral and social evil, and as by such removal there is opened a wide field of Christian labor, to employ the whole Christian Church in this land, the Synod expresses its gratitude to God for this bright prospect, and would join in the prayer that the day may be hastened when liberty shall be effectually and finally proclaimed throughout all the land to all the inhabitants thereof.

REID, DAVID BOSWELL, M. D., F. R. S. E., a Scottish physicist, and writer on chemistry, ventilation, &c., born at Edinburgh in 1805, died at Washington, D. C., April 5, 1863. Dr. Reid received his early education in the High School of Edinburgh, from which he was transferred to the university of that city. His medical course of study was pursued at the university, where his brilliant success as a student made him a great favorite, and he was elected senior President of the Royal Medical Society before he received his medical degree. Soon after receiving his medical diploma he was elected a member of the Royal College of

Physicians, and of the Royal Society of Edinburgh. Engaging, as most of the young physicians of Edinburgh were in the habit of doing, in dispensary practice, he was painfully impressed with the great need of better ventilation in the houses of the poor, and the lessons taught him by his experience there were never forgotten. While a student in the university he had been assistant to Sir John Leslie, then Professor of Natural Philosophy in the university, and after his graduation he had taught independent classes in chemistry, until he was called by Dr. Hope to assist him in his chemical course in 1827, and for five years had the entire charge of the classes of practical and analytical chemistry in the university. In 1832 he determined to resume his independent classes, and erected a class-room and laboratory larger than any in Edinburgh, which he opened in 1833, and for the next seven years had about three hundred pupils annually in his chemical classes. In 1836 he was called to make such alterations in the old House of Commons as should secure its better ventilation, and in 1839 superintended similar changes in the House of Peers. When the Houses of Parliament were burned in 1840, he was called from Edinburgh to direct the ventilation of the new Houses. For five years he continued in this work, though under serious difficulties and constant annoyance from the numerous changes to which his plans were subjected by the builders. He finally refused to be responsible for the success of the ventilation unless his plans could be adhered to strictly, and he himself sustained in enforcing them. As a result of this, the House of Commons, after a sharp contest, accorded to Dr. Reid all that he asked, while the House of Peers withdrew their House from his jurisdiction. He never acted subsequently at the Houses of Parliament, except under protest, gaining a public hearing at the bar of the House of Commons in 1852, and carrying an award against the Government at an arbitration the following year. Dr. Reid was more fortunate in being freed from interference in the application of his plans of ventilation in the construction of St. George's Hall, Liverpool, the largest public building in that city, containing upwards of one hundred rooms, the ventilation of which was perfect even when most densely crowded. His plans were also introduced into numerous public buildings, manufactories, and private habitations.

His system was based upon a new estimate of the quantity of air required for respiration, and of the varied circumstances that modified this amount. Its leading features in public buildings consisted in his treating the whole structure as a piece of apparatus, and securing, whenever necessary, the power by engines, shafts, or otherwise, of introducing an atmosphere with the most gentle possible impetus, with the greatest diffusion practicable, and of the quality in respect to temperature and moisture best adapted to the wants and numbers of

the audience, while the most scrupulous care was observed in taking the air from the purest accessible source, and in reducing the amount of impurities when present in such quantities as to require attention. He made ventilation a primary instead of a secondary question. His difficulties in securing thorough ventilation and pure air in the old House of Commons, which had the river Thames, with its noisome vapors on one side, a pestilential graveyard on the other, and a hundred and fifty offensive factories in the immediate vicinity, forced the question of sanitary improvement upon his attention, and in 1842 he was appointed one of the "Commissioners to inquire into the state of large towns and populous districts in England and Wales," better known as the "Health of Towns' Commission." In this capacity he gave, under the sanction of the Privy Council, a course of lectures at Exeter Hall to one thousand teachers on the necessity and means of improving the sanitary condition of densely-populated districts. He also visited and superintended the introduction of improved methods of ventilation and sewerage in most of the cities of the United Kingdom, especially in court-houses, churches, schools, ships of war, prisons, and tenement-houses. He also made a report to Government concerning the better ventilation of mines. So zealous a sanitary reformer could not fail to arouse the dislike and hostility of those who had a vested interest in the wrongs which he so fearlessly exposed; and it is no matter of wonder that the "London Times" always the organ and defender of hereditary and privileged abuse, should have sought, by the most reckless falsehoods and malignant misrepresentations, to crush him. In this effort it was unsuccessful; its falsehoods and slanders, though never retracted, were nailed to the counter by the reports of the Committees of the House of Commons, the investigations of the Admiralty and the civic authorities, and the testimony of the most eminent men of the nation, and in the end Dr. Reid gained in reputation from the abuse of the "Times." Having occasion to visit St. Petersburg, on a mission connected with the ventilation of some of the Government buildings there, Dr. Reid received letters from Lord John Russell to the Russian authorities, and was received with great attention by the Emperor Nicholas, and requested to direct the ventilation of the public buildings and vessels of war. The present Emperor subsequently charged him with the application of his system of ventilation to the war steamer *General Admiral*, built in New York.

In 1856 Dr. Reid came to the United States, bearing official letters to the President from Lord John Russell, and interested himself on the subject of quarantine and on the improvement of the sanitary condition of our large cities. He subsequently removed to the West, and after filling for a time a professorship of applied chemistry in the University of Wisconsin, made his residence at St. Paul, Minn. His

admirable qualifications for such a service led the U. S. Sanitary Commission to select him as one of its medical inspectors. He entered with great zeal upon his duties, and was of eminent service to the army in urging and securing larger camping grounds, better ventilation in the tents, and a more efficient sanitary police in the camps and hospitals, as well as in the direction of the necessary supplies to supplement the Government provisions for the sick soldiers. While engaged in this benevolent work he was seized with congestion of the lungs, and died at Washington after a brief illness.

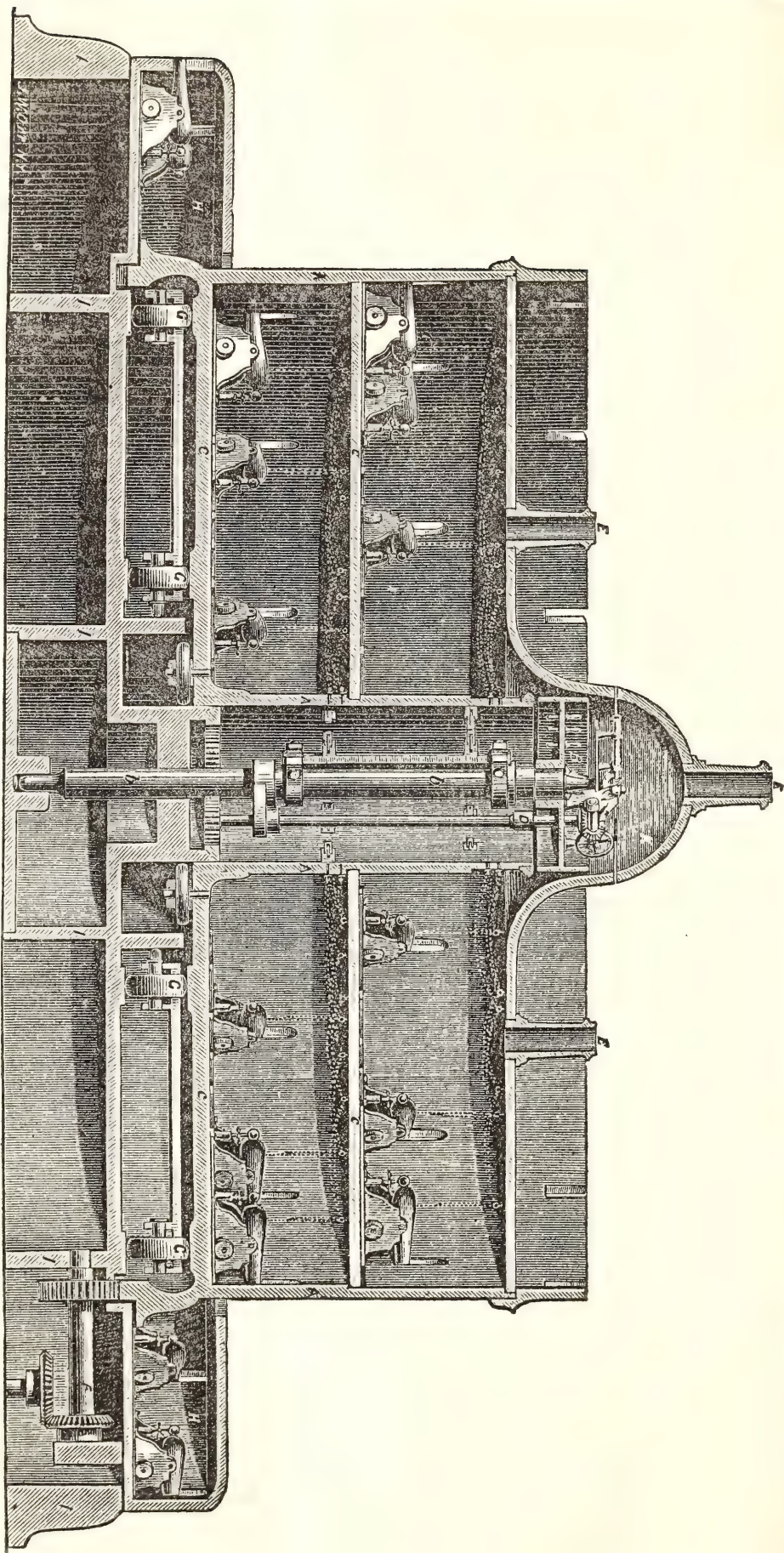
The following list comprises Dr. Reid's principal works: "An Introduction to the Study of Chemistry," Edinburgh, 1825; "Rudiments of the Chemistry of Daily Life," Edinburgh, London, and New York, many editions, 1836-1854; "Text-Book for Students of Chemistry," three editions, Edinburgh, 1834-1839; "Elements of Chemistry, Theoretical and Practical," three editions, Edinburgh, 1832-1839; "The Study of Chemistry as a General Branch of Education," two editions, London, 1842; "Illustrations of Ventilation," London, 1844; "Ventilation of the House of Commons," printed for the Government, 1837; "Ventilation of the Niger Steamships," printed for the African Colonization Society, 1841; "A Reply to the *Times* and *Athenaeum*," London, 1846; "Ventilation of St. George's Hall, Liverpool, printed for the corporation of Liverpool," 1855; "Ventilation in American Dwellings," New York, 1858 and 1863; "A Short Plea for the Revision of Education in Science," St. Paul, 1861. In addition to these he had contributed the article "Ventilation" to the *Encyclopedia Britannica*, and numerous papers to scientific journals in Great Britain and the United States, and to the publications of the Smithsonian Institution, the U. S. Sanitary Conventions, and to Parliamentary and Legislative documents.

REVOLVING TURRETS constitute the essential feature of American armored vessels. The principle seems equally applicable to land fortifications. The inventor of this system is Theodore R. Timby, who was born in Dutchess County, N. Y., April 5th, 1822. He received the school and academical education usual for the sons of substantial farmers. The natural bent of his mind was toward mechanical inventions. When only sixteen years old he constructed a model, substantially like those now in use, of a floating dry dock; this was submitted to persons whom he supposed capable of deciding upon its practical value. They admitted the idea to be ingenious, but said that its execution was impracticable. The invention was dropped. Years after it was reinvented by others; but the floating docks now in use contain nothing essential which was not involved in the invention of the young resident of a country village. Another invention, an improvement upon the turbine water-wheel, proved useful and profitable. In all, Mr. Timby has obtained patents for more than a score

of valuable inventions. The most important of these is that of the Revolving Turret, as applied to naval and military purposes. The idea of this was conceived while he was a mere boy. The original model, constructed in 1841, and still in his possession, contains the germ of the whole invention. On the 18th of January, 1843, he filed his first caveat for the invention in the United States Patent Office. The specifications were "for a Revolving Metallic Tower, and for a Revolving Tower for a Floating Battery to be propelled by steam." It would be difficult, in so few words, more clearly to describe our "monitors" and the whole class of turreted vessels which has succeeded them. Meanwhile he had been engaged in constructing a large iron model. This was completed in the spring of 1843, and was publicly exhibited in New York and elsewhere. This is on record in the New York "Herald" and "Evening Post" of June 7th, 1843, and in many other newspapers of the time. For some years he continued to develop his invention still further, and filed additional specifications in the Patent Office. He made several models, one of which was presented to the emperor of China by our minister, Mr. Cushing.

Mr. Timby, from 1843 onwards, pressed his invention upon the attention of the American Government. Its practicability was admitted, but it was assumed to be wholly superfluous. The existing fortifications, it was said, were far more than were necessary. Once indeed, in July, 1848, a favorable report was made to Mr. Marcy, then Secretary of War, by Jefferson Davis, D. L. Yulee, F. H. Elmore, and Dixon H. Lewis, endorsed by Col. Bumford, Chief of the Ordnance Bureau. This official recognition is some years anterior to the time when Capt. Coles claims to have invented the turret. When the rebellion broke out, Mr. Timby sprung to the development and practical application of his favorite invention; he constructed a fifth model, embodying all the improvements to which he had devoted the energies of eighteen years. The patents which he had secured covered the broad claim "*for a Revolving Tower for Offensive and Defensive Warfare, whether used on land or water.*" When therefore the "monitors" were to be built, the constructors at once recognized the validity of his claim, and paid him a liberal sum for the right to use his invention. These facts prove incontestably that he is the inventor of the revolving turret.

The general advantages of the revolving turret, even as already constructed, are apparent. It not only affords perfect protection to the guns and gunners, but enables each gun to be brought to bear upon every point of the circle within its range. But the turrets hitherto built embody only a small part of their offensive power as developed by the inventor. To explain this it will be more convenient to consider a turret for a land fortification, where



VERTICAL SECTION OF REVOLVING TOWER.

- A. A. Exterior and interior walls of the Tower, with dome-shaped roof K, revolving by the gearing F, upon the friction rollers G, G.
 C, C. Artillery Platforms, with guns mounted upon their carriages, which radiate from the common centre.
 B. The Central Tower, revolving, independently of the Tower, upon the shaft *b*, *b*, by means of the rod and gearing D; on the left of the shaft is seen the circuit-closer, forming the connection between the galvanic battery and the conducting chains passing to each gun.
 E, E, E. Ventilators.
 H, H. Casemates, with guns, independent of the Revolving Tower.
 I. I. Walls of subterraneous foundation for the Tower, forming chambers for stores and munitions.

there is no limit to the possible size and thickness. The illustration on page 722 represents a cordon of three of these turrets arranged for the protection of a harbor. They are supposed to be one hundred feet in diameter, with two tiers of guns. They rest upon a structure of iron-clad masonry, in which are contained the magazines and steam engine. The diagram on page 720 presents a sectional view of a turret, cut down vertically through the centre so as to show the interior arrangements. Directly under the dome-shaped roof is a platform resting upon a central shaft, which revolves independently of the turret, and not by means of the steam engine. This is the station of the commander during action. In the roof is a narrow opening through which, by means of a fixed telescope, he keeps watch of the enemy. At his hand is a wheel, connected by rods and gearing with the shaft so that he can turn the platform in any direction, and thus keep his telescope always pointed upon the object of attack. If this moves, he follows it, precisely as a sharpshooter with a telescopic rifle follows the course of a moving object. By an arrangement of signals he can also give any directions for the management of the vessel or of the guns. As the turret revolves each gun is for an instant brought in the course of every revolution directly in a line with the commander's telescope. If the gun is discharged at that instant, the ball must go straight to its mark. Provision is made for doing this with unerring certainty. Each gun in the act of passing under the vertical line of the telescope, is discharged by means of an electric current. This telescope being held pointing to the object of attack, every gun in the battery is really aimed by the commander. This automatic sighting and discharge are essential features of the invention; they obviate the uncertainty of aim, which is the main objection against the towers heretofore built. The commander aims and discharges every gun in his battery; the gunners have only to load, run the piece to the port-hole, and place the fuse in the vent. This can be done in one minute. A turret of one hundred feet in diameter will give ample space for sixty guns in two tiers. If it revolves once a minute, which is equal to about three and a half miles an hour, its effective fire is sixty guns in a minute directed with unerring aim upon any point of the circle—an offensive power greater than that of any fortress in the world. For defensive power, such a turret can be made absolutely invulnerable. The "monitor" turrets are from nine to thirteen inches thick; but in a land turret, if one foot is not sufficient, there may be two or five. The only limit is the crushing weight of the structure upon the steel rollers on which it revolves.

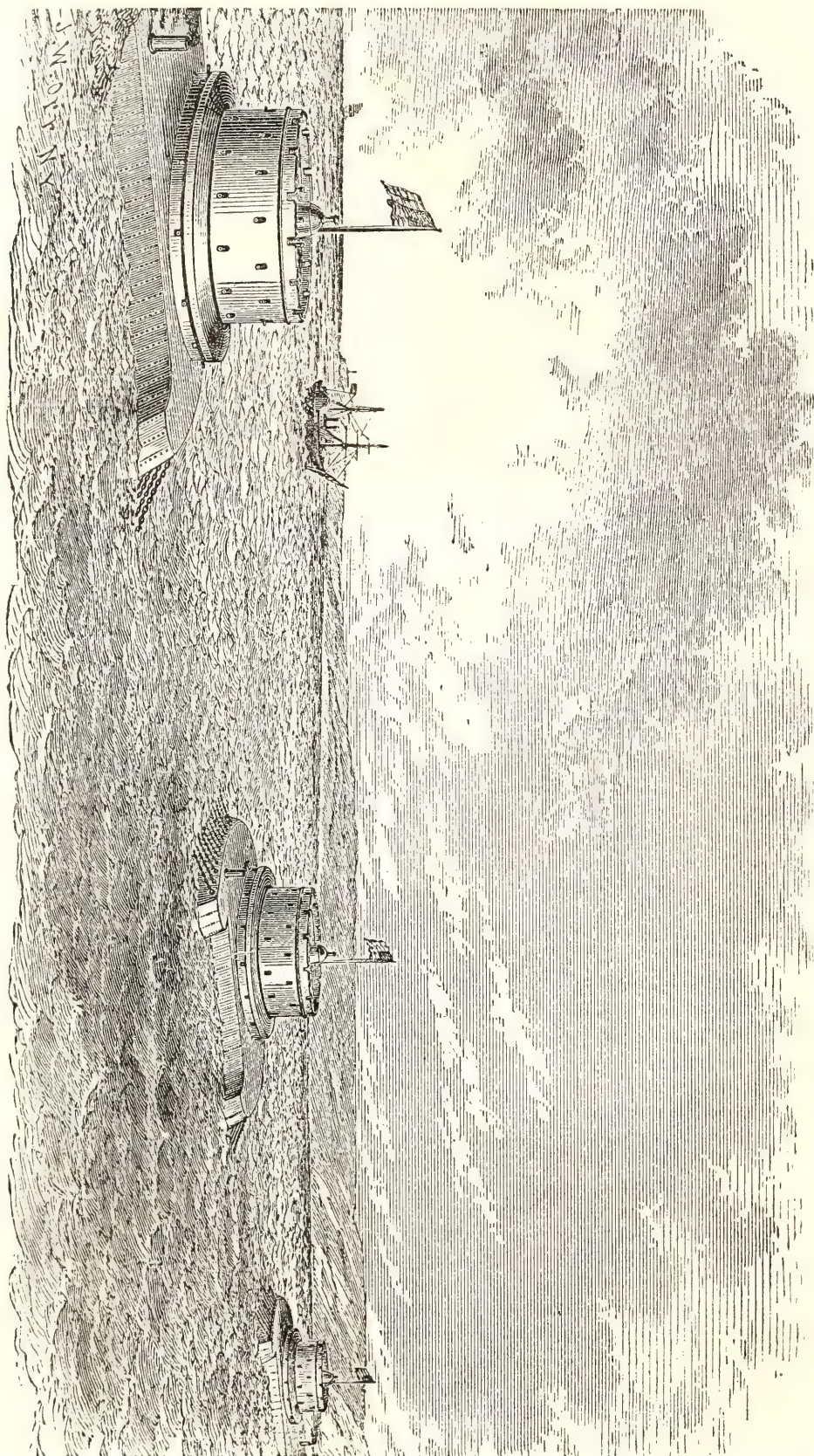
The main purpose of a land turret is for harbor defence. The illustration on page 722 shows the adaptation of a cordon of turrets for the protection of the harbor of New York. The point of defence is supposed to be the

Narrows, where the channel is about one-fourth of a mile wide. A tower is built upon each shore, and another is placed midway. An enemy approaching would be exposed, from the moment he came within range, to the concentric fire of these three forts, each capable of delivering sixty shot in a minute with an accuracy hitherto unknown in gunnery. To pass these forts he must come, with broadsides exposed, within one-sixteenth of a mile of the muzzles of one hundred and twenty guns, aimed with the precision of a telescopic rifle. Should he succeed in passing, his stern would be exposed, so long as he continued within range, to the fire of all the towers. The guns may be of the largest calibres, for it has been demonstrated that the heaviest ordnance can be discharged within a turret with less inconvenience than from the casemate of a fortress. It would seem that nothing that can float could sustain this fusillade for a quarter of the time in which the swiftest steamer would be exposed to it. A single hostile steamer once within range of New York, Boston, or San Francisco, could impose its own terms. To this system of turrets Mr. Timby therefore proposes to add a series of chains. These stretch from turret to turret, and are attached to windlasses turned by the steam engine within. Buoys are fastened to the chains, leaving their specific gravity just sufficient to sink them. In time of peace they lie quietly on the bottom, presenting no obstruction to navigation. On the approach of an enemy they are drawn up, not *taut*, but so as to hang swaying in the water at such a depth as to prevent the passage of a vessel; the greater part of their weight being supported by the buoys, almost their entire tensile strength is available as a barricade. These chains may be of any required size and number. They possess the character of an immense iron raft, sufficiently submerged to be wholly out of the reach of an enemy. The most powerful steamer striking them would merely sway them back, while its own momentum would be destroyed, and it would be helpless under the guns of the turrets. Outside of these chains it is proposed to stretch a line of torpedoes attached to a chain from tower to tower across the channel. These can be drawn directly under the vessel while detained, and exploded at the precise instant desired by the discharge of an electric current. This obviates the great practical defect in all systems in which torpedoes have been employed, that the discharge is a matter of chance. The diagram on page 722 shows the details of the system of turrets, chains, buoys, and torpedoes, which combines in itself all the elements of defensive warfare hitherto employed. Its cost for construction and maintenance must be less than that of stone fortresses. The defensive works of Charleston cost more than would be required to render New York impregnable to the combined navies of the world. Masonry having been shown to be useless against modern artillery, the sole

reliance must be upon earthworks and iron. Earthworks being liable to be captured by escalade, must be defended by a force nearly as great as the attacking one; and iron, it is believed, can in no way be as advantageously used as in the system of turrets and its adjuncts.

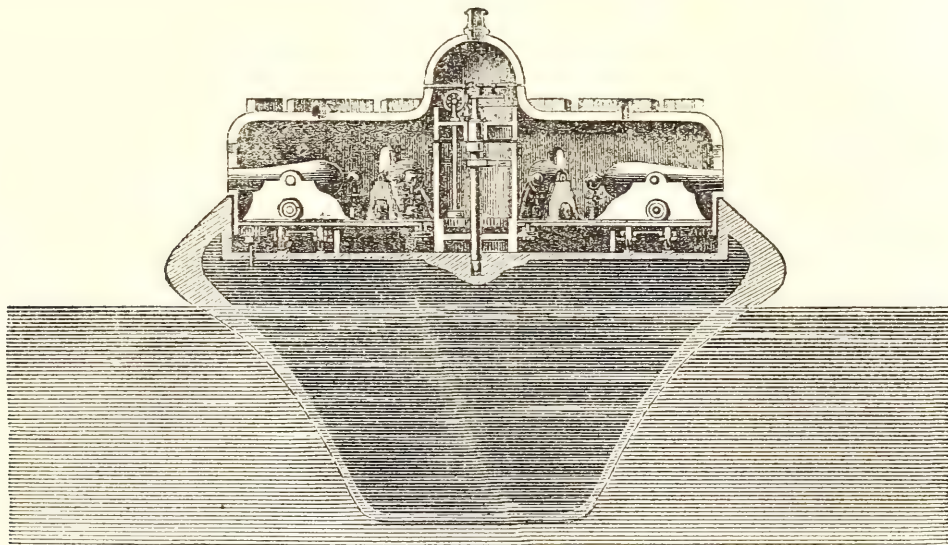
The plan for revolving turrets for vessels proposed by Mr. Timby is essentially the same as for those built upon land, modified only by the fact that there is a limit to the size and weight of a turret which can be borne by a vessel. The essential features of the automatic sighting and discharge are equally applicable to both.

CORDON OF REVOLVING TOWERS AND CHAINS FOR HARBOR DEFENCE.



The annexed diagram presents the section of a naval tower designed by Mr. Timby. It is supposed to be forty feet in diameter, giving space for six guns. Revolving once a minute, its capacity would be one shot in ten seconds—more than can be delivered continuously from any vessel afloat. Another important feature is shown in this diagram. The turret is sunk

about one-third of its height below the deck. It must have an interior height of about nine feet to give space for the working of the guns. But as there never can be any occasion to depress the piece below a horizontal line, the guns may be on a level with the deck. The carriage may as well be below as above. There need be only enough above deck to give the



SECTION OF HULL AND NAVAL TOWER.

port-holes height for the requisite vertical range; six feet is abundant for this. The chance of a turret being hit would thus be diminished one-third, and the seaworthiness of the vessel would be increased by bringing the weight so much nearer to the line of flotation. Moreover, as one-third of the turret would be protected by the side armor of the vessel, this portion could be made much lighter. The weight of the turret could be diminished fully a quarter. What, however, is of still greater importance, the one vulnerable point in the monitors as originally built is thoroughly protected. This vulnerable point is the plane upon which the turret revolves, which has been placed on the deck. The elaborate "Report upon Armored Vessels," made by the Secretary of the Navy in April, 1864, is conclusive as to the superiority of turreted vessels. The valuable qualities of these vessels was further demonstrated in the capture of Fort Fisher.

RHODE ISLAND. Although one of the least of the States of the Union, Rhode Island has engaged in the war as heartily for her power as the largest. Her contributions to the Federal army, from the commencement of hostilities to Dec. 31, 1864, were about 22,707; as follows:

Three years' men	(volunteers).....	13,200
" "	(drafted).....	168
" "	(substitutes for drafted men).....	677
One year's men	(volunteers).....	391
Nine months' men	(volunteers).....	2,227
Three months' men	(volunteers).....	3,144
U. S. and regiments in other States.....	(about)	900
United States Navy.....	(about)	2,000

The number of men furnished from May 26, 1863, to Jan. 27 1865, was as follows:

In the year 1863.....	2,005
" " 1864.....	1,352
" " 1865.....	123
	<hr/> 3,520

During this period there were also enlisted:

In the regular army, &c.....	413
Veterans reenlisted in the field and credited to Rhode Island.....	1,118
For the Navy, estimated.....	500
	<hr/> 5,551

Average, 64 men enlisted a week.

During this period the United States Government has called upon Rhode Island to furnish as her quota 12,393 men, as follows:

June 30, 1863, the call for 300,000.....	2,880
Feb. 1, 1864, " " 500,000.....	3,469
March 14, 1864, " " 200,000.....	1,388
July 18, " " 500,000.....	3,197
Dec. 19, " " 300,000.....	1,459

By a draft in July, 1863, credits in men and commutations, amounting to 1,296, were realized. For naval enlistments, extending back to 1861, about 1,500 were allowed, and in credits 1,800 for men enlisted prior to 1863, making the State deficient at the close of the year 1,459 men.

An amendment to the State Constitution, so as to permit soldiers to vote, was submitted to the people early in the year, and a vote exceeding the requisite three-fifths was given for it. This secured its adoption. At the same time there was submitted to the people an amendment of the Constitution to permit unnaturalized citizens to vote who had served in the war. This lacked sixty-four votes of the requisite three-fifths majority. It was therefore rejected, as was also an amendment to abolish the registry tax.

An election for Governor was held in March. The candidates were James Y. Smith, Republican; Geo. H. Brown, Democrat; and Amos C. Barstow, Conservative. The vote was as follows: Smith, 8,840; Brown, 7,302; Barstow, 1,339; majority for Smith over Brown, 1,538; ditto over Brown and Barstow 199.

The legislature elected was divided as follows:

	Senate.	House.
Republicans.....	23	55
Democrats.....	9	13
Republican majority.....	14	37

The vote at the Presidential election was as follows: Lincoln, 13,692; McClellan, 8,470. Majority for Mr. Lincoln, 5,222.

The finances of the State are represented by the Governor as "in a satisfactory condition." All the loans authorized by the legislature, amounting to \$4,000,000, had been negotiated on favorable terms. The State had ample means to meet all immediate claims upon her, through the considerable sums due from the Federal Government, which it was expected soon to realize. The expenses attending the call for troops in December were not included in this estimate.

The Governor recommended to the legislature to enact some measures which should secure to the banks of the State additional privileges in their exchanges, as under the new burdens imposed by taxes upon circulation and deposits the business of banking was scarcely remunerative. He recommended the privilege should be granted to such as became National banks, to resume their chartered rights under their old organization at any period they might elect.

On Dec. 8th some wealthy citizens were arrested by order of the Federal commander of the Military Department, under charges of having furnished supplies to the enemy. The proceedings of the Governor relative thereto he thus states:

On the 8th of December, 1864, by order of Major-Gen. Dix, commanding the Department of the East, several of our citizens were arrested and removed beyond the limits of the State. It became the duty of the Executive to inquire into the authority and reasons justifying such a procedure; this was done personally. As the result of the inquiry, it appeared that the offence charged was within the exclusive cognizance of the officers of the General Government, and nothing further could be effected than to secure the assurance of an early investigation, which it is to be hoped will result in establishing the innocence of the parties charged.

The apparent commercial prosperity of the State continues as favorable as during any previous period of her history.

RICE, JAMES CLAY, a brigadier-general of United States volunteers, born at Worthington, Mass., Dec. 27, 1829, died from wounds received at the battle near Spottsylvania Court House, May 11th, 1864. His early life was spent in a struggle to obtain an education, and in 1854 he graduated at Yale College, with high honors. Shortly afterwards he went to Natchez, Miss., where he engaged in teaching, and edited the lit-

erary department of one of the local newspapers. He also pursued the study of law, and was admitted to the bar in that State. Returning to the North he continued his legal studies in New York, and in 1856 entered upon the practise of his profession, in which he was rapidly rising to distinction. At the outbreak of the war he entered the ranks as a private soldier in the New York Garibaldi Guard, and subsequently, by distinguished merit, attained the colonelcy of the 44th New York volunteers, or Ellsworth's regiment. He led this regiment through the battles of Yorktown, Hanover Court House, Gaines's Mill, Malvern Hill, and Manassas, and was only absent from Antietam because on a sick-bed with typhoid fever. He was also at Fredericksburg under Gen. Burnside, at Chancellorsville under Gen. Hooker, where he was temporarily in command of a brigade, and at Gettysburg, where he greatly distinguished himself by his skill and gallantry. It was his brigade which, on the second day of the battle, held the extreme left of the line successfully under the repeated and desperate onsets of the enemy. For three hours Col. Rice fought incessantly, receiving no orders from any superior officer, arranging and disposing of his men with such skill and judgment that at the close of the day's fight he had extended his line so as to cover Round-Top Mountain, thus securing it against any flanking movement. For this and other gallant deeds he was warmly commended by Gen. Meade, and earnestly recommended by him and Generals Hooker and Butterfield, for the appointment of brigadier-general of volunteers. The President acquiesced in the wishes of these officers, the Senate confirming the appointment, and dating his commission from Aug. 17, 1863. In this position he took part in the operations of Mine Run, passed through the terrible battles of the Wilderness, and met his death, at the head of his command, on the banks of the Po. He died shortly after amputation had been performed, his last words being, "Turn me over that I may die with my face to the enemy." Gen. Rice was a man of deep religious principle, a brave and skilful officer, and thoroughly devoted to his country.

RIVES, JOHN C., an American editor, born in Kentucky about the year 1796, died near Georgetown, D. C., April 10, 1864. His early opportunities for an education were very limited, and he was thoroughly a self-made man. In 1824 he removed to Washington from Edwardsville, Illinois, where he was a bank cashier, and entered upon a clerkship in the Fourth Auditor's office. During the early part of Gen. Jackson's administration, Mr. Rives, in connection with Frank Blair, sen., founded "The Congressional Globe," of which he had been sole proprietor for three years previous to his death. He was never a partisan, and although on important national questions agreeing in the main with Jackson's policy, he recognized the merit of that urged by the opposite party. In his public and private benefactions he was noble

and generous in the extreme, yet wholly without ostentation. In a single year his books report contributions of \$17,000 to the support of the wives of soldiers enlisted in the district, besides innumerable gifts in smaller amounts to individuals. He also gave \$12,000 toward the equipment of a regiment.

ROMAN CATHOLIC CHURCH. It is estimated by intelligent and judicious investigators that there are on an average two thousand Roman Catholics to each priest in the United States. On this calculation there were, in 1860, 4,400,000 Catholics in the United States. The increase has for many years been much more rapid than the increase of the nation. It appears that in 1808 there was only one Catholic to sixty-eight Protestants; in 1830, one to twenty-nine; in 1840, one to eighteen; in 1850, one to eleven; in 1860, one to seven. That is, the increase between 1840 and 1860 was 125 upon each hundred, while the nation only increased by thirty-six to a hundred; between 1850 and 1860 the increase was one hundred and nine upon a hundred, while the nation increased only thirty upon a hundred. Should things go on only as they have hitherto done, the Catholic will be one-fifth of the whole population in 1870, and nearly one-third before 1900. According to the "Catholic Almanac for 1865" the United States had, in 1864, 7 archbishops, 37 bishops, 5 vicars apostolic, and 3 mitred abbots, and in those dioceses from which reports were received, 2,330 priests.

The completion of the new St. Paul's and St. Peter's Cathedral in Philadelphia gives to the Roman Catholics the largest church edifice in the United States. The consecration was celebrated, on Nov. 20, with the most imposing effect. More than seven hundred priests participated, and the ceremonies were witnessed by about eight thousand people. Among those participating were Archbishops Spaulding, of Baltimore, Purcell, of Cincinnati, and McCloskey, of New York, the bishops of Boston, Buffalo, Brooklyn, Burlington, Vt., Newark, Canada, Fort Wayne, Ind., Hartford, Pittsburg, Toronto, Halifax, and the mitred abbot of St. Vincents at Latrobe. The bishops proceeded from the Episcopal residence in full vestments, with mitre and surplice, through Logan Square, followed by the priests, to the cathedral, the choir chanting *Te Deum*. The usual ceremonies were then proceeded with, Bishop Wood, accompanied by the priests, sprinkling the foundation and walls with holy water, etc. After the customary forms on such occasions, including the Pontifical mass, had been concluded, Archbishop Spaulding, of Baltimore, delivered an impressive sermon. The cathedral is the work of eighteen years' labor, and cost nearly \$500,000.

One of the most important events in the modern history of the Roman Catholic Church, is the Encyclical Letter, addressed, on Dec. 8, 1864, to all Catholic bishops. (See PUBLIC DOCUMENTS.)

This document, it appears, was drawn up and discussed some time ago by a body of learned ecclesiastics, and subsequently debated at the Congregation of the Holy Office. The condemned propositions were forwarded to the most erudite prelates of the Catholic Church for their opinions, and when returned again carefully gone over paragraph by paragraph by the Pope and the cardinals. The idea is believed to have originated with Monsignore Gerbet, the bishop of Perpignan, who forwarded a letter to the Pope in 1860, containing the draught of the obnoxious propositions. The bishop has not lived to see the completion of his task.

The Encyclical letter produced a profound sensation throughout the civilized world. On the part of the clergy it found a general adhesion, yet some of them expressly made the reservation that they did not consider themselves obliged by the encyclical to condemn modern civilization. The Archbishop of Baltimore, in a pastoral letter to his clergy, expressed a belief that the encyclical letter was directed against the infidels of Europe, but did not condemn the institutions of the United States. The Archbishop of Paris issued a pastoral letter, in which he called upon the Pope to give his blessing to modern civilization, after having pointed out its errors.

The concurrence of the college of cardinals with the sentiments of the papal encyclical was not quite so unanimous as that of the bishops. Cardinal d'Andrea secretly left Rome, and proceeded to Naples, where he paid a visit to the crown-prince Humbert, and declared himself in favor of Italian unity. With regard to the encyclical he openly admitted in a conversation with the correspondent of a daily paper of Paris, "Le Temps," that he regretted its publication, and did not subscribe to all its sentiments. It was stated (by Catholic as well as Protestant papers) that six other members of the sacred college agreed, in the main, with Cardinal d'Andrea.

The Catholic press of the world showed an entire unanimity in a respectful acceptance of the encyclical. No avowedly Catholic paper of Italy, France, Spain, Portugal, Belgium, Austria, Bavaria, or any other Catholic or Protestant country is known to have uttered a word of dissent. Some papers, which had previously advocated a reconciliation between the Church and modern society, qualified their adhesion by the reservation, that they accepted the encyclical in the sense of those bishops who did not find in it a condemnation of modern civilization.

None of the great Protestant countries of the world—the United States, England, Prussia, Holland, Sweden, Denmark—put any obstacles in the way of the publication of the encyclical. Most of the Catholic Governments of Europe were for a time seriously embarrassed with regard to it. The Government of France concluded to allow only the official proc-

lamation by the bishops of the last lines of the encyclical letter which proclaimed a general jubilee, but to prohibit the publication of all the remainder. Austria, in accordance with the stipulations of the concordat, transmitted a copy of the encyclical to every bishop, but it expressly declared in the official gazette of Vienna, that it did not wish this act of mere mediation to be understood as an approval of the sentiments of the court of Rome. Italy also concluded to allow the publication, but made the same reserve as the Government of Austria. In Spain, the bishops had promulgated the encyclical without previous authorization. The Government declared that this was contrary to the laws of Spain, but that in this particular case no action would be taken on the offence.

The reception of the Encyclical on the part of the political press and the legislatures in the Catholic countries, was decidedly unfavorable. In France, most of the imperialist papers, including "La France," the only one among these papers considered friendly to the Church, deplored the publication of the circular, as in their opinion likely to widen the breach between the Church and modern Society, which they all profess a desire to reconcile. Among the liberal papers of France there is hardly a single one which pretends to believe in the possibility of a reconciliation between the Roman Catholic Church and civilization. They say, without regret, that the circular will greatly hasten the emancipation of the people from the Church, and that in particular it will tend to bring about a complete separation between Church and State, as in the United States. The combined strength of the imperialist and the liberal opposition parties, may be inferred from the fact that in the legislative body, which numbers two hundred and eighty-three members, and is elected by general suffrage, not more than about twenty members are found on the side of the Church whenever the claims of the latter are opposed by the Government. Of the total population of France, which on 31st December, 1861, amounted to 37,472,732 souls, only about 1,700,000 were estimated as non-Catholics.

In Austria, according to the census of 1857, there were in a total population of 35,018,988 souls, about 8,500,000 non-Catholics. Of the periodical press of the country, according to statements made by prominent Austrian Catholics at the Catholic congresses of Germany, more than five-sixths are decidedly anti-Catholic. They have again shown themselves thus in discussing the Papal bull. In the Austrian Reichsrath an overwhelming majority of the lower house persists in demanding entire religious liberty to be inserted among the fundamental principles of the constitution.

Italy, with a population of about twenty-two millions of people, was until a few years ago considered a purely Catholic country, tolerating with reluctance a few congregations of Waldenses and a few thousand Jews. Now the

lower house of the Italian Parliament contains among its members less than half a dozen members who in ecclesiastical questions support the views of the Pope. The overwhelming majority have but recently repeated their desire to aid in the abolition of the temporal power of the Pope, and in the annexation of the papal territory to Italy. The sentiments of the majority of the press and the members of Parliament are expressed by the "Nazione," the leading paper of Florence, the present capital of Italy, when it remarks: "The position of the papacy and the Church is determined, therefore, by the circular: war without truce and without armistice between the papacy and modern civilization."

Spain, a country with about sixteen millions inhabitants, still proscribes the public exercise of every non-Catholic Church. Public opinion in Spain is more influenced by the Roman Catholic Church than in any other country of Europe. Still the progressive party, which is very numerous, which last year carried a large number of municipal elections, and feels confident that it would easily obtain a majority in the Cortes under a liberal electoral law, is unanimous in demanding universal religious liberty, and in rejecting the views of the Pope. The "Pueblo," one of the leading democratic papers of Madrid, regrets "the obstinacy and blindness manifested by the court of Rome in branding and condemning modern civilization." "From Rome," it says, "nothing favorable to freedom can ever be expected."

Portugal, which has about four millions of inhabitants, is still as exclusive in its ecclesiastical legislation as Spain, but public opinion is much less under the control of Rome. In the last Parliament about one-third of the House of Representatives supported the demands of the Pope in his controversy with the crown of Portugal. The majority of the Portuguese papers call upon the Government not to allow the bishops to promulgate the Encyclical.

In no country of Europe did the publication of the Encyclical produce a more violent commotion than in Belgium. The constitution of this country, which is almost exclusively inhabited by Roman Catholics, expressly guarantees to every citizen personal freedom and liberty of conscience. Both the great political parties of that country, the "liberal" and the "Catholic," profess an equal loyalty to the constitution. The "Monde" of Paris, has always represented the fundamental principles of the Belgian constitution as irreconcilably opposed to the spirit of the Catholic Church. The "Catholic" party of Belgium have generally avoided the discussion of the principle of their constitution, but insisted that for their country it was an accomplished fact, and that they did not intend to abandon it. They adhere to this view in defining their position relative to the Pope's circular. Thus "La Paix," of Brussels, one of the leading Catholic papers of Belgium, argues that the Pope means to say that truth

is only one, that error cannot claim the same right as truth, nor vice the same right as virtue. It expresses its full concurrence with these views, and maintains that dogmatically the Pope must be intolerant. It then continues: "The question at issue is the eternal question to know to what extent the civil law must conform to the religious law, to what extent the precepts of the catechism must be sanctioned by the codes. Rigorous theologians, like the Jesuits of Paraguay, have pretended that it was allowed and useful to compel the citizens by penal laws to observe the catechism." Those who thus thought and acted went too far, in the opinion of "La Paix," and it therefore thinks that, "logically and from a religious point of view, the Catholic legislator is no more bound to repress by law the abuses of the liberty of the pen against God than the abuses of the liberty of speech against God." Other Catholic papers of Belgium insist that at the time of the adoption of the Belgian constitution, Belgium was not truly a "Catholic" country, but that an anti-Catholic liberalism was so strong that concessions had to be made to it.

The liberal papers of Belgium reply that, all the arguments used by the Catholic organs class the liberal institutions with things not desirable in themselves, and would endanger their continuance in countries where the Government and a large majority of the people would view them in the light of the Papal circular. They, therefore, ask the question, What would the Catholic party of Belgium do if they knew that they represented an overwhelming majority of the voters? There seems to be with regard to this point, a slight difference of opinion among the Catholic party of Belgium. Only a few openly indicate that they would, if they had the power, conform to the teaching and the example of Rome. The "Bien Public" of Ghent compares the constitution of Belgium with that of Rome, and does not conceal its preference for the latter. Other papers equally admit that if the Pope should demand any definite action on their part, though not consistent with the constitution of Belgium, it would be their duty to obey the head of the Church.

Catholic congresses were again held in 1864, as in the preceding year, in Belgium, Germany, and Switzerland. That of Belgium again attracted the greatest attention. It met, as in 1863, in Malines, on Monday, August 29th, when about 4,000 persons were present, including the notabilities of the Belgian Catholic party, with distinguished persons from various countries in Europe. The proceedings commenced by a speech from the Archbishop of Malines, after which the bureau was formed, Baron de Gerlach being appointed president, as on the former occasion. The president then delivered a long address on the subject of the general situation of Catholicism in Europe, and particularly in Belgium; and the first day's sitting was brought to a conclusion by a vote

of devotedness to the Pope, which was immediately forwarded to Cardinal Antonelli to be presented to his holiness. Among the subjects discussed by the Congress were: religious works; charitable works; Christian instruction and education; literature and fine arts from a Christian point of view; religious music; religious liberty; publications and associations. Count Montalembert, who, in 1863, made at the Catholic congress the celebrated address on religious toleration, was not present. "His harangue," an English Catholic paper says, "gave serious offence at Rome; and though the illustrious Bishop of Orleans spent several months in the Eternal City last winter, during which his great influence there was not spared in order to remove the unfavorable impression against his friend, I believe I may say that the effort was not altogether successful." This year the most impressive speech was made by Bishop Dupanloup of Orleans, who stated that the chief reason why he came to Belgium was his wish to comfort his brethren for the defeat they had received at the late election. (*See BELGIUM.*) It was the general opinion of the Catholic papers of Europe, that the Congress of 1864 could stand no comparison with that of 1863.

RUSSIA, an empire in Eastern Europe and Northern Asia. Emperor: Alexander II., born April 17 (new style, April 29), 1818, the eldest son of Emperor Nicholas I., succeeded to the throne at the death of his father, Feb. 18, (March 2), 1855. Heir apparent to the throne is Grand-duke Nicholas, born Sept. 8 (Sept. 20), 1843. The Government of Russia is an absolute hereditary monarchy. According to a decree of the Emperor Paul, of the year 1797, the law of succession to the throne is to be that of regular descent, by the right of primogeniture, with preference of male over female heirs. Every sovereign of Russia, his wife and children, must belong to the orthodox Greek Church. The administration of the empire is intrusted to four great boards or councils, possessing separate functions, but centring in the private cabinet of the Emperor. These boards are: I. *The Council of Empire*, established by Alexander I., in 1810, and numbering, in 1863, sixty-three members, exclusive of the ministers who have a seat *ex-officio*. It is subdivided into five departments of Legislation, of Military Affairs, of Civil Administration, of Finance and Political Economy, and of the Administration of the kingdom of Poland. II. *The Directing Senate*, established in 1711. This is the high Court of Justice for the Empire; controlling all the inferior tribunals. It is divided into eight committees or sections, of which five sit at Petersburg and three at Moscow. III. *The Holy Synod*, composed of the principal dignitaries of the Church. IV. *The Council of Ministers*. It is divided into twelve departments: 1. Imperial House; 2. Foreign Affairs; 3. War; 4. Navy; 5. Interior; 6. Public Instruction; 7. Finance; 8. Justice; 9. Imperial Domains; 10. Public Works; 11. Post-Office; 12. General Control.

The Nobility of the Empire have been, since 1785, in possession of the right of holding representative assemblies every third year. According to the Imperial Patent issued in that year by Catherine II., the nobles in every province form a corporation under an elective president or marshal, to whom is joined a government commissioner. The governor of the Province is not allowed to be present at the meetings. These representative assemblies have their own seals, archives, secretaries, treasurers, and permanent committee, the latter of which will unite with deputies of the towns to examine the estimates and allotment of contributions to be made by the country. These assemblies have recently become of greater importance than they were formerly. Those in the western provinces of Russia, where nearly all the nobles are of Polish descent, took an active part in the national movements of the kingdom of Poland. More recently, several assemblies of Russia proper petitioned the Emperor for the introduction of a representative form of Government into Russia.

The Russian Empire comprises one-seventh of the territorial part of the globe, and about one twenty-sixth part of its entire surface. The area of the empire, according to an estimate made by Mr. Kœppen of the Academy of Sciences of Petersburg, is as follows :

	Area in geographical sq. miles.	Population.
Russia in Europe.....	90,117	59,330,752
Northern Asiatic Russia.....	223,780	4,070,938
Southern Asiatic Russia.....	3,123	4,003,766
Grand Duchy of Finland.....	6,400	1,724,193
Kingdom of Poland.....	2,320	4,790,379
American Colonies.....	17,500	72,375
	343,240*	73,992,373

As to religious denominations, the population of European Russia and of Siberia is divided as follows :

RELIGION.	European Russia.	Siberia (Asiatic)
Orthodox Greek.....	49,809,891	2,626,704
Schismatics (Rascoalniki)....	759,880	62,538
Armenian Catholics.....	33,304	10
Roman Catholics.....	2,800,228	5,740
Protestants.....	1,952,117	2,154
Jews.....	1,425,784	7,077
Mohammedans.....	2,321,679	1,044,765
Pagans.....	197,373	280,950

The religious statistics of Caucasian Russia have not yet been ascertained. In Finland, the orthodox Greek Church had, in 1860, 40,161 souls; nearly all the others were Lutherans. Russia proper has three cities with a population of more than 100,000: St. Petersburg, with 520,131; Moscow, with 336,370; Odessa, with 104,169. It has eight cities with a population from 50,000 to 100,000; forty-three cities with a population from 20,000 to 50,000; and 101 cities with a population from 10,000 to 20,000.

A budget containing all the receipts and ex-

penditures was for the first time published in 1863. The receipts and expenditures were estimated in it as follows :

Receipts.

I. ORDINARY :	
1. Imposts—	Roubles.
Direct taxes.....	43,529,521
Indirect taxes.....	169,157,162
2. Royalties.....	13,686,666
3. Revenue from public domains.....	50,700,213
4. Miscellaneous.....	38,675,244
5. Revenue from Trans-Caucasia.....	3,081,838
Total.....	318,830,644
II. Extraordinary receipts.....	15,707,770
III. Receipts for special purposes.....	13,329,446
	347,867,860

Expenditures.

I. ORDINARY :	
1. Public debt.....	57,487,217
2. Supreme State bodies.....	1,165,375
3. Orthodox clergy.....	5,138,816
4. Imperial household.....	7,755,444
5. Foreign Affairs.....	2,102,532
6. War.....	115,432,380
7. Navy.....	18,029,793
8. Finances.....	37,219,756
9. Imperial domains.....	9,149,332
10. Southern Colonies.....	431,619
11. Interior Department.....	8,846,244
12. Public Instruction.....	5,889,795
13. Roads, public works, &c.....	18,164,121
14. Post Department.....	329,923
15. Justice.....	6,338,811
16. Imperial Register.....	232,889
17. Trans-Caucasia.....	2,266,183
18. Costs of collection.....	32,887,278
	330,538,414
II. Delinquent receipts.....	4,000,000
III. Expenditures covered by special receipts...	13,329,446
	347,867,860

According to an official statement, the consolidated public debt amounted on January 1, 1862, to 556,141,949 roubles, and the floating debt, on Jan. 1, 1861, to 1,062,648,719 roubles.

The exportations amounted, in 1861, to 177,179,000 roubles, and the importations to 167,111,000. The number of arrivals in the Russian ports was, in 1861, 10,634 vessels, with a tonnage of 1,024,103, and the number of clearances, 10,739 vessels, with a tonnage of 1,025,972. Of the arrivals, 1,956 were British vessels; 1,834 Russian, 1,468 Turkish, 763 Netherlandish, 752 Italian, 558 Norwegian, 483 Danish, 440 Hanoverian, 2,379 of different nations. The merchant marine numbered, in 1859, 1,416 vessels, with an aggregate tonnage of 172,605 tons, and manned by from 10,000 to 11,000 seamen.

The Russian army consists, in general: 1, of the Active Troops; 2, of the Reserve Troops; 3, of the Irregular Troops. The total strength according to the reports of the War Ministry, was in 1859 as follows :

	Generals.	Officers.	Privates.
Active Army.....	334	26,997	733,352
Reserve Troops.....	23	3,054	66,873
Irregular Army.....	30	4,665	92,000
	387	34,716	942,225

There were, besides, in the provinces, 503,335 veterans on indefinite furlough, of whom 239,245 had to join, in time of war, the active army;

* Equal to 7,612,874 English square miles.

also, 183,785 Cossacks on furlough, who, in case of war, would serve as reserves. Also, 144,814 men, mostly Bashkirs, who in times of peace are exempt from service on paying a war tax. Altogether, the Government, in time of war, could dispose of about 1,600,000.

The Russian navy, on the 13th June (1st June O. S.), 1862, was composed as follows:

Steam Vessels.

Ships of the line.....	9	Gunboats	79
Screw frigates	12	Yachts	2
Sidewheel frigates.....	8	Schooners	25
Corvettes	22	Transports	9
Clippers.....	12	Small sidewheel steamers.	68
Floating Battery (iron-clad)	1	Total steamers.....	248
Iron-clad frigate.....	1		

Having an aggregate horse-power of 37,007, and 2,387 guns.

Sailing Vessels.

Ships of the line.....	9	Tenders	2
Frigates.....	5	Transports.....	13
Corvettes	3	Yachts.....	12
Brigs	3	Total.....	62
Schooners	13		
Gunboats.....	2		

Carrying 1,304 guns.

Total of steamers and sailing vessels, 310, carrying 3,691 guns. Besides the above, there were three floating batteries and about 300 coasting vessels. The personnel of the fleet on Jan. 1, 1862, was admirals and generals, 95; staff and subaltern officers, 3,245; civil functionaries, 966; soldiers and sailors, 55,216; marine guards and conductors, 169. During the year there was a reduction of 400 in the number of officers, and of 10,000 in the number of soldiers and sailors.

The Polish revolution, which had been the most prominent event in the history of Russia, in 1863, was rapidly drawing to a close after the beginning of the new year. The Vienna "Lloyd" gave the following review of the state of insurrection at the close of 1863:

Never were there so many bodies of insurgents in the Government of Lublin as now. Since the battle of Chelm, in the middle of November, the corps of Waligowski, Wierzbicki, Krynski, Cwiek, Marecki, Szydowski, Leniewski, Krynski, Ejtmannowicz, and many others, numbering 5,000 men in all, have been placed under the chief command of Gen. Kruk, who himself is at the head of a body of horse. These numerous little bands do much damage to the Russian garrisons, which, including those of Zamosc and Iwangrod, number upwards of 18,000 men. In the neighboring palatinate of Sandomir, in which Gen. Bossack is the chief commandant, the insurgent corps under Rembojle, Rudowski, and Eminowicz, number 3,000 men. The brilliant assault on the town of Opatow, and Kruk's victories at Ocosienko and Dzialoszyce, prove that the insurgents are in this palatinate more than a match for the Russians, although the latter are upwards of 8,000 strong. In the other palatinates the military forces of the insurrection have to a great extent been absorbed by the civil organization. There are, however, still the little bands of Okuniewski, Nowicki, Pongowski, Korytkowski, Putt Kammer, Szumlanski, Syrewicz, Zychlinski, Gleba, and many others, which harass the Russians by constant skirmishings. In Samogitia the insurgents are again increasing in numbers. They are led by Kolysko, Wyslouch, and Kuszleyko. These little bands amounted in all to about 10,000 men.

The most successful among the Polish leaders during the first months of the year 1864, was Gen. Bossack, who, on February 22, captured the town of Opatow, and successfully harassed the Russians in the months of March and April, but then he also had to yield to the overwhelming forces of the enemy. Since May, little has been heard of guerrillas and engagements. The secret National Government continued issuing proclamations as late as July, but they failed to have any marked effect. At length the chiefs of the National Government were discovered, and on August 5th, M. Traugott, the head of the Government, together with Krajewski, Foeyski, Zulinski, and Tezioranski, the chiefs of the different departments, were hanged on the glacis of the citadel of Warsaw. The sentences of death passed upon eleven officials of the National Government were commuted in some cases to hard labor, and in others to imprisonment in a Siberian fortress.

Official statements of the Russian Government give the following statistics, relating to the insurrection in Poland: "During the sixteen months of the struggle (January 1863 to April 1864), 30,000 insurgents were killed or severely wounded; 361 were condemned to death by military tribunals, and 85,000 persons less compromised were transported to Siberia. The war contributions levied were six millions of roubles in the kingdom of Poland, three millions in Lithuania, two millions in Volhynia, Podolia, and Kiew. The National Government, on its side, raised the following sums:—Six millions in Poland, three millions in Lithuania, two millions in Volhynia, Podolia, and Kiew, two and a half millions in Galicia, and one million in Posnania. The number of Poles who found an asylum abroad is estimated at 10,000.

On March 6th, an imperial manifesto announcing the emancipation of the peasants throughout Poland, was promulgated. Another decree of the same date treats of the organization of the communal administrations on the principle of self-government in Poland, by which all connection between the nobility and peasantry is entirely severed.

On September 20th, an imperial rescript was issued, accompanied by five decrees, containing a series of liberal measures relative to public instruction in Poland, the creation of a university at Warsaw, and the establishment of numerous superior middle and primary schools, and a free school for women. The Poles preserve the use of their national language. For the other nationalities of the kingdom special schools are established, in which their respective idioms will be used. A sixth decree modifies the penal code by mitigating the penalties hitherto inflicted, and abolishes corporeal punishment.

Another great war which had engaged the Russian Government for about thirty years, that against the Circassians, was brought to a close

in 1864. Since the defeat and capture of Schamyl, the chief of the most warlike of the tribes, loosely included under the general name of Circassians, the progress of the Russians has been on the whole steady and irresistible. Once or twice the brave mountaineers dealt heavy blows, which unduly excited the hopes of their friends in Europe, some of whom were sanguine enough to believe that with a little foreign aid they would be able to make an attack on Southern Russia, that would operate as an important diversion in favor of the insurgent Poles. In November, 1863, the Shapsuhs, under the command of Hadji Thasigussa, who already possessed a distinguished reputation, which he well sustained on this occasion, drove back the Russians several times. But the invading army, which was under the chief command of the Grand-duke Michael, and estimated at over 200,000 men, was too numerous to leave any hope to the Circassians. The last engagement seems to have taken place in April, 1864. The Circassians then gave up the struggle, and, having received permission from the Turkish Government, determined to follow those of their countrymen who, during the preceding five years, had emigrated to Turkey. They severely suffered in this emigration, and thousands of them perished. The Turkish Government made great efforts to assist them, and gave them settlements near the mouths of the Danube.

The pacification of Poland and of the Caucasus was soon followed by the accomplishment of another of the objects of the settled Russian policy, of attaining the supremacy in Asia—the conquest of Toorkistan. The Bombay "Gazette" gives the following account of this campaign: "Before the Caucasus was entirely subjugated, the Russians had already made good their footing in Toorkistan, having taken possession of Khiva, and sent pioneers as far as Bokhara. But they have lately taken the offensive with a force evidently much larger than they ever before entered the field with in this part of Central Asia. The cause of their invasion of the principality of Kokan is not stated, but a strong power, covetous of the territory of a weak neighbor, can always find a convenient excuse for an appeal to arms. Without, however, presuming to determine whether the Russians had or had not real injuries to redress, we think Englishmen in general, both soldiers and politicians, may well take note of the surprising vigor with which the Kokan campaign has been brought to a successful close by the Russians. Fort after fort has been stormed in rapid succession; and the latest advices from Cabul are to the effect that Kokan itself has been taken, and that the Khan, after making submission to the conquerors, has been replaced on his throne as a vassal of the Emperor of Russia. Thus, Russia has already subjugated two of the States of Toorkistan, Khiva and Kokan; of the other two, Bokhara and the Affghan principality of Balkh, the former is

governed by a king who is the chosen ally and friend of the Russians, and who openly maintains the title to Balkh of Sirdar Abdoolrahman Khan, in defiance of the Ameer of Cabul, whose treacherous conduct to Afzul Khan, the father of Abdoolrahman, has made him most unpopular with all the Mussulmans of Central Asia. From the small beginnings, then, of twenty years ago, when the suspicions of Indian politicians of vivid imaginations were first aroused by rumors that here and there a Russian travelling merchant had penetrated within the borders of Toorkistan, Russia has steadily and surely advanced till she is now the most formidable military and political power in Central Asia, with a favorable opportunity presented to her of interfering in Affghan politics, and making her influence paramount in the only still independent State which separates her dominions from those of the Government of British India." The conquest of Toorkistan was followed by an imperial decree organizing the conquered territory into a Russian province.

The years 1863 and 1864 have not only been marked by great military successes, but by internal reforms even more important for the future destinies of the empire. The last vestiges of serfdom are fast disappearing. As a consequence of the emancipation of the peasants, the Government has taken measures for the diffusion of instruction among the agricultural population. An additional budget of 450,000 roubles for the year 1865 has been decreed, so that the budget of Public Instruction now amounts to about 1,300,000 roubles. This supplementary budget provides for the founding of village schools, of eleven new gymnasia (colleges); for the purchase of books, paper, etc., for the poorer peasants; for supplementary payment to schoolmasters and professors; for the purchase of scientific instruments; for the establishment of laboratories and museums; for the reorganization of the University of Warsaw; for the foundation of a polytechnic school, and for other schools for teaching agriculture and horticulture. The Latin system of higher education in the gymnasia has been reorganized, and the most strenuous efforts are being made to raise them to a level with the colleges of Prussia, which are generally recognized as the best of Europe.

But the most important of all the reforms is the introduction of a constitutional form of Government. The first step toward this reform was taken in the Grand Duchy of Finland. On September 18, 1863, the Emperor Alexander opened personally the Diet of the Grand Duchy with a speech, which expressed his confidence in a liberal form of Government, and intimated his design to develop liberal institutions first in Finland, and later in other parts of the empire. The emperor states that his attention had long been engaged with questions of a serious interest to Finland, but that they had to remain in suspense because "their solution demanded the coöperation of the Diet." It was impossi-

ble for him to convoke the four estates (nobility, clergy, burghers, peasants) during the first years of his reign, but he had, nevertheless, prepared in the mean time drafts of several laws and other administrative matters, to be laid before the Diet. He declares it to be his desire that hereafter no loan shall be contracted without the participation of the estates of the Grand Duchy, unless a sudden invasion of the country or some other unforeseen public calamity should make it necessary. He further announces that the levying of new taxes will be proposed to the Diet to promote the material prosperity of the nation, and to extend the blessings of public education, and he declares it to be the task of the Diet to decide upon the urgency and extent of these measures." He concludes with recommending to the representatives of the Grand Duchy "to prove, by the dignity, the moderation, and the calmness of their deliberations, that in the hands of a people determined to act in concert with their sovereign for the development of their prosperity, the liberal institutions, far from being a danger, become a guarantee of order and prosperity." At the opening of the Diet there were present 141 deputies of the nobility, 32 deputies of the clergy, 30 representatives of the burghers, and 48 deputies of the peasants.

On January 21, 1864, the *official journal* of St. Petersburg published an imperial ukase for the organization of the provincial and district representations of Russia, with the exception of the western and Baltic provinces—Archangel, Astracan, and Bessarabia. Toward the close of the year the first elections for the new Provincial Diets were held all through Russia, and the opening of the first of the diets was announced to take place in March, 1865.

On December 6, an imperial ukase was issued ordering the Senate to promulgate the law relative to the new organization of the courts of justice, the new penal code, and the laws upon the procedure in civil and criminal affairs, and the powers of justices of the peace, all these laws having received the emperor's sanction.

Several governments (provinces) of Russia suffered frightfully from incendiary fires, which occurred from April to August. The work of the incendiaries commenced at the end of April in the government of Kalouga by the destruction of 54 houses; next at Okhansk 204 houses were burnt. The fires continued in succession at Scrapoul; at Serdobsck, where four-fifths of the town were destroyed; at Mozir, one-half of the houses; at Mologa, more than 200; and at the fair of Nijni-Novgorod 1,500 booths and 148 houses. At Patrofsk there were as many as six fires in the month of June alone, and entire districts of the town were consumed. The powder magazines of Kazan and that of Okhta, near St. Petersburg, were blown up; at Riga two fires occurred one after the other; the same at Tunien, where the finest quarters of the town were entirely destroyed. At Orenburg 600 houses were burnt, and Baki is now only a heap of ruins. During the same space of time four conflagrations took place at St. Petersburg. A great incendiary fire also occurred at Simbirsk. The place was burning for three days, and on the 21st of August the whole was in ruins; the cathedral, the churches, the House of Assembly of the nobles, with its magnificent library, the house of the governor, all the courts of justice, with their archives, etc.; in fact, a great town, inhabited by thirty thousand people, was entirely destroyed.

S

SAN DOMINGO, or the Dominican Republic, a State of the West Indies, occupying the eastern portion of the Island of Hayti. The Dominican Republic claims as her possession the extent of territory defined by the treaty of limits between Spain and France in 1777. According to these limits it comprises about 22,000 square miles, and is divided into the following five provinces:

	Population.
San Domingo.....	25,000
Azuadelomfostela.....	15,000
Segbo	20,000
Santiago de los Caballeros.....	33,500
Conception de la Vega.....	23,000
	126,500

According to other accounts the population exceeds 200,000.

The Dominicans declared themselves independent of Hayti in 1844. In 1850 their independence was acknowledged by the European Powers generally, and in 1855 by Spain. In

1861 the once popular but unprincipled President, Santana, privily sold the Republic to the Spanish Government for his own benefit. The inhabitants never gave their consent to this sale. They have made an unrelenting resistance* to the army of the invader. Too weak to make any other than a guerrilla warfare, they yet succeeded in compelling the Spaniards to confine themselves to the possession of a few seaport towns. They were powerfully aided by the malarious climate and the mountainous character of the country. The Spanish troops, swept off by fever, shot down in the woods, starved in the town, perished almost as fast as they arrived.

When the Provisional President, General Salcedo, showed himself inclined to negotiate with the Spaniards about submission, his action was promptly repudiated by the principal offi-

* See ANNUAL CYCLOPEDIA for 1863, page 825.

cials at San Domingo, who deposed him from office, and appointed in his place Gen. Gaspar Polanco. The soldiers of the Dominican army joined in this movement. After his election the new President issued the following proclamation to the troops and manifesto to the people:

GOD, COUNTRY, AND LIBERTY!

Gaspar Polanco, General of Division, President of the Provisional Government.

MANIFESTO.

The whole nation well knows the causes that have led to the deposition of General Salcedo, for in no other way his presence in the Government could have spread so general a discontent. But I cannot refrain from mentioning them, both for my own satisfaction and for the purpose of saving the Dominicans from any unjust stigma they may be branded with by their enemies.

For some time the glorious Restoration initiated on the 16th of August, for the purpose of expelling Spanish despotism from our soil, had lost the vigor of the first days. To the incredible victories, to the portentous deeds of arms, had succeeded discouragement and inaction, while such a state of decay animating the hopes of our enemies, was inducing them to conceive the possibility of conquering us. And it could not be otherwise, for the first magistrate of the nation, always distant from the seat of Government, was unadvisedly destroying its best measures and annulling them without regard.

Such conduct, occasioning embarrassment, difficult to be surmounted, constantly obstructed the march of the revolution, and while there existed an executive in the field and another in the capital, there was in reality no Government at all. General Salcedo thought, also, that he would deserve the title of magnanimous in tolerating the excesses of the Spaniards, whilst this culpable tolerance, when energy was a duty, caused the weakening of public spirit; thus involuntarily constituting himself a candidate of a reaction which, although it could not be successful, might place the country in great danger.

His thirst for popularity frequently moved General Salcedo to make abundant issues of paper money, always opposing the will of his colleagues in the Government for the purpose of buying at a high price the good-will of a few, thus increasing the discredit of our currency, and totally destroying the basis of our financial system.

Always persisting in the idea of annulling the acts of his colleagues, he destroyed the Government created on the 14th of September, 1863, by popular elections, because, in the exercise of its faculties, it had confirmed the sentence of death which the court-martial had pronounced against a convicted and confessed traitor—thus constituting himself as supreme dictator of the nation, without consulting its will.

He arbitrarily created a cabinet, and assuming the rights of a people who fight for their liberty, curtailed this and misled the national opinion; but his dictatorship, careless of the administration of public affairs and totally absorbed in his personality, was leaving to crumble, little by little, the grand work of the 16th of August, while he was indulging in frivolous amusements and pleasures, which stained the dignity of the people whose representatives he had ignored.

The present representatives of the Spanish Government, who, in view of so many blunders, came to conceive the possibility of a diplomatic and military surprise, initiated negotiations of peace, and General Salcedo, anxious for it, sent a commission to Monte Christi composed of Generals A. Deatjean, Julian B. Curiel, Pablo Rujol, Pedro A. Pimentel, and Colonel M. R. Objio. A few conferences were held with Lieutenant-General Don Jose de la Gandara, whose bad faith, detected by the commissioners, caused

them to stop short all negotiation and return to the Dominican camp, giving the cry of alarm.

General Salcedo, lulled by the hopes of peace, had completely neglected the cantons near Monte Christi; and although the attitude of the people and the echo of that alarm induced him to publish a warlike allocation, he conceived, nevertheless, the idea of sending another committee, which, while it showed his weakness toward the enemy, would humiliate the national dignity. In the midst of these delays and negligence, he was surprised by this popular movement, which occasioned his downfall, and the patriots, reassured by this act, are again animated by that revolutionary vigor which the circumstances demand. I have cheerfully endeavored to direct them, convinced of the necessity of such a reform; by it the Dominican nationality has been insured; it has given new guarantees of triumph to our cause; it has saved our liberty. Should Spain insist in her purpose of subjugating the people I represent, and war becomes inevitable, greater will be our glories. If she desires peace, the road to it is clear.

President Polanco appointed a new cabinet and issued stringent regulations, refusing to receive into his lines deserters. By a decree, dated the 19th of October, all the titles and forms belonging to monarchical Governments were abolished, as inconsistent with the republican system. The formula, "God preserve you many years" (*Dios guarde á V. muchos años*), was ordered to be changed to that of "God and Liberty." To raise money for continuing the war against invasion, the Dominican Government issued bonds and paper which were taken by the people.

On Dec. 4 General Cabral obtained a great victory over the Spaniards at La Canela, near Neyba. After a three hours' struggle the latter were completely defeated. The enemy left three banners, all their baggage, ninety-seven carbines, three trumpets, all their munitions, their mules, &c., &c., besides one hundred and seven dead and thirty-five prisoners. Afterwards the towns of Guerra, Los Llanos, and Hato-Mayor, the communes of Macoris and Sabana de la Mar gave their adherence to the national cause in a free and spontaneous *pronunciamento*, according to a communication from Gen. Mansueta. The Spaniards abandoned the town of Seybo, which was at once occupied by Gen. Mansueta, and returned to Higüey, where they were besieged by the patriots. President Polanco, who was about to start for the northwest, addressed a proclamation to the people of Cibao, exhorting them to follow him in this new campaign. General Castillo also published a proclamation enjoining the inhabitants of Bani to rally for the national cause, telling them that it was hard for him to fight against brothers whose place was by his side under the same flag.

Toward the close of the year President Jeffrard, of Hayti, sent two commissioners, Col. E. Romain and Commissary Douret, to San Domingo for the purpose of transmitting to the provisional Government a few friendly counsels, which, if accepted by the Dominicans, would bring peace and independence to the republic. General Geffrard offered himself as

mediator between the contending parties, and submitted to the approbation of the Dominicans certain propositions which, if accepted by them, he would present to the Spanish chief. These propositions were modified several times, and at last the Dominican Government decided upon two single articles, which, if Geffrard had no objection, could at once be presented to the Spanish commander. 1st. A general exchange of prisoners of war and State, including those incarcerated before the revolution by the Spaniards, on account of their politics, without regard to the numbers on either side. 2d. A commission, of two or more individuals, appointed by the two contending parties, would be sent to Madrid to present to the Queen a representation asking the peace, liberty, and independence of the republic.

In the meanwhile there had been a change of Cabinet in Spain, and the new Ministry of Narvaez, seeing the impossibility of continuing any longer the war against San Domingo, proposed to the Cortes a bill repealing the act of 1861, by which that country was annexed to Spain. After a protracted and animated debate the bill was passed and the independence of San Domingo restored. (*See SPAIN.*)

SANITARY COMMISSIONS. I. THE UNITED STATES SANITARY COMMISSION. The proclamation of the President of the United States on the 15th of April, 1861, announcing the beginning of a civil war, and calling for 75,000 volunteer soldiers, not only brought to light the patriotic feeling of the masses of American citizens, who hastened to enrol themselves among the volunteer defenders of the country, but evoked a deep feeling of sympathy, and a desire to aid in the good work on the part of those who from age, profession, or sex, were debarred the privilege of giving their personal service in the field. Soldiers' aid societies, to furnish lint, bandages, hospital clothing, and delicacies, as well as nurses for the sick and wounded, sprung up on every hand; their zeal was often mingled with inexperience and ignorance, and the Medical Bureau of the War Department, nearly as ignorant as they of the immense duties and responsibilities which would soon overwhelm it, turned a cold shoulder to their offers of aid; but the motives which prompted them in their benevolent offers were worthy of all praise. Among these aid societies, many of them organized within two or three weeks after the President's proclamation, was one, "The Woman's Central Association of Relief," in New York, which had among its officers some gentlemen of large experience in sanitary science, and of considerable knowledge of military hygiene. These sought to give to its labors a practical character from the beginning, and they urged upon the association the importance of ascertaining at once what the Government would and could do, and then making arrangements to coöperate with it and supplement its deficiencies. Prominent among these gentlemen was Rev. Henry W. Bellows,

D.D., who had previously won a high reputation by his efforts for improving the sanitary condition of our large cities.

Other organizations of gentlemen were attempting by different, yet in the main similar measures, to render assistance to the Government. Among these were the "Advisory Committee of the Board of Physicians and Surgeons of the Hospitals of New York," and "The New York Medical Association for furnishing Hospital Supplies in aid of the Army," both new associations, called into existence by the exigencies of the war. Fraternizing with each other, as they well might, since they all looked to the accomplishment of the same end, these associations resolved to send a joint delegation to Washington to confer with the Government, and ascertain by what means they might best coöperate with it for the benefit of the soldiers of the nation.

The idea of organizing a Commission which should unite and energize all these as yet isolated societies, and apply their contributions to the best advantage in aid of the Medical Bureau and the sick and wounded soldiers, seems to have been suggested to the delegation at the very outset of their mission.

On the 18th of May, 1861, Messrs. Henry W. Bellows, D.D., W. H. Van Buren, M.D., Elisha Harris, M.D., and Jacob Harsen, M.D., representatives of these three associations, drew up and forwarded to the Secretary of War a communication setting forth the propriety of creating an organization which should unite the duties and labors of the three associations, and coöperate with the Medical Bureau of the War Department to such an extent that each might aid the other in securing the welfare of the army. For this purpose they asked that a mixed Commission of civilians, military officers, and medical men, might be appointed by the Government, charged with the duty of methodizing and reducing to practical service the already active but undirected benevolence of the people toward the army, who should consider the general subject of the prevention of sickness and suffering among the troops, and suggest the wisest method which the people at large could use to manifest their good-will toward the comfort, security, and health of the army. They referred to the Commissions which followed the Crimean and Indian wars, and brought to light the vast amount of suffering which had been needlessly endured there, and begged that, in this case, the organization might precede the war, and prevent so far as possible the suffering which would otherwise ensue. They suggested, also, the appointment of cooks and nurses for the army, and stated that the "Woman's Central Association of Relief" stood ready to undertake the training of both in their duties.

On the 22d of May, R. C. Wood, M.D., then Acting Surgeon-General, now in charge of the Western Medical Department, followed this communication by a letter addressed to the

Secretary of War, urging the establishment of the desired Commission as a needed adjunct to the new, extensive, and overflowing duties of the Medical Bureau.

On the 23d of May the delegation addressed to the Secretary of War a "Draft of powers, asked from the Government, by the Sanitary delegates to the President and Secretary of War." In this paper the powers desired were stated as follows:

"1. The Commission being organized for the purposes only of inquiry and advice, asks for no legal powers, but only the official recognition and moral countenance of the Government, which will be secured by its public appointment. It asks for a recommendatory order, addressed in its favor to all officers of the movement, to further its inquiries; for permission to correspond and confer, on a confidential footing, with the Medical Bureau and the War Department, proffering such suggestions and counsel as its investigations and studies may from time to time prompt and enable it to offer.

"2. The Commission seeks no pecuniary remuneration from the Government. Its motives being humane and patriotic, its labors will be its own reward. The assignment to them of a room in one of the public buildings, with stationery and other necessary conveniences, would meet their expectations in this direction.

"3. The Commission asks leave to sit through the war, either in Washington, or when and where it may find it most convenient and useful; but it will disband should experience render its operations embarrassing to the Government, or less necessary and useful than it is now supposed they will prove."

Concerning the objects of the Commission, the delegation say:

"The general object of the Commission is through suggestions reported from time to time to the Medical Bureau and the War Department, to bring to bear upon the health, comfort, and morale of our troops, the fullest and ripest teachings of sanitary science, in its application to military life, whether deduced from theory or practical observations, from general hygienic principles, or from the experience of the Crimean, the East India, and the Italian wars. Its objects are purely advisory."

They indicate the following specific objects of inquiry:

"1. *Materiel of the Volunteers.* The Commission proposes a practical inquiry into the *materiel* of the volunteer forces, with reference to the laws and usages of the several States, in the matter of inspections, with the hope of assimilating the regulations with those of the army proper, alike in the appointment of medical and other officers, and in the vigorous application of just rules and principles to recruiting and inspection laws. This inquiry would exhaust every topic appertaining to the original

materiel of the army, considered as a subject of sanitary and medical care.

"2. *Prevention.* The Commission would inquire with scientific thoroughness into the subject of diet, cooking, cooks, clothing, huts, camping grounds, transports, transitory depots, with their expenses, camp police, with reference to settling the question how far the regulations of the army proper are or can be practically carried out among the volunteer regiments, and what changes or modifications are desirable from their peculiar character and circumstances? Every thing appertaining to outfit, cleanliness, precautions against damp, cold, heat, malaria, infection, and unvaried or ill-cooked food, and an irregular or careless commissariat, would fall under this head.

"3. *Relief.* The Commission would inquire into the organization of Military Hospitals, general and regimental; the precise regulations and routine through which the services of the patriotic women of the country may be made available as nurses; the nature and sufficiency of hospital supplies; the method of obtaining and regulating all other extra and unbought supplies, contributing to the comfort of the sick; the question of ambulances and field services, and of extra medical aid; and whatever else relates to the care, relief, or cure of the sick and wounded, their investigations being guided by the highest and latest medical and military experience, and carefully adapted to the nature and wants of our immediate army, and its peculiar origin and circumstances."

The President and Secretary of War were not at first disposed to look with any great favor upon this plan, which they regarded rather as a sentimental scheme concocted by women, clergymen, and humane physicians, than as one whose practical workings would prove of incalculable benefit to the army which was rapidly coming into existence. The earnestness of its advocates, their high position, and the evidence which was adduced that they only represented the voice of the nation, produced some effect in modifying their views; and when the Acting Surgeon-General asked for it, as a needed adjuvant to the Medical Bureau, likely soon to be overwhelmed by its new duties, they finally decided, though reluctantly, to permit its organization.

Accordingly the Secretary of War, on the 9th of June, decided on the creation of such a Commission, the President approving. The title first given to the new organization was "The Commission of Inquiry and Advice in respect of the Sanitary Interests of the United States Forces," but was subsequently changed to "The United States Sanitary Commission."

It was composed of the following gentlemen: Rev. Henry W. Bellows, D.D., President, New York; Professor A. D. Bache, Vice-President, Washington; Elisha Harris, M.D., Corresponding Secretary, New York; George W. Cullum, U. S. A., Washington; Alexander E. Shiras, U. S. A., Washington; Robert C.

Wood, M.D., U. S. A., Washington; William H. Van Buren, M.D., New York; Wolcott Gibbs, M.D., New York; Cornelius R. Agnew, M.D., New York; George T. Strong, New York; Frederick Law Olmsted, New York; Samuel G. Howe, M.D., Boston; J. S. Newberry, M.D., Cleveland, Ohio. To these were subsequently added Horace Binney, Jr., Philadelphia; Rt. Rev. Thomas M. Clark, D.D., Providence, R. I.; Hon. Joseph Holt, Kentucky; R. W. Burnett, Cincinnati, Ohio; Hon. Mark Skinner, Chicago, Illinois; Rev. John H. Heywood, Louisville, Kentucky; Professor Fairman Rogers, Philadelphia; J. Huntington Wolcott, Boston; Charles J. Stillé, Philadelphia; Ezra B. McCagg, Chicago, Ill.; and nearly six hundred associate members, in all parts of the country. (*See ANNUAL CYCLOPÆDIA*, 1861, p. 36.)

It is a matter of wonder that in a field so wholly new the delegation should have so fully comprehended the duties which would be incumbent upon the Commission, and the range of its future operations. There were indeed certain features of its work which, of necessity, could only be developed by the bitter experiences through which it was called to pass; and in the end, the great lack in the Government Medical Service, compelled it to assume more of the executive and less of the advisory functions. Still it has never failed to bear in mind that it was created to aid by its advice, counsel, and, where needed, its direct help, the medical department of the Government service, and has ever been ready to withdraw from every duty which that department, under its constantly increasing efficiency, could successfully perform.

Under its charter, it at once proceeded to organize its action and to appoint committees from its members to visit every camp, recruiting-post, transport, fort, hospital, and military station, to ascertain and report all abuses, and to perfect such organization as might insure a higher degree of health and comfort for the soldiers.

The medical members of the Commission undertook to consider the questions which might arise concerning the diseases of the camp, and their medical and surgical treatment, from the highest scientific point of view; and guided by the rich and abundant experience of European army surgeons, to prepare brief medical and surgical tracts adapted to the wants of the volunteer surgeons of the army. Among these tracts, of which many thousands have been circulated, were "Advice as to Camping;" "Report on Military Hygiene and Therapeutics;" "Dr. Guthrie's Directions to Army Surgeons on the Battle-field;" "Rules for preserving the Health of the Soldier;" "Quinine as a Prophylactic against Malarious Diseases;" "Report on the value of Vaccination in Armies;" "Report on Amputation;" "Report on Amputation through the Foot and at the Ankle-joint;" "Report on Venereal Diseases;" "Report on Pneu-

monia;" "Report on Continued Fevers;" "Report on Excision of Joints for Traumatic Cause;" "Report on Dysentery;" "Report on Scurvy;" "Report on the Treatment of Fractures in Military Surgery;" "Report on the Nature and Treatment of Miasmatic Fevers;" "Report on the Treatment of Yellow Fever;" "Report on the Treatment of Infectious Diseases," etc.

Three committees were appointed, one to communicate the matured counsels of the Commission to the Government, and procure their ordering by the proper departments; a second to maintain a direct relation with the army officers and medical men, with the camps and hospitals, and by all proper methods to make sure of the carrying out of the sanitary orders of the Medical Bureau and the War Department; and a third to be in constant communication with the State Governments, and the public benevolent associations interested in the army.

This plan of organization was approved by the Secretary of War, on the 13th June, 1861, and on the 21st of that month the Commission issued its first address to the public. This was soon followed by an appeal to the Life Insurance Companies, and another to men of wealth throughout the country for aid in the prosecution of its work. The members of the Commission, as such, received no compensation, but the purposes of the organization would require a very considerable number of paid employés, and would involve heavy expenses for publications and supplies, which could only be purchased with money. A considerable number of associate members were elected at this time, who gave their services in raising means for the operations of the Commission, and Ladies' Associations, in all parts of the country, prepared clothing and supplies of all sorts, and forwarded them to its depots.

The members of the Commission visited, during the summer of 1861, the different camps of the widely-extended armies of the republic, and carefully inspected and reported upon their sanitary condition and needs.

The necessity of the services of the agents of the Commission on the field immediately after, or, when practicable, during the progress of, important battles, was felt, as soon as such battles occurred. At first, owing to the difficulties of procuring transportation for its supplies to the field, in consequence of the dependence of the Medical Bureau upon the Quartermaster's Bureau for transportation, it could not reach the field so early as its officers desired, and in some of the earlier battles there was great suffering (partially ameliorated, it is true, by individual effort and enterprise) in consequence. But the Commission soon found it necessary to have its own independent transportation, and this both by land and water; its hospital transports, its wagons and ambulances, and its ambulance railroad cars. In July, 1863, it added to these the plan of attaching to each army corps a Superintendent of Relief, with his assistants, wagons, ambulances, and supplies, to

remain constantly with his corps and minister to its needs.

It has, throughout, worked in harmony with the United States Government, and especially with the Medical Bureau, to which it has proved of great service. That bureau, which at the commencement of the war was utterly inadequate, though from no fault of its own, to the vast work before it, is now well regulated and admirably organized, having a corps of three thousand skilful and responsible surgeons, and fifteen thousand hired nurses experienced in their duties.

But even with this large force, trained as it has been by the arduous duties to which it has been called, there are, and must be, numerous instances where the most perfect working of the Government machinery cannot remedy suffering and misery which a more flexible system can relieve. The presence of incipient scurvy among the troops on Morris Island, and the forces engaged in the siege of Vicksburg and Port Hudson, was detected and remedied by the sending at once of large amounts of fresh vegetables and anti-scorbutics by the Commission to those points, which reached them promptly, and arrested the disease, while, by the necessarily slow movements of the Government, many weeks must have elapsed ere the needed remedies could have been furnished, and meantime half the forces engaged would have perished. "Potatoes and onions," says one of the energetic lady agents of the Commission in Chicago, "captured Vicksburg." "The supplies of fresh vegetables and anti-scorbutics sent by the Sanitary Commission to Morris Island, saved the army of the South," is the testimony of an impartial but thoroughly competent witness, who spent ten months in the hospitals of that department in 1863.

The work of the Sanitary Commission now comprehends the following distinct departments of labor: 1st. *The preventive service or Sanitary Inspection*, which requires a corps of Medical Inspectors, whose time is passed with each army corps in the field, visiting camps, hospitals, and transports; skilful and experienced physicians, who watch the perils from climate, malarious exposure, from hard marching or active campaigning, from inadequate food or clothing, growing out of imperfect facilities of transportation, and report to the Chief Inspector of that army, and through him to the Chief of Inspection at headquarters, for remedy, or to the Associate Secretary in charge, or to relief agents under their control, and thus see to the supplying of the needs of that portion of the army, and the adoption of the necessary measures for the improvement of its sanitary condition. From the reports of these inspectors the materials are gathered which are digested into such forms as to be of permanent value in the Commission's Bureau of Statistics. To this department belongs also the corps of Special Hospital Inspectors, selected from the most learned and skilful physicians of the country, who,

from time to time, make the circuit of all the general hospitals of the army (now numbering nearly three hundred), and report upon their wants, condition, progress, *personnel*, and capacity for improvement. The substance of these reports is confidentially made over to the Surgeon-General. A third agency, in connection with this preventive service, is the preparation and circulation of the medical tracts already named, and information important and indispensable to the officers, soldiers, and especially the medical men in the field.

2. *The Department of General Relief*.—The supplies of food, clothing, bandages, hospital furniture, clothing, and bedding, delicacies for the sick, stimulants and cordials for the wounded on the field, the sick and wounded in camp, field, regimental, post, and general hospitals, come from the branches of the Commission, of which there are twelve, having depots in Boston, New Haven, New York, Philadelphia, Cincinnati, Cleveland, Chicago, Buffalo, Pittsburg, Detroit, Columbus, and Louisville. Each of these branches, which are variously denominated as Ladies' Aid Societies, Relief Associations, etc., has its distinctly defined field, from which it draws its supplies, and has from one hundred and fifty to twelve hundred auxiliary aid societies, in the towns, hamlets, and villages, and, in the cities, in the different churches, of its field. The stores collected by the branch are received at its depot, opened, assorted, each kind by itself, repacked, and reports of the number and amount of the supplies thus accumulated are sent every week to the principal office of the Commission, or to the Associate Secretary of the Eastern or Western Department, as the case may be, and shipped, according to orders received, to the depots of distribution, Washington, D. C., Camp Distribution, Va., Baltimore, Md., Harper's Ferry, Va., Annapolis, Md., Camp Parole, Md., Norfolk, Va., City Point, Va., Newbern, N. C., Beaufort, S. C., New Orleans, La., or to the army where they are needed, with the utmost promptness. One of these branches (the "Woman's Central Association of Relief") reported, among the stores forwarded from its depot, from May 1, 1861, to November 1, 1864, 599,780 pieces of clothing, 89,898 pieces of bedding, and over 90,000 packages of fruit, vegetables, jellies, wine, condensed milk, beef-stock, groceries, pickles, lemonade, etc., of a total value of over a million of dollars. The "Northwestern Sanitary Commission," the branch of the U. S. Sanitary Commission at Chicago, had sent to the depots of distribution from its organization to December 31, 1864, supplies to the value of \$230,645.02, and had expended besides for the purposes of the Commission, about \$57,000 more. The supplies thus furnished are distributed with great care to avoid waste, and to supplement the food, clothing, and medicines which the Government is bound to furnish—the object being to do what the Government cannot, and to avoid duplicating its supplies of

what it can and should furnish. Care is exercised also to avoid imposition, while no sufferer in need is allowed to suffer when the Commission can supply his wants. The Commission is national in its character, and supplies the soldiers of one State as readily as those of another. Nay, more—the rebel wounded, when left on the field, or in temporary hospitals within the Union lines, or when sent to camps and hospitals as prisoners, have uniformly received its bounty and its assiduous care. It has had in this matter, at times, to contend, both among the people and on the field, with that exclusive feeling which would limit its beneficence to the soldiers of a single State or regiment; but oftentimes the agents of these local organizations have, from the feeling which such exclusiveness has caused among the soldiers, turned their stores into the depots of the Commission, and themselves aided in their distribution to the soldiers, without distinction of locality. The Field Relief Superintendents, already mentioned, who accompany each army corps, belong to this department of general relief.

3. *The Department of Special Relief.*—This department is under the general superintendence of Rev. F. N. Knapp, Associate Secretary of the Commission for the East, at Washington, and of Dr. J. S. Newberry, Associate Secretary for the West, at Louisville. It furnishes "Homes" to soldiers, where shelter, food, and medical care and general superintendence are furnished for those soldiers who are not yet under the care of the Government, or have just got out of their care, or have somehow lost their status and cannot immediately regain it—recruits, or men on leave, sick leave or furlough, going to and fro; men without skill to care for themselves, ignorant, underwitted, or vicious; men discharged prematurely from the hospitals; men found in the streets, or left behind by their regiments. Of these classes about seven thousand five hundred are accommodated daily or nightly in the homes of the Commission at Alexandria, Harrisburg, Baltimore, Washington, Buffalo, Cincinnati, Cairo, Paducah, Camp Nelson, Louisville, New Albany, Nashville, Columbus, Cleveland, Detroit, Memphis, and New Orleans.

There are also belonging to this department six lodges—homes on a smaller scale—where the wearied soldier, sick or feeble, may await his opportunity of obtaining his pay from the Paymaster-General; or landing sick from a steamer or cars, and unable to reach the hospital to which he may belong, can find rest, food, and medical care, till he can be transferred to the hospital, or is able to rejoin his regiment. There are also at Annapolis, Md., and at Washington, D. C., "Homes for the Wives, Mothers, and Children of Soldiers," fitted up and supplied by the Commission, where these friends of the sick and wounded soldier, coming with scanty means to minister to his necessities, can find comfortable food and shelter. Besides these, "feeding stations" for the supply of the

sick, wounded, and famished soldier, passing to and from the field, have been established, usually temporarily, but sometimes permanently, on the route from Louisville to Nashville, Chattanooga, Atlanta, &c., and in the Shenandoah Valley, at City Point, and elsewhere. The hospital cars, of which there are several, between Washington, New York, and Boston, and between Louisville and Chattanooga, Tennessee, fitted up with hammocks, in rubber slings, and with a small kitchen for preparing the necessary food for the sick and wounded, and under the charge of a skilful surgeon, belong to this department; as do also the Sanitary steamers, the *Clara Bell*, on the Mississippi, the *New Dunleith*, on the Cumberland, and the *Elizabeth*, on the Potomac. These are used both for the transmission of necessary supplies, and the transportation of the wounded. In this department, also, the commission have established agencies at Washington, Philadelphia, New York, Louisville, and New Orleans, for obtaining for the soldiers and their families, pensions, bounties, back pay, transportation, aid in correcting the soldiers' papers, where there are errors in form, or recovering them their positions when they have wrongfully been set down as deserters, and saving them from sharpers. The Commission have also established Hospital Directories at Washington, Philadelphia, New York, and Louisville. In these four directories are registered the names of all soldiers in the United States general hospitals, and as far as possible the regimental and post hospitals throughout the country, and these are constantly receiving additions from the reports sent regularly from such hospitals. By applying to these Directories, information is furnished to friends without cost, other than that of postage or telegram, of the location and condition of any soldier who is or has been within a year an inmate of any United States military hospital. At the Washington office of the Commission, the names of patients in the hospitals in Eastern Virginia, Maryland, District of Columbia, North Carolina, South Carolina, Florida, and Louisiana, are recorded; at Philadelphia, those in Pennsylvania hospitals; at New York, those in New York, New Jersey, and New England; at Louisville, those in Western Virginia, Ohio, Indiana, Illinois, Missouri, Iowa, Kentucky, Tennessee, Mississippi, and Arkansas. The officers in charge require the name, rank, company, and regiment of the person inquired for, and where he was when last heard from. About 900,000 names have been thus recorded, and the information afforded by these directories to the friends of the sick and wounded has been of incalculable value, often leading to the preservation of life, and to the relief of that most terrible mental anguish, the torture of a dread uncertainty.

Still another measure of special relief, on which the Commission has expended more than \$30,000, is the sending of supplies, so long as it was permitted, to our soldiers who were pris-

oners at Richmond, Salisbury, and Andersonville, and there undergoing the terrors of cold, nakedness, and starvation. It also sent on every flag-of-truce boat from Fortress Monroe ample stores of clothing, cordials, nourishing food, medicine, and restoratives, for the poor fellows who were exchanged, and who, but for this timely relief, would have many of them died on the voyage. It has organized a system of furnishing fresh supplies to the hospitals around Washington at prime cost, which it brings from Philadelphia in arctic cars, thus preventing frauds, and the commissions formerly obtained by the hospital stewards, and furnishing more and better supplies to the inmates of the hospitals for less money. It has caused reforms to be instituted in our own convalescent and parole camps, and in the prison camps of the rebels, which our Government hold as prisoners, promoting the health and comfort of both in every possible way. Its agents and superintendents have often brought off men under fire from the battle-field, and four of them were taken prisoners by the rebels, after Gettysburg, and notwithstanding the kindnesses bestowed by the Commission on rebels, wounded and prisoners, were subjected to the meagre fare and intolerable filth of Libby prison and Castle Thunder, for months, when two of them were finally released on parole.

4. *The Department of Field Relief.*—The Commission has maintained a chief inspector for the armies of the East, and another for the military division of the Mississippi, whose duty is to superintend the work of field relief. He has under his command a superintendent and assistant-superintendent of such army, two field storekeepers and two messengers, and one or more relief agents to each army corps. These relief agents are furnished with one or more wagons of supplies and ambulances, and move with their corps in the field, ministering to the wounded on the field, furnishing bandages, cordials, and nourishment, and aiding the surgeons and assistant-surgeons in the field hospitals. They also render assistance and supply deficiencies in the care of the sick in camp. The expenditure of the Commission for the Field Relief Department has been about \$190,000.

5. Still another department of the Sanitary Commission's work has been its *Auxiliary Relief Corps*. This was first organized in May, 1864. Its object was to supply the deficiency of systematic personal attendance and work in the hospitals, or among the wounded on the field. It employed in the Eastern armies (in Virginia and the Department of the South) forty men regularly, and the number was increased during the severe battles of May and June, by volunteers, to one hundred and fifty. In all, four hundred different agents were employed, and more than seventy-five thousand patients served with suitable food, delicacies, cordials, clothing, &c., &c., previous to Jan. 1, 1865. Personal ministrations to the sick and wounded, in the way of conversation, writing

letters, supplying them with stationery, postage stamps, newspapers, magazines, and books, also formed a part of the duties of this corps.

In these labors it has constantly had the aid and coöperation of the Medical Department, and, where it could be bestowed, that of the Quartermaster's Department; and the generals and commanding officers in the field have, almost without exception, given it their hearty sanction and assistance. Without these, its work would have been fourfold more expensive than it has; but even with this assistance, it has necessarily had to incur large expenditures, and has distributed supplies to an immense value. At the commencement of its work, when it was expected that the war would be a brief one, it made its appeals to the public for fifty thousand dollars, a sum which it was thought would suffice to accomplish its purposes; but with the increasing proportions of the war, increasing means were found necessary. While, of most descriptions of supplies, their stock derived from the branches was ample, there were some, such as the best qualities of wines and brandies, quinine, &c., which could only be obtained by cash purchases. The transportation of their supplies, though much of it was given by railroad companies, was still very expensive, while the maintenance of their homes, lodges, offices, and directories, required a heavy outlay. The Commission, as such, received no compensation, and of its officers, the President, Vice-President, and Treasurer, received no pay; while the Associate Secretary for the West, the only other member of the Commission now in service (except the Executive Committee), having left his residence and practice at Cleveland for Louisville in the Commission's service, has a moderate salary. The Commission has regarded it necessary for the proper performance of its extensive, varied, and onerous duties, to employ paid agents, and has in its employ about two hundred. To none of them are salaries paid so large as they could receive in other business, but they remain in the work because they love it. The aggregate salaries, previous to May, 1864, was about \$15,000 per month, and of other expenses from \$30,000 to \$35,000 per month, making a total sum of \$45,000 to \$50,000 per month; but with the progress of the gigantic campaigns, and the terrible battles, both East and West, in the months of May, June, July, and August, 1864, this expenditure was greatly increased. For the months of May and June alone the outlay was \$525,000, and for the season more than \$1,000,000. The expenditure of supplies varies with the occurrence of great battles. During, and immediately after, the battles at Gettysburg, supplies to the value of \$75,000 were distributed there. To the army of the Cumberland, within ten days after the disastrous battle of Chickamauga, six thousand packages were sent; and immediately after Chattanooga, five thousand packages and boxes went forward.

The receipts of the Commission, from its or-

ganization in June, 1861, to Oct. 1, 1864, were in money \$3,083,124.58; of this amount about \$1,000,000 has been received from the States and territories on the Pacific slope, including about \$700,000 from California alone. Aside from this, its branches have received in money to December, 1864, about \$2,000,000, which has been expended in the purchase of supplies, in local relief, and in the support of establishments of special relief under their direct charge. Its expenditures for the same period were \$2,467,958.55, and in the months of October and Nov., \$263,000, making its total expenditure from June, 1861, to Dec., 1864, \$2,731,203.79. The value of articles received in kind as contributions by the Commission, from June, 1861, to Oct., 1864, was \$8,406,272.78, of which \$5,286,439.85 consisted of bedding, hospital furniture, and wearing apparel; \$1,362,560.42, of hospital food and delicacies; \$298,437.28, of miscellaneous supplies, and the remainder unspecified articles. The branches of the Commission, twelve in number, had furnished supplies to local institutions, soldiers' families, hospitals, &c., to the amount of between two and three millions more. Previous to July 1, 1864, the cost of distribution was only 3.76 per cent. of the amount distributed. The heavy expense of chartering steamers and employing auxiliary relief agents, &c., during the campaign of 1864, increased the cost of distribution to 4.88 per cent. of the value of the supplies distributed.

During the autumn and winter of 1863-'4, and the spring and summer of 1864, a series of fairs were held in several of the principal cities of the Union, in the interest of the Commission and its branches. These fairs were more gigantic in their conception and execution, and yielded larger returns than any enterprises of the kind ever attempted in this country. The Chicago fair, the first held, realized about \$80,000 net; that at Boston, about \$140,000; Cincinnati, \$240,000; Albany, \$80,000; Cleveland, about \$80,000; Brooklyn, N.Y., \$401,000; New York City, \$1,200,000; Pittsburg, \$100,000; Baltimore, \$55,000; Philadelphia, \$1,080,000. Several of the smaller cities collected at fairs for the same object, from \$10,000 to \$20,000. These sums were not, except in the case of the New York and Philadelphia fairs, paid wholly into the treasury of the parent Commission, a part, and in some cases the whole, being reserved for the purchase of supplies and material, and the support of local institutions for the soldiers or their families. The supplies and material thus purchased, of course, have since appeared, or will eventually appear, in the receipts in kind of the parent Commission.

II. THE WESTERN SANITARY COMMISSION. This organization is entirely distinct from the United States Sanitary Commission, but, like that, knows no State boundaries, but ministers alike to the needs of soldiers from all the States, though from its location it has only supplied the wants of Western armies, and of the freedmen and white refugees of the Mississippi Val-

ley. It derived its first authority to act from the following order of Maj.-Gen. Fremont:

HEADQUARTERS, WESTERN DEPARTMENT, }
St. Louis, Mo., Sept. 5, 1861. }

Special Orders No. 159.

With a view to the health and comfort of the volunteer troops in and near to the city of St. Louis, a Sanitary Commission is hereby appointed, to consist of five gentlemen, who shall serve voluntarily, and be removable at pleasure. Its general object shall be to carry out, under the properly-constituted military authorities, and in compliance with their orders, such sanitary regulations and reforms as the well-being of the soldiers demands.

The Commission shall have authority, under the directions of the Medical Director, to select, fit up, and furnish suitable buildings for army and brigade hospitals, in such place, and in such manner as circumstances require. It will attend to the selection and appointment of women nurses, under the authority and by the direction of Miss D. L. Dix, General Superintendent of the nurses of Military Hospitals in the United States. It will coöperate with the surgeons of the several hospitals in providing male nurses, and in whatever manner practicable, and by their consent. It shall have authority to visit the different camps, to consult with the commanding officers, and the colonels and other officers of the several regiments, with regard to the sanitary and general condition of the troops, and aid them in providing proper means for the preservation of health and prevention of sickness, by supplies of wholesome and well-cooked food, by good systems of drainage, and other practicable methods. It will obtain from the community at large such additional means of increasing the comfort and promoting the moral and social welfare of the men, in camp and hospital, as may be needed, and cannot be furnished by Government regulations. It will, from time to time, report directly to the commander-in-chief of the department the condition of the camps and hospitals, with such suggestions as can properly be made by a Sanitary Board.

This Commission is not intended in any way to interfere with the Medical Staff, or other officers of the army, but to coöperate with them, and aid them in the discharge of their present arduous and extraordinary duties. It will be treated by all officers of the army, both regular and volunteer, in this Department, with the respect due to the humane and patriotic motives of the members, and to the authority of the commander-in-chief.

This Sanitary Commission will, for the present, consist of Jas. E. Yeatman, Esq.; C. S. Greeley, Esq.; J. B. Johnson, M. D.; George Partridge, Esq.; and the Rev. William G. Eliot, D.D.

By order of Maj.-Gen. JOHN C. FREMONT.
J. C. KELTON, Ass't. Adjt.-Gen.

The authority conferred by this order was recognized and confirmed by Maj.-Gen. Halleck, who added Dr. S. Pollak to the Commission, and still later, viz., December 16, 1862, by an order from the Secretary of War (Hon. E. M. Stanton), extending the field of its labors, and reappointing the members of the Commission as at first constituted.

This Commission has not devoted its attention to as wide a range of topics as the United States Sanitary Commission, but has confined itself to the work of superintending hospitals, furnishing supplies, appointing nurses, visiting and caring for the sick and wounded of the army of the Southwest Frontier, the District of East Arkansas, the armies operating on both sides of the Mississippi, and the Mississippi Naval

Flotilla; it has at all times acted in concert with the Medical Directors and Inspectors of these armies, and on account of their efficient supervision of the condition and sanitary wants of the armies under their charge, has not found it necessary to appoint separate medical inspectors. It has the superintendence of twelve hospitals (one for officers and another for military prisoners), having accommodations for about eight thousand patients, besides ten large hospital steamers and floating hospitals; it has established Soldiers' Homes, and Soldiers' Lodges, at St. Louis, Memphis, and Columbus, Ky., and agencies at Helena, Milliken's Bend, and Springfield, Mo., and has prepared, published, and distributed a large edition of a "Treatise on the Preservation of the Health of the Soldier, the cooking of food, the preparation of diet for the sick, the duties of nurses and attendants, and the organization and general management of hospitals." It has during 1863 and 1864 given special attention to the necessities of the freedmen in the Mississippi Valley, and its officers have interested themselves in the adjustment of wages, and in securing just and considerate treatment of the emancipated slaves from those who have rented the plantations, which had been abandoned by rebel owners. The Commission have expended about \$40,000 in the relief of freedmen. It has also kept a registry of the location and condition of invalid and wounded soldiers in the Western armies. It has also provided to a considerable extent for the large number of white refugees from the States in insurrection, who have drifted into St. Louis, and were in a condition of great suffering.

The Western Sanitary Commission has received from its organization to January, 1865, a little more than \$1,000,000 in cash, of which \$500,000 was the net result of a fair held in St. Louis, in May, 1864; and about \$2,000,000 in supplies.

III. OTHER SANITARY COMMISSIONS. Two or three of the Western States have established organizations dependent partly upon legislative grants, and partly upon contributions, for the care of the sick and wounded soldiers of their respective States, and their families, to which they have given the name of "State Sanitary Commissions."

They have generally expended their moneys for those services which may be more appropriately rendered to a soldier by his own State, or its representatives, than by others, such as the furnishing means of reaching home during a furlough, or of reaching his regiment when he has been detained from it by sickness; the procuring of the allotment of his pay or bounty, or the rendering him contented by the care of his family. The Indiana State Sanitary Commission, fostered and prompted by the energetic and patriotic Governor of that State, has accomplished much good in this way, and up to February, 1864, had expended \$320,000 in its succor of Indiana soldiers. The Iowa State San-

itary Commission has been also very efficient. It has expended \$175,500 to February 1, 1864. An organization of a similar character, though we believe not with the same name, exists in Wisconsin, having originated with the late lamented Governor, Louis P. Harvey, who lost his life in a journey to the field of Shiloh, to distribute its bounties. It has contributed largely to the aid of the soldiers, and its benefactions have not been confined to those from Wisconsin. In Illinois, there is an officer called a Commissioner-General, whose function it is to collect stores and supplies from the towns and counties of the State and send them forward for distribution, after each great battle. In New York, a State Soldiers' Depot was established in July, 1863, in Howard street, New York City, and received an appropriation from the State Legislature of \$200,000, which combines the character of a Soldiers' Home, hospital, and reading-room, and has its couriers on each train on which New York and other soldiers come from the Army of the Potomac, and meets them coming from other points, by steamers or otherwise, cares for the comfort of the sick and wounded, administering, under the direction of its surgeon, cordials and nutriment while in transit, protects them from the sharpers who would plunder them, and in every way looks after their interests. It has expended since its organization in June, 1863, about \$65,000 in money, and has distributed clothing, etc., to the amount of over \$10,000 more. It has fed and lodged over 15,000 soldiers, and given aid and counsel to thousands more. The plan for establishing national cemeteries in the vicinity of our great battle-fields, at Gettysburg, Antietam, Chattanooga, etc., has been greatly promoted by its earnest advocacy.

One of the best of the institutions of this class is "The New England Soldiers' Relief Association," located at 194 Broadway, New York, and organized April 3, 1862. Its founders and supporters were New England men and women, but its doors have been opened to, and its charities lavished upon, the soldiers of every State. That a soldier was on furlough, or sick or wounded, discharged, or in trouble, has been ever a sufficient passport to its halls and its sympathies. Since its organization it has received, registered, lodged, fed, aided, and clothed, sick and wounded or disabled soldiers from thirty-one States, the District of Columbia, the regular army, the navy, and the Invalid Corps, to the number of about 45,000, and has fed or lodged, and rendered assistance to many thousands more, who were not sick, wounded, or disabled. It has a Hospital Record and Directory, very full and complete, of the inmates of all the military hospitals of New York and New England, which is kept up to date by daily reports from each hospital, and gives full particulars in regard to the location, condition, and final disposition of each patient. This register contains about 40,000 names, and is so complete that the Sanitary Commission,

in February, 1864, relinquished theirs for that Department, in its favor. It has a good hospital for the sick or wounded soldiers, with a skilful surgeon, careful attendants, and assiduous volunteer night watchers; furnishes an asylum to those unfortunate soldiers who, discharged from the service without means, find themselves homeless and shelterless, giving them a home till employment can be provided for them. It also interests itself in procuring transportation, bounties, and back pay for the soldiers, and furnishing information to the friends of those who are sick, or have died, relative to procuring their dues. Religious services are conducted every Sabbath at its rooms. Much of the service rendered, including that of the Superintendent, is voluntary, and without compensation. Indeed, the Superintendent has, in addition, paid large sums from his own pocket, for the relief of soldiers, in cases where such relief could not properly come from the State funds, or the funds of the Association. The Superintendent of this Association acts also in the capacity of State Military Agent for the States of Maine, New Hampshire, Vermont, Massachusetts, Wisconsin, Minnesota, and Indiana, and is authorized to render such assistance as may be needed to the soldiers of those States coming to New York.

SANTANA, PEDRO, an ex-President and General of San Domingo, born in the early part of the present century, died in San Domingo June 14th, 1864. He first brought himself into notice in 1844, when by his successful efforts to secure the independence of the Dominican republic of the island of Hayti he acquired from his countrymen the title of the "Liberator." In the same year he was elected President of the republic, which office he held until 1849. During this period treaties were concluded with France and Great Britain, and the new nation was established on a firm footing. Retiring from office upon the election of his successor Jimenes, in 1849, he was almost immediately afterwards called to assume the dictatorship upon the invasion of the country by Soulouque, the Haytien emperor, whom he defeated in a decisive battle near Savanna Numero on April 22d. Jimenes having fled the country, Baez was elected the constitutional President and Santana laid down his dictatorship. In 1853 he was reelected for another term of four years, distinguishing himself in 1855 and 1856 by signally defeating Soulouque, and in 1857 he was again succeeded by Baez, who signalized his return to power by becoming the leader of the clerical or reactionary party. So distasteful did this prove to the people that in September, 1857, Santana was enabled to head a revolutionary movement which led to the expulsion of Baez in the succeeding year, and the restoration of liberal rule. When, in the spring of 1861, the Spanish Government, taking advantage of the confusion prevailing in the United States, undertook to reannex the Dominican republic to its domin-

ions, Santana became, by means of bribes, a ready instrument to effect this purpose. By his proclamation of March 18, 1861, he announced the union of the State with Spain, and was rewarded with a lieutenant-generalship in the Spanish Army, a title of nobility, and various decorations. That his action was not in accordance with the wishes of the people was seen in the sanguinary resistance to Spanish rule which followed, and which will prove in all probability successful. Santana died hated by his countrymen and neglected by those to whom he had assumed to sell the republic.

SCHLESWIG-HOLSTEIN. The two duchies of Schleswig and Holstein, together with the duchy of Lauenburg, were formerly dependencies of the crown of Denmark; but on the death of King Frederic VII., the difference of opinion as to the lawful successor of the late king in the duchies, where the salic law had formerly been in force, led to a war of Austria and Prussia against Denmark, which terminated in a treaty of peace, concluded at Vienna on Aug. 1st, 1864, and providing (in the 1st paragraph) that "His Majesty the King of Denmark renounces all his rights to the duchies of Schleswig-Holstein and Lauenburg in favor of their Majesties the King of Prussia and the Emperor of Austria, engaging to recognize the arrangements their said Majesties shall make in respect of those duchies."

The question of succession was not solved at the close of the year 1864. The chief claimant was Frederic, prince of Schleswig-Holstein Sonderburg Augustenburg, born July 6th, 1829. His chief competitor was the grand-duke of Oldenburg; but Prussia indicated that she also would present a claim, if not to the lawful succession, yet to the right of possession of the duchies, or, at least, of a part of them.

On Dec. 7th, 1863, the Federal Diet of Germany, on the motion of Austria and Prussia, resolved to execute the federal laws against Denmark, and compel her to revoke the fundamental law of Nov. 18, 1863, as far as the duchies of Holstein and Lauenburg are concerned, as inconsistent with the rights of these duchies and of the German confederacy, of which they form a part. The decision of the question of succession was reserved. A motion for a "federal occupation" of Holstein and Lauenburg was rejected, as prejudging the decision of the question of succession. Austria, Prussia, Saxony, and Hanover were ordered to furnish a contingent for the federal army, which was to take possession of Holstein; but only the forces of the two latter States were to march into the duchies, while those of Austria and Prussia were to form a corps of observation. The whole federal army was placed under the chief command of the Saxon General Hake. On the approach of the German troops, the Danes evacuated the duchies of Holstein and Lauenburg, with the exception of a small strip of land to the north of the Eider (the crown-

works at Rendsburg, and six villages claimed by the Danes as belonging to Schleswig).

The Federal Commissioners, which accompanied the federal army, at once organized a provisional Government. The "Holstein Government," which had been established on Nov. 12th, 1862, by the King of Denmark at Ploen, for the administration of the duchies, was abolished and a "Ducal Government" established at Kiel.

The Prince Frederic of Augustenburg suddenly and unexpectedly arrived at Kiel on Dec. 30th, 1863, and addressed a proclamation to the people announcing his arrival and his accession to the Government as Frederic VIII., Duke of Schleswig-Holstein. He was received by the people with great and unanimous enthusiasm. All the towns of Holstein sent deputies to the duke, to pay him their homage, and the clergy, at a meeting held at Neumunster, on Jan. 15th, unanimously resolved to petition the Diet to recognize the rights of Duke Frederic.

On Dec. 28th, 1863, Prussia and Austria proposed to the Federal Diet to summon the Danish Government not to execute, with regard to the duchy of Schleswig, the fundamental law of Nov. 18th, 1863, and to declare, that in case of a refusal on the part of Denmark, the Germanic confederation would be obliged to procure, by means of a military occupation of Schleswig, a pledge for the accomplishment of their legitimate wishes. This proposition was, on Jan. 14, 1864, rejected by 11 against 5 votes, viz.: Austria, Prussia, Hesse-Kassel, Mecklenburg, and 16th "curia" (the States casting collectively the 16th vote).^{*} The two great powers, Prussia and Austria, declared that they would henceforth carry out their proposition, not as members of the German Diet, but as great powers of Europe. Bavaria, Saxony, Würtemberg, Baden, Hesse-Darmstadt, Saxe-Weimar, Meiningen, Coburg-Gotha, the 13th and 15th "curiæ," protested against this declaration. On Jan. 16th Austria and Prussia notified the Danish Government that they would recall their ministers, if the constitution of Nov. 18th, 1863, were not withdrawn within forty-eight hours. In reply the Danish Government, on Jan. 18th, demanded a delay of six weeks, in order to give it time to convoke the Rixrad of Denmark and Schleswig, and deliberate with it concerning a change in the constitution of Nov. 18. This demand was rejected by Austria and Prussia. On the other hand, the Prime Minister of Denmark, Bishop Monrad, declared on Jan. 27th to the Landsting that the Danish Government would never consent to a union of Schleswig with Holstein, or to an autonomy of Schleswig, or to a division of the duchy.

The Prussian and Austrian troops, on Jan. 17th, began to move, without obtaining previous authority from the Governments concerned, or from the Federal Diet, through the

territory of Oldenburg and Hamburg. On Jan. 21st they entered Holstein. On the next day the Federal Diet gave its consent to the march of the Austrian and Prussian troops through Holstein, after having previously (Jan. 19th) received the assurance from these two powers that they would in no way obstruct the action of the federal commissioners, or the commander-in-chief of the federal troops. On Jan. 30th the Field-Marshal, Gen. Wrangel, commander-in-chief of the "Austro-Prussian Army for Schleswig-Holstein," summoned Lieut.-Gen. de Meza, general in chief of the Danish Army, to evacuate Schleswig. This demand was, on Jan. 31st, rejected by the Danish general.

On Feb. 1st the Austro-Prussian army crossed the Eider, extending its line from Kiel to Rendsburg, the Prussians forming the right wing under command of Prince Frederic Charles of Prussia, and the Austrians the left wing under the command of Lieut. Field-Marshal de Gablenz. The Danish line, which extended from Eckenförde to Sorgbrück, was driven back by the allies. The Austrian vanguard, under command of Maj.-Gen. Gondrecourt drove, on Feb. 3d, the Danes from the fortified positions of Jagel and Oberselk, and stormed the Koenigsberg. The Danish forces then withdrew behind the strongly fortified line of the "Dannevirke." This, however, became at once untenable, when, on Feb. 5th, the Prussians effected a passage over the Schley, opposite Arnis. Amidst constant skirmishing the Danes fell back to the fortifications of Duppel opposite the island of Alsen. In one of the engagements, which took place during this retreat, at Oeversee, Prince Wilhelm of Würtemberg, who commanded one of the Austrian regiments, was seriously wounded. In a few more days the whole main land of Schleswig, with the exception of the fortifications near Duppel, was in the hand of the allies. Immediately on the retreat of the Danes, every town of Schleswig proclaimed Prince Frederic Duke of Schleswig. On Feb. 7th a proclamation from Gen. Wrangel announced to the people of the duchy the appointment of two Austro-Prussian civil commissioners for the administration of the duchy (Baron de Zedlitz for Prussia, and Count de Revertera for Austria). The commissioners, on Feb. 8, issued a proclamation declaring the power of the King of Denmark to be suspended and the laws of the country to remain in force; the expression "royal" authority and the use of the "royal" seal were prohibited; protection was promised to all who would submit to the authority of the general-in-chief; political societies and manifestations, especially such as would aim at prejudging the question of succession, were forbidden. On Feb. 17th the commissioners issued a decree suspending the constitution of Nov. 18, 1863, and by another decree issued two days later, they reestablished the use of the German language in the churches and schools in the places in which it had been suppressed by the Danish edicts of 1851.

^{*} For the composition of the Federal Diet, see the article Germany in the ANNUAL CYCLOPÆDIA for 1863.

In the meanwhile, serious difficulties had arisen between the Prussian and the federal armies. On Feb. 9 General Wrangel notified General Hake, the commander of the federal troops, that to assure the operations of war, it was indispensably necessary for him to have the cities of Altona, Neumünster, and Kiel, occupied by Prussian troops. The federal general, on Feb. 11, refused to accede to this demand, but notwithstanding this refusal and the protest of the federal commissioners, the Prussian troops entered Altona on Feb. 12. On the same day an order from Frankfort authorized Gen. Hake to receive them.

This conflict added to the irritation which had already existed between Austria and Prussia on the one hand, and the majority of the minor States, headed by Bavaria, on the other. On Feb. 11 the committee of the Federal Diet on Schleswig-Holstein presented the report. The majority proposed: 1. That the protocol of London (the treaty of May 8th, 1852) had no obligatory force for Germany. 2. That the Confederation cannot recognize it, and cannot take it as the basis of its decisions. 3. That, consequently, the powers of the envoy of King Christian IX. near the Diet cannot be admitted. 4. That, on the contrary, the committee be invited to present, as soon as possible, its report on the question of succession. The minority, Austria and Prussia, proposed to reject this motion, and instruct the committee to examine the question of succession in the duchies of Schleswig-Holstein and Lauenburg. The vote on these motions was taken on Feb. 25. Articles 1 and 2 of the proposition of the majority were rejected by 9 votes against 7; but articles 3 and 4 adopted by the same majority of 9 against 7. In the same session, Austria and Prussia demanded that the chief command of the army of the federation be transferred to the general-in-chief of the allied army, and that the Diet approve the nomination of two new civil commissioners for Holstein, by Austria and Prussia. On March 3d a vote was taken on the proposition made by the two great powers, when 6 voted for it and 3 against, and 7 for referring it to a committee.

Notwithstanding the threats of the English Government that England would not allow the allied troops to pass beyond the frontier of Schleswig, the Prussians, on Feb. 18th, crossed into Jutland, and on the next day occupied Kolding. Their advance was obstinately opposed by the Danes, but on March 15th the whole of Jutland as far as the Lymfjord, was occupied by the allies. The most desperate struggle of the war was near the fortifications of Duppel. On March 17th the Prussians occupied the villages of Rackebull and Duppel. On March 29th they completed the first parallels against the intrenchments. On April 18th, after a furious bombardment from 118 guns, lasting for several hours, the fortifications of Duppel as well as the *tête de pont* of Sonderberg, were stormed by the Prussians, who cap-

tured on this occasion 3,790 prisoners. The total loss of the Danes, in killed, wounded, and missing, was 106 officers and 5,500 men; while the loss of the allies amounted to 16 officers and 213 men killed, 54 officers and 864 men wounded, and 39 missing; total, 70 officers and 1,116 men. The occupation by the allies of Duppel, put them in possession of the entire mainland of the duchy of Schleswig. On April 29th the Danes evacuated the fortress of Fredericia, the only fortified place which they still held in Jutland.

These reverses disposed the Danes favorably toward the proposal of England to hold a conference at London consisting of the representatives of the great powers of Europe, of the belligerent powers, and of Sweden, for the purpose of attempting a peaceable solution of the difficulty. The Conference (*see* LONDON CONFERENCE) declared on May 9th in favor of an armistice, which was acceded to by the representatives of both the belligerent parties; but before this decision was known by the governments of the belligerent States, and acted upon, a naval engagement took place, on May 9th, near Heligoland, between 2 frigates and 1 corvette on the side of the Danes, and 2 Austrian frigates and 2 Prussian gunboats on the other. When one of the Austrian frigates caught fire, it was deemed necessary by the allied fleet to relinquish the combat and retreat to Heligoland.

The London Conference did not succeed in bringing on peace, and on June 26th hostilities were resumed. On June 29th the allies forced a passage to the island of Alsen, which the Danes were compelled to abandon in the greatest haste. Jutland was placed under Austro-Prussian administration, and all the islands to the west of Schleswig occupied in rapid succession. The Danes had hitherto hoped for aid from England, but when the debate in the English Parliament clearly showed that neither the ministry nor the opposition (the Tories) intended to go to war in their behalf, they consented to a new suspension of hostilities, at a conference held at Christiansfeld, July 18th. On June 26th, a Peace Conference of plenipotentiaries of the three powers was opened at Vienna, and on August 1st the preliminaries of peace were signed. They provide for the cession by Denmark of the duchies of Schleswig-Holstein and Lauenburg, a complete suspension of hostilities until Sept. 15th, the right to terminate the armistice after six weeks of previous notice, and the continuance of Jutland under the administration of the allies until the conclusion of peace. The details of the arrangement were not agreed upon until Oct. 30th, on which day the definite treaty was signed.

The treaty contains twenty-four articles and a few supplements. Article one simply reproduces the corresponding article of the peace preliminaries in which the King of Denmark cedes all his rights to the duchies of Schleswig-Holstein and Lauenburg, in favor of the King of Prussia and the Emperor of Austria.

As equivalent for the Jutland territory of Mogel, Tondern, the Island of Amrom, the Jutland portion of the islands of Föhr, Sylt, Römsoe, &c., which Denmark has ceded to the Duchies, a portion of northern Schleswig has been restored to Denmark. The peninsula of Stenderup, opposite Fühnen, is included in Danish Schleswig. In granting this compensation for the Jutland *enclaves*, which was earnestly desired by Denmark, owing to the strategic position of the ceded territory, the German powers wished to show that the separation of Schleswig from the Danish monarchy was not a first step toward the dismemberment of Denmark. Upon the other hand, the peace treaty contains no stipulation guaranteeing the Danish population living in German Schleswig, the right of their national language.

Article six stipulates for the nomination of a mixed commission of Prussian, Austrian, and Danish plenipotentiaries to settle the details of the new boundary line upon the spot.

Article seven contains arrangements respecting private landed property, which will be bisected by the new frontier.

The following articles are devoted to financial matters. The portion of the Danish debt which falls upon the Duchies amounts to twenty-nine million rigsdalers (about £3,280,000). The manner in which this sum is to be repaid to Denmark by the Duchies, is stipulated by the treaty.

Denmark further bound herself to return the captured German ships, with their cargoes, wherever the latter have not been already sold. In such cases Denmark undertook to compensate the owners.

The treaty was approved on Nov. 9th, in the Folksting (Lower House of the Danish Rigsraad), by 75 against 21 votes; and, on Nov. 11, in the Landsting (Upper House), by 55 votes against 4. All the deputies present from Schleswig and the enclaves ceded by the treaty to the German powers, either voted against the treaty or not at all. The bill was at once signed by the king, and on Nov. 17th three royal proclamations were issued. The first releases the inhabitants of the ceded Duchies from their oath of allegiance, and the second is a farewell address to the people of Schleswig and Holstein. The third is addressed to the Danes, and says: "The separation from the kingdom of those inhabitants of Schleswig who were bound to Denmark both by sentiment and language, is the most painful sacrifice of all. We have lost much, but have not lost hope; the future belongs to those who are in earnest."

SCHMUCKER, SAMUEL MOSHEIM, LL.D., an American author, born at New Market, Va., Jan. 12, 1823, died in Philadelphia, May 12, 1863. At ten years of age he entered the Classical Academy of New Market, and was admitted in 1836 to the Pennsylvania College, located at the same place. He proceeded as far as the junior class, and went, in 1838, to Washington College, where he graduated in

September, 1840. On his return home from college, Mr. Schmucker commenced the study of theology in the Gettysburg Theological Seminary, and in October, 1842, was licensed to preach by the Lutheran Synod at Bloomfield. Soon after, he received and accepted a call from the Lutheran Church in Lewiston, Pa., to become their pastor, being then but twenty years of age. In 1845 he accepted a call from the first Lutheran Church in Germantown, and during his residence there improved himself greatly in theological learning. After three years at Germantown, he resolved to withdraw from the ministry, a determination resulting from the fact that he did not find the anxious duties and thankless responsibilities of the clerical profession very congenial to his disposition. In October, 1848, he resigned his church, received an honorable dismission from the Synod to which he belonged, removed to Philadelphia, and entered upon the study of the law. During the progress of his studies Mr. Schmucker was an active member of the Philadelphia Law Academy, and at one time was the secretary of that institution. In January, 1850, he was admitted to the bar, and immediately commenced the practice of his profession with the most flattering prospects.

In March, 1853, he removed to New York city and entered into partnership with Judge Drinker, but after two years' practice, preferring Philadelphia as a residence, he returned there, and opened an office, but employed himself chiefly in writing; his favorite department being history and biography. His principal works were: "The Errors of Modern Infidelity" (1848); "The Spanish Wife" (1854); "Catharine the II. Empress of Russia" (1855); "Nicholas I. of Russia" (1856); "Col. John C. Fremont" (1856); "The Yankee Slave Driver" (1857); "Alexander Hamilton" (1857); "Thomas Jefferson" (1857); "Memorable Scenes in French History" (1857); "History of the Mormons" (1858); "Life of Dr. E. K. Kane" (1858); "Life of Napoleon III." (1858); "The Arctic Explorations" (1859); "Memoirs of Daniel Webster" (1859); "History of all Religions" (1859); "History of the Four Georges" (1860); "History of the Modern Jews" (1860); "Life of Washington" (1860); "Life of Henry Clay" (1860); "Blue Laws of Connecticut" (1860); "History of the Southern Rebellion" (1863).

SCHOOLCRAFT, HENRY ROWE, LL.D., an American ethnologist, born in Albany County, N. Y., March 28th, 1793, died at Washington, D. C., December 10th, 1864. At the age of 14 he became a member of Middlebury College, Vt., where he soon evinced a decided fondness for the physical sciences. He also pursued with great eagerness the study of Hebrew, German, and French. His father being the superintendent of a glass-house, he studied the art of glass-making, and in 1816 commenced the publication of a work on "Vitreology," which was never completed. During the next

year he made a journey to the West, and after his return with an extensive mineralogical and geological collection, he published "A View of the Lead Mines in Missouri," and a narrative of travel, since enlarged, under the title of "Scenes and Adventures in the Semi-Alpine regions of the Ozark Mountains of Missouri and Arkansas," (1853). In 1820 he was appointed geologist to an exploring expedition under Gen. Cass, to the copper region of Lake Superior and the Upper Mississippi, of which he published an account in 1821. In the course of the same year he was appointed secretary to an Indian commission at Chicago, and having travelled through Illinois and along the Wabash and Miami Rivers, published a book of "Travels in the Central Portions of the Mississippi Valley." In 1822, having received the appointment of Indian Agent on the northwestern frontier, he took up his residence at Sault Ste. Marie near Lake Superior, and afterwards at Macherian on Lake Huron, and married the granddaughter of a celebrated Indian chief, Miss Johnston, a lady of remarkable beauty and worth, who had been educated in Europe, and was no less distinguished for her intelligence and culture, than her personal attractions. From that time Mr. Schoolcraft became a diligent and successful student of Indian ethnology, poetry, and history; from 1828 to 1832 he was a member of the Legislature of Michigan, then a territory; in the former year he founded the Michigan Historical Society, and in 1831 the Algic Society at Detroit; two of his lectures before which on the grammatical construction of the Indian languages were translated by M. Duponceau into French, and received a gold medal from the Institute. At this period of his life he published several poems, lectures, and reports on Indian subjects, and a grammar of the Algonquin language. In 1832 he was appointed to conduct a second Government expedition, and was the first to discover the source of the Mississippi, of which he published an account in 1834. Two years after, having been commissioned to treat with tribes on the Upper Lakes, he procured from them the cession of 16,000,000 acres of land to the United States. After acting for several years as Superintendent of Indian Affairs, and chief disbursing agent for the Northern Department, he removed to New York in 1841; visited Europe in 1842; and in 1845 was appointed by the State Legislature to make a census of the Six Nations, which was published in 1848, under the title of "Notes on the Iroquois." In 1847, under an appointment by the U. S. Secretary of War, he engaged in the preparation of a work on the Indians, of which six quarto volumes have appeared, entitled "Historical and Statistical Information respecting the History, Condition, and Prospects of the Indian Tribes of the United States."

In addition to the above publications, Mr. Schoolcraft was the author of several other interesting volumes relative to the Indian

tribes, the most important of which was "Algic Researches." In 1847 he was married again, to a lady of South Carolina, since which time he resided in Washington until his death.

SEALSFEALD, CHARLES, a popular novelist, born in 1797, died at Solothurn, Switzerland, May 26, 1864. His nationality has been a matter of much dispute; it has been said that he was an American, a German, and an Englishman, and by some he was supposed to be of Austrian birth. For the greater portion of his life, however, America was his home. Since 1844 he had resided for the most part in Switzerland, and when the census of 1860 was taken there, he wrote himself down as "Charles Sealsfeald, citizen of the United States of America, belonging to another religion." His vigorous, graphic, and highly characteristic novels, tales, and travelling sketches, the scene of all of which is chiefly in America, have found translations both in England and in the United States, and have been made the subject of numerous articles in magazines and reviews. Most of his publications were written in German; one of the longest and most important of his romances, however, appeared first in English, at Philadelphia, in 1828, under the title of "Tokeah; or, the White Rose." This he afterwards translated into German, and published it four years later at Zurich as "The Legitimates and the Republicans." His "Trans-Atlantic Travelling Sketches," "Pictures of Life in both Hemispheres," and "South and North," abound in striking and vivid delineations of life and character, and have been surpassed by no English or American writer on the like topics; while his great Mexican novel, "The Viceroy and the Aristocracy," is, perhaps, the most powerful and original of all his works. Toward 1830 he was for a short time in Paris and London, occupied with journalism. His last work appeared in 1842.

SEDGWICK, JOHN, a Major-General of volunteers in the United States Army, born in Connecticut about 1815, killed near Spottsylvania Court House, Va., May 9th, 1864. He was graduated at West Point in 1837, 24th in a class of fifty members, among whom were Gens. Benham, Hooker, Arnold, French, and others of the Federal service, and the rebel Generals Bragg, Early, and Pemberton. He entered the Mexican war as first lieutenant of artillery, and was successively brevetted captain and major for gallant conduct at Contreras, Churubusco, and Chapultepec. He also distinguished himself at the head of his command in the attack on the San Cosmo gate of the city of Mexico. At the outbreak of the rebellion he held the position of lieutenant-colonel of the 2d United States cavalry. On April 25th, 1861, he was promoted to the colonelcy of the 4th cavalry, and on August 31st was commissioned a brigadier-general of volunteers and placed in command of a brigade of the Army of the Potomac, which in the subsequent organization of the army was assigned to

the Second Corps, under General Sumner, General Sedgwick assuming command of the 3d division of the corps. In this capacity he took part in the siege of Yorktown and the subsequent pursuit of the enemy up the Peninsula, and greatly distinguished himself at the battle of Fair Oaks, where the timely arrival of Sumner's troops saved the day. In all the seven days' fighting, and particularly at Savage Station and Glendale, he bore an honorable part, and at the battle of Antietam he exhibited the most conspicuous gallantry, exposing his person with a recklessness which greatly imperilled his life. On this occasion he was twice wounded, but refused for two hours to be taken from the field. On December 23d he was nominated by the President a major-general of volunteers, having previously been made a brevet brigadier general of the regular army, and in the succeeding February he assumed command of the Sixth Army Corps. At the head of these troops he carried Marye's Heights in the rear of Fredericksburg during the Chancellorsville campaign in May, 1863, and after the retreat of General Hooker across the Rappahannock, succeeded only by very hard fighting in withdrawing his command in the face of a superior force, against which he had contended for a whole day, to the left bank of the river. He commanded the left wing of the Army of the Potomac during the advance from the Rappahannock into Maryland in June, and also at the succeeding battle of Gettysburg, where he arrived on the second day of the fighting, after one of the most extraordinary forced marches on record, and where his steady courage inspired confidence among his tried troops. During the passage of the Rapidan on November 7th, 1863, he succeeded, by a well-executed manœuvre, in capturing a whole rebel division with a number of guns and colors, for which he was thanked by General Meade in a general order. In command of his corps he took part in the spring campaign of the Wilderness, under General Grant, and on the 5th and 6th of May had position on the Federal right wing, where the hardest fighting of those sanguinary engagements took place. Three days later, while directing the placing of some pieces of artillery in position in the intrenchments in front of Spottsylvania Court House, he was struck in the head by a bullet from a sharpshooter and instantly killed. General Sedgwick was one of the oldest, ablest, and bravest soldiers of the Army of the Potomac, inspiring both officers and men with the fullest confidence in his military capacity. His simplicity and honest manliness of character endeared him, notwithstanding he was a strict disciplinarian, to all with whom he came in contact, and his corps was in consequence one of the best in discipline and *morale* in the army. He several times held temporary command of the Army of the Potomac during the absence of General Meade, but on more than one occasion declined the supreme command.

SEWERS. The plans for sewers in the various cities of this country have been formed upon the general system adopted in London, England. But this system has been found to be so defective that an entirely new intercepting plan of main drainage has been adopted. Its importance, therefore, from the influence it is likely to have here, is too great to be overlooked. The whole system, together with the advantages to be derived from it, may be briefly and summarily explained in the following words:

Before the Board of Works arose—as the *Times* expresses it—our efforts in the way of drainage were confined to the extremely simple expedient of running all drains into the Thames; in fact, of making the river our great main sewer, and how admirably our efforts succeeded the smell of the Thames in hot weather soon showed. Bad, however, as this system of drainage was, there was one thing even worse, which was the method of effecting it. The first drains and sewers made were in the old districts of the metropolis—that is, those districts which lay more or less close to the river on each side, and therefore the lowest in point of elevation of any in the city. It was hard to drain these parts at all, and it had to be done by taking the sewers so very much lower that it was only at dead low water they could empty themselves. As London grew, every year added enormously to the extent and danger of the evil, till scarcely any sewers could empty but at dead low tide, when the water in the river was at its *minimum*, and when the returning flood swept all the nauseous flotsam and jetsam back into the heart of the metropolis, and kept it churning backwards and forwards for another six hours in the open air. What effect this at last produced we all know, though what no one knows is why it did not bring a pestilence long ago. It is enough, however, to say that the evil was so severely felt, and the danger so pressing, that the intercepting scheme of main drainage was at last adopted, is now nearly half executed, and will before this time twelve-month be entirely completed, with the exception of the small length to be laid in the Thames Embankment. The intercepting plan, as its name implies, consists in cutting three great main drains on both sides of the river, and which, instead of running due north and south, like the present system, run from west to east. These great main lines intercept and cut off all the existing lines of drains from the river, carry their contents away down to below Barking Creek and Erith Marshes, where they are poured into gigantic reservoirs, and afterwards, when deodorized, turned into the river at high tide, and swept away by the ebb almost to sea. Thus, the sewage is not only turned out free from smell, but turned out into a body of water nearly thirty times as great as that into which it used to be poured, and, instead of sickening the air at our very doors, becomes lost in the volume of water which

rolls down between the marshes on each side of the river to far below Gravesend.

On the north side of the Thames the intercepting sewers are divided, as we have said, into three distinct lines, two of which, called respectively the high and middle level sewers, unite at and pass over the River Lea; and the third, the low level, after passing through the Thames Embankment, will eventually join them at the proposed pumping station at Abbey Mills. Three parallel sewers, called the northern outfall sewer, each 9 feet by 9 feet, are constructed as one work, in a concrete embankment, and are carried by aqueducts over rivers, roads, and railways, to the Barking reservoir.

On the south side of the Thames there are three lines of intercepting sewers, which are also known as the high level, the middle level, and the low level, and these converge to one point at Deptford pumping station, where the sewage from the low level is lifted into the upper-level sewers, and their united stream flows thence deep under Greenwich and Woolwich, through one outfall sewer, $11\frac{1}{2}$ feet in diameter, to the Crossness reservoir and pumping station in Erith Marshes. Three-fourths of London north of the Thames are, however, elevated so far above the river that the sewage can be conveyed by its own gravitation to the level of high water at Barking, and this is why the sewers are carried in an embankment at such a height above the level of the marshes, and no pumping station is needed at the outfall. But on the south side the levels are so low that this cannot be done, and therefore the outfall sewer is under ground, and a pumping station is placed at its outlet to raise the sewage into the reservoir.

The high, middle level, and outfall sewers on both sides of the Thames are now, with the exception of a few very minor connections and works, completed. The low-level sewer on the south side will be finished this year, but the short pieces of the northern low-level sewer cannot be completed until the Thames Embankment is finished. About one-third of the metropolitan sewage is now intercepted and discharged at the outfalls, and there can be little doubt that but for this the river would have been much more offensive this dry season than it has yet been.

The areas drained by the three levels on the north side are as follows:

	Square miles.
The Northern High Level takes the drainage of Hackney, Homerton, Stoke Newington, Stamford-hill, Hornsey, Holloway, Kentish-town, Hampstead, Highgate, and other localities, the total area of which is.....	9 $\frac{1}{4}$
The Middle Level takes the drainage of Bow, Mile-end, Bethnal-green, Shoreditch, Kingsland, Islington, part of the City, Clerkenwell, Holborn, Oxford-street, and from Bayswater to Kensal-green, and other localities, the total area of which is.....	17 $\frac{1}{4}$
The Low Level takes the drainage of Poplar, Limehouse, Shadwell, Radeliffe, part of the City of London, Westminster, Pimlico, Chelsea, Brompton, Fulham, Hammersmith, and adjoining localities, the total area being.....	23 $\frac{1}{4}$
Total.....	50 $\frac{3}{4}$

The northern outfall reservoir is situated at the point where Barking Creek falls into the Thames, a little east of Woolwich, and $11\frac{1}{2}$ miles below London-bridge. This covers an area of about ten acres, and is capable of containing 6,243,000 cubic feet, or 39,000,000 gallons. Its depth is about seventeen feet, and it is divided into four compartments. There are sixteen openings in the side of the outfall sewers through which the sewage flows into the reservoirs, as regulated by the penstocks; and underneath them are sixteen openings, also regulated by penstocks, for the outflow of the sewage into the river at the time prescribed. The discharge culverts into the river are visible only at the time of low water; they are nine in number, and in front of them is a stone-paved apron, over which the sewage glides, without leaving any deposit, into the river.

The machinery provided is of 500 nominal horse power, consisting of four double-acting condensing engines, each working two single-acting ram-pumps, or sets of plungers. The beams are 40ft. long; the fly-wheels, 27ft. diameter and 50 tons weight each; the cylinder is 48in. diameter and 9ft. stroke; and the plungers (eight to each engine) are 4' 6" diameter; half of them with 4' 10" stroke, and the remainder with 2' 3" stroke. The pump-cases are 12ft. diameter; the two delivery-troughs or outlets from the pumps are each 32ft. long, $11\frac{1}{2}$ ft. wide, and 10ft. high. The 12 boilers are each 6ft. diameter and 30ft. long. The engine-house is about 154ft. long, and about 53ft. wide; the boiler-house about 112ft. by 64ft. The chimney-shaft when completed, will be about 200ft. high; the coal-sheds extend along one side of the reservoir for a length of about 530ft., and are about 48ft. wide. The entire area of the works, including the reclaimed ground and adjoining land, is about 36 acres. A telegraphic wire is fixed along the centre of the arch of the outfall sewer between Deptford and Crossness, so that in case of accident to the machinery or other works at either end the fact may be instantly made known and assistance procured. The southern reservoir has an area of about six and a half acres, is seventeen feet deep, and is capable of holding 4,340,000 cubic feet, or 27,000,000 gallons, in its four compartments.

The drainage from the low-lying districts of Rotherhithe, Bermondsey, Newington, Vauxhall, Wandsworth, Putney, and other places, will be previously pumped at the station at Deptford Creek from the low-level sewer up to the high-level sewers, which carry off the drainage of Nunhead, Dulwich, Norwood, Brixton, and Clapham. From Deptford the united stream will flow through the outfall sewer to Crossness pumping station, where it will be lifted into the reservoir. The *maximum* quantity of sewage to be pumped is estimated at 8,000 cubic feet per minute, and the lift as varying from 10 to 20 feet. Triple culverts

convey the sewage to and from the pumps, and are built over each other to avoid the expense of separate foundations.

The course of the sewage is from the outfall sewer along the low-level culverts to the pumps; thence to the reservoir along the high-level culverts; and thence either to the low-water outlets, or to the deep outlet, along the middle-level culverts, into the river. In addition to the sewage which will accumulate in the reservoir between the periods of discharge, the reservoir will provide for storing rain to an extent which probably will not be exceeded more than a few days in the year, when the overflow may take place at a less favorable time of tide. In order to deliver the sewage into the river under as favorable condition as possible, the deep outlet is constructed with a series of 12 iron pipes, 52in. in diameter, extending for a considerable distance under the fore-shore. About 120 penstocks, or sluices, are fixed in various places, nearly 100 of the number being in the reservoir. For about 1,200ft. the river will be embanked by a retaining wall of brickwork, built on caisson foundations and capped with granite; the wall will be backed up with concrete, and the reclaimed ground filled in and levelled. The contracts, both for the buildings and the engines, are in a forward state, and it is hoped will be completed by the end of the year. Cottages will be erected for a superintendent and a staff of workmen, to reside at the works, so that constant supervision and attendance may be given.

SIEMAN PROCESS, (THE). An invention of vast importance to American mines and manufactures has recently been introduced at Pittsburg. After careful and thorough experiments, its merits are now fully established. It is essentially a new method of generating and applying heat in the processes of metallurgy, and is called the "Sieman Furnace." The inventor is a German, residing in Great Britain, where, as well as on the continent, the new furnaces are being extensively and successfully worked. The principle is applicable to all processes of reducing, refining, and working metallic ores, or metals, and, indeed, wherever heat in large quantities is required.

In furnaces of the old style, the solid fuel, whether it be wood, charcoal, peat, or pit coal, is usually placed in immediate contact with the material to be heated. In the case of steel, glass, zinc, etc., the substances are enclosed in retorts or pots to protect them. The Sieman process makes a radical departure from the old process at the outset. A "producer" (a receptacle of very simple construction) receives the coal. It is converted into gas by slow combustion, and conveyed through flues into the furnaces, where the heat is required. Here it combines with atmospheric air, and burns rapidly, producing a degree of heat adequate to all purposes required in the arts. This producer is of course entirely independent of the fur-

nace. It may be of almost any conceivable capacity, furnishing gas for one or any number of furnaces. The gas producer of moderate size is a chamber, say six feet by twelve, and ten feet high. One of its end walls contains a fire-grate reaching to half its height, inclined at about such an angle as a heap of coals would naturally take, say from 40 to 60 degrees, according to the quality of coal.

The upper portion is inclined also, but is made of solid iron plates, covered with fire-brick. Stoppered holes are provided for the introduction of an iron bar to break up the fuel and detach clinkers. The fuel is introduced through apertures above, which are usually kept closed. It is introduced in small quantities, from time to time, as the supply is consumed. The coal being ignited at the lower portion of the grate, burns slowly under a moderate draft, parting first with its most volatile ingredients—water, ammonia, etc., and yielding hydro-carbon gases and some carbonic acid. The combustion is now continued by admitting a gentle current of air through the grate.

At the lower part of the grate carbonic acid is formed of the union of the carbon of the coke with the oxygen of the air. The gas ascends through the heated mass above, and losing half its oxygen, becomes carbonic oxide, a combustible gas of great heating value. The liberated oxygen also combines again with carbon, producing the same gas in equal quantity in its turn.

The atmosphere consists of about one part of oxygen to four parts of nitrogen by weight. The nitrogen is incombustible and tends to diminish the richness or heating power of the other gases. In order to balance this loss and secure oxygen in sufficient quantity, water is brought in a small pipe and slowly introduced at the bottom of the grate. The spare heat converts it into steam, which, traversing the burning mass of fuel, is decomposed by this powerful heat into hydrogen and oxygen. The latter forms carbonic oxide in the same manner as the oxygen of the air, while the former is a well-known combustible gas in its pure state. Each cubic foot of steam thus produces as much inflammable gas as five cubic feet of air. This will be obvious when it is remembered that water consists of eight parts of oxygen to one of hydrogen, by weight. The generation of steam being dependent upon the amount of heat in the fire, regulates itself naturally to the requirements of the combustion. The total production of the combustible gases varies, of course, with the amount of air admitted; and since the admission of air into the grate depends, in its turn, upon the consumption of the gases evolved, the production is always regulated by the demand in the heating furnaces. The production of gas may be arrested for several hours without deranging the process or wasting the material. The mass of the fuel and the brick-work retain sufficient heat, dur-

ing an interval of a day even, to produce combustion when a new supply is required. The combustible gases having been formed as above described, are made to pass some distance through a large flue, during which passage they are cooled, and made to precipitate any small amount of sulphur which may have passed with them from the coal. They enter the furnace purified from all materials noxious in metallurgical processes, and are now prepared for combustion.

It is necessary to have an excess of pressure in the main gas flue above that of the air, in order to prevent any inward draft, which would produce partial combustion in the gas, thus diminishing the heating power and clogging the flues with soot. The gas must therefore be put into the furnace, without a chimney draft, which can be done by placing the producers at a lower level than the furnaces. If this is impracticable, another expedient is used. The mixed gases leaving the producers have a temperature of 300 degrees to 400 degrees Fahrenheit which must in all cases be sacrificed, as it makes no difference as to the result, at what temperature the gas to be heated enters the regenerators or air chambers. The final temperature will always be that of the heated chambers of the furnace.

The initial heat of the gas is therefore made available for producing purposes. The gas is caused to rise about 20 feet, then carried about 20 to 30 feet horizontally, and let down into the furnace. The tube being exposed to the air causes the gas to cool and increases its density from 15 to 20 per cent., so that the column is urged forward into the furnace by the added weight of the cooler gases.

Under the furnaces, where the heat is to be used, chambers are built, packed with fire-brick, having open spaces between them. These are four in number, and are called regenerators. They work in pairs, the gas ascending through one, while air ascends through the next. The gas and air enter the furnace, and produce the heat due to their chemical union. At the other end of the furnace are similar outlets, connected with the other pair of regenerators. The combined gases, after doing their work in the furnace, pass down these outlets, still retaining a portion of their heat, which they impart to these regenerators, and move on to the chimney. The last-named regenerators soon become intensely heated by this treatment. The passages between these chambers are supplied with valves and deflecting plates, which act like four-way cocks. By the use of a lever, these regenerators and air ways, which were carrying off the waste gases after combustion, can instantly be used for conducting gas and air into the furnace, while those which before carried gas and air in, now take out the exhausted gases to the chimney. By this simple expedient, an enormous amount of heat wasted in the old furnaces is saved. The gas and air

entering by the reversal of the valves through the passages, raised to an intense heat by the outgoing refuse of combustion, take up what their predecessors had left. They enter the furnace at a white heat, and there add to their carried heat that due to their mutual chemical action. It is estimated that about 4,000 degrees of heat are thus carried, while 3,000 degrees are taken from the regenerator in passing. This intense heat, if not moderated, would melt down the most refractory materials of the furnace. In this manner the regenerators are alternately heated and cooled at such brief intervals as observation may indicate to be necessary. The result is that a vast economy of heat is effected, and at the same time the quality and quantity of the heat is under the control of the engineer every moment. The supply of gas depends upon the supply of air to the producer, and can, of course, be stopped by closing the draft. By placing the inlets for air or gas at less or greater distances, the combustion in the heating furnaces is made rapid or gradual at will. So, also, the heat can be directed upon particular points by nicely-adjusted contrivances, which the ingenious builder will apply for himself.

The advantages of this system, as claimed by the inventor, and demonstrated in practice, may be summed up as follows:

1st. It enables the manufacturer to use, profitably, that large class of soft coals which, owing to the presence of sulphur, or the excess of bituminous matter, are now worthless, or only applicable when used.

2d. It gives unlimited command of heat, without the intense chimney draft used in the old furnaces, at great cost.

3d. Great purity and gentleness of flame, which largely diminishes the oxidation or deterioration of material heated in the furnace, and improves the quality of the product.

4th. Great increased durability of furnace, owing to the absence of ashes, and perfect uniformity of heat throughout the works.

5th. Saving of space within the works, and cleanliness in operating, the fuel being converted into gas outside.

6th. The complete control of the intensity of the heat, and unlimited command of the chemical nature of the flame, which may be arrested wholly, or changed from a reducing to an oxidizing flame, or the reverse, at any moment, tending to facilitate all metallurgical operations.

7th. The complete consumption of the smoke of soft coal, so that none of it is seen rising from the chimney, rendering this furnace of great value in large manufacturing towns.

Upon this latter point, Sir William Armstrong, in a recent paper before the British Scientific Association, remarks:—"The production of smoke is unnecessary and inexcusable. The Sieman process remedies this waste, and removes a great source of public annoyance."

In these furnaces the heat evolved by combustion is superadded to that previously acquired by the gases. Thus, in addition to the economy, a greater intensity of heat is obtained than is possible by ordinary combustion. In fact, as the heat evolved in the furnace, or so much of it as is not communicated to the bodies exposed to its action, continually returns to augment the new fuel, there appears to be no limit in the temperature attainable, except the power of resistance in the materials of which the furnace is composed.

Professor Faraday, in a recent lecture before the Royal Institute, says:—"The Siemens process is founded on philosophical principles, and is destined to play an important part in all metallurgical operations."

The new process is rapidly coming into use in Europe. It is used in the manufacture of heating gas in Paris, some thirty producers being erected to supply the city. In the zinc and brass works of Germany it is also successfully applied, while in England there is scarcely any branch of iron or steel working in which it has not been thoroughly tested.

The process was first introduced into this country by Park Brothers, extensive manufacturers of steel and sheet copper, at Pittsburg.

In the extensive flint glass works near Park Brothers, Mr. Davis has tested the process for eight months, with the most satisfactory results. The furnaces formerly used about nine tons of the best coal to do work which is now done by about five tons of the poorest coal. The finest quality of glass is made at these works. The manageableness of the heat is shown by the fact that a furnace exposed to a temperature of 4,000, degrees showed no signs of fluxing, the central pillars coming out with every angle as sharp as when the heat was first applied.

SILLIMAN, BENJAMIN, LL.D., an American physicist, born in North Stratford, Connecticut, August 8, 1779, died at New Haven, Connecticut, November 24, 1864. His father, Gold Selleck Silliman, a graduate of Yale College in 1752, was a lawyer of distinction in Fairfield, and during the Revolutionary war a brigadier-general of the State militia. When the British forces invaded the coast at New Haven, burning towns and villages in their progress, the family fled to North Stratford, now Trumbull, where, as has been mentioned, the subject of our sketch was born. Upon the death of his father, a few years after, his education devolved upon the widowed mother, and at thirteen years of age he was fitted for college, graduating at Yale in 1796, among the first in his class. In 1799 he was appointed to a tutorship. It was his intention to enter upon the practise of law, for which he had begun to qualify himself by professional studies; but at the solicitation of Dr. Dwight, he consented to give up his chosen course, and prepare himself for a professorship of Chemistry and Geology. He accordingly passed two years in study at Philadelphia, and

on his return to New Haven in 1804, he delivered his first course of lectures to the students of Yale College. In 1805 he went to Europe in order to profit by the teachings of eminent men in London and Edinburgh, and after an absence of fifteen months he returned to New Haven, and published an account of his journey and residence abroad in two duodecimo volumes. Few American books of travels have ever been so popular as this narrative of his European observations. Not long afterward he made a geological survey of part of his native State, which is believed to have been the first in a series of scientific explorations now widely extended through America.

In 1818, Professor Silliman founded the "American Journal of Science and Arts," with which his name is still connected. This Journal, now in its eighty-eighth volume, a survivor of most of its contemporaries, has been recognized at home and abroad for nearly fifty years as the chief repository of American Science. Its publication called for incessant labor, as well as for heavy and unrequited outlays upon the part of the editor; but its acknowledged services in the advancement and diffusion of scientific learning, entitle its founder to the honorable remembrance of every scholar.

In 1807 Professor Silliman made a chemical analysis of a meteorite of great size and brilliancy which had burst in the town of Weston, Conn. He afterward assisted Dr. Hare in his experiments with the oxy-hydrogen blowpipe, and gave it the name of "compound blowpipe," by which it is commonly known. This invention he applied to the fusion of a variety of bodies before regarded as infusible. In 1822, during the progress of some investigations connected with the galvanic battery, he first established the fact of the transfer of particles of carbon from the positive to the negative pole, and the retransfer when the points are shifted. Professor Silliman was probably the first in America to lecture before a miscellaneous audience on scientific subjects. While discharging his continuous duties as a college instructor and as editor of a scientific journal, he was frequently invited to give public lectures on Chemistry and Geology, and much of the interest now manifested in those departments of science may be traced to his influence. In Boston, New York, Philadelphia, Washington, New Orleans, St. Louis, and other large cities, he repeatedly delivered a series of popular discourses, while his more scientific lectures at New Haven have attracted young men from every part of the United States. Among the services which he rendered at once to science and to his alma mater, was the acquisition, by purchase, of the Gibbs Cabinet, then altogether the best collection of minerals in the country, which by subsequent enlargement through his energetic efforts, stands a memorial for him through all time. He found great pleasure in helping forward other men of science, his house and his laboratory always being open to receive them, and

he was ever ready to further the advancement of scientific investigations in every part of the country, his long labors bringing him honor from all parts of the world. His name is on the roll of most of the principal scientific societies of Europe as well as those in his own country. In lecturing, his language was simple, his flow of words easy, his style animated, abounding in life-like and well-adorned description, often eloquent, and sometimes varied with anecdote, running occasionally into wide digressions—his noble countenance and commanding figure often calling forth the applause of his audience as he passed through the lecture hall. He was a sincere believer in the sacred Scriptures, and in his lectures upon geology aided greatly in removing from the religious world the apprehension that science and religion were hostile in their teachings.

In 1853 Professor Silliman resigned his position in Yale College, and was elected Emeritus Professor; but at the request of his colleagues he continued to lecture on Geology until June, 1855, when he gave his closing academic course. In 1851 he again visited Europe, after a lapse of nearly half a century, travelling for the first time through France, Switzerland, Italy, and Sicily, an account of which visit appeared in 1853.

After his retirement from academic labors, his time was for the most part passed in home enjoyments, his health and vigor continuing to a good degree unimpaired. Blending with and ennobling all his virtues, was the child-like simplicity of his Christian character, shedding a lustre over the evening of his happy and honorable life. For a few days previous to his death he had been indisposed, though with no alarming symptoms; but after a night of refreshing rest, he offered his morning sacrifice of praise and thanksgiving, and in a moment was gone. Professor Silliman's scientific publications, aside from the contributions to his journal, were chiefly text-books. He edited Henry's Chemistry and Bakewell's Geology, for the use of his pupils, and in 1830 published a Chemistry, in two volumes.

SINCLAIR, CATHARINE, a Scottish authoress, born in Edinburgh April 17, 1800, died at Kensington, London, Aug. 6th, 1864. She was the daughter of Sir John Sinclair, and was early distinguished both for literary talent and benevolence. During the latter part of her father's life she acted as his secretary, and her career as an authoress commenced about the time of his death in 1835, when she published two volumes, entitled "Modern Accomplishments" and "Modern Society." The popularity of these works is evidenced by the fact that thirty thousand of them have been sold in England. Since then she has given to the press a number of other successful productions, among which are "Cross Purposes," "Hill and Valley," "The Journey of Life," "The Business of Life," "The Mysterious Marriage," "Modern Flirtations," "Lord and Lady Harcourt," and "Beatrice." In all her works, her representations of char-

acter were faithful to the life, having been drawn from personal observation of those around her, and doubtless she had herself taken a leading part in many of the dialogues she has so graphically recorded. Her brother, Capt. Sinclair, used to say that he was the naughty boy who did all the mischief in her "Holiday House." Her works have all been republished in this country, and with great success. She contributed to many charitable objects, but took special pleasure in works of public utility. She established a mission station near Edinburgh, and maintained a large industrial school to prepare girls for domestic service; took measures to improve not only the condition of the poor and the aged, but also to cultivate the literary tastes of the higher classes. She also induced a number of young artisans to form themselves into a volunteer corps, providing at her own expense a handsome uniform, a drill sergeant, and a band of music. Of late years her attention has been occupied by the superintendence of a charitable institution for widows of officers of the army. At her funeral many hundreds of the working classes lined the streets, and her own company of volunteers were present to show respect for their worthy benefactress.

SMITH, Hon. CALEB BLOOD, Judge of the United States District Court, and ex-Secretary of the Interior; born in Boston, Mass., April 16, 1808; died at Indianapolis, Indiana, Jan. 7, 1864. When about six years of age, his parents removed to Cincinnati, in which city, and in Miami University, Oxford, Ohio, he received his education. He studied law at Cincinnati and Connersville, Indiana; where, in 1828, he was admitted to the bar and entered upon the practice of his profession. In 1832 he established and edited a Whig journal called the "Indiana Sentinel;" in 1833 he was elected a member of the Indiana Legislature, and reelected until 1836, when he officiated as speaker; in 1847 and 1848 he was a member of the Board of Fund Commissioners, and a Representative in Congress from 1843 to 1849, and subsequently was on the commission with Messrs. Corwin and Payne, under the Mexican treaty. About 1850 he became interested in the Junction Railroad Company, was elected its President, and removed to Cincinnati to discharge the duties of that position and to pursue his profession. In 1856 he was one of the presidential electors on the Republican ticket in Ohio, having been connected with the Republican party from its organization. In 1858 he removed to Indianapolis, where he remained until he received the appointment of Secretary of the Interior from President Lincoln, in 1861. He was also a member of the Peace Congress in Washington, February, 1861. In December, 1862, he resigned the office of Secretary, and was appointed Judge of the U. S. District Court for Indiana. Judge Smith had been somewhat indisposed for some months, but had attended to his duties up to the day of his death, which

occurred suddenly from a severe attack of hemorrhage.

SMITH, THOMAS MATHER, D.D., president and professor in Kenyon College, born in 1797, died in Portland, Maine, Sept. 6, 1864. He was a son of the Rev. Daniel Smith, for half a century pastor of the Congregational Church in Stamford, Conn., and graduated at Yale College in 1816, and at Andover Seminary in 1820. In 1822 he was ordained to the Congregational ministry in Portland, and the same year was married to the eldest daughter of the Rev. Leonard Woods, D.D., Abbott Professor of Christian Theology at Andover. A failure of health, after a few years, required his removal from Portland. Subsequently he was called successively to the charge of parishes in Fall River, Catskill, N. Y., and New Bedford. Dissatisfied with the Congregational system, he applied for Holy Orders in the Episcopal Church. He was ordained at New Bedford by the Right Rev. Benj. Bosworth Smith, D.D., Bishop of Kentucky, the Bishop of Massachusetts being prevented from officiating by a sudden illness. After receiving Priests' Orders from the hands of Bishop Eastburn, he entered upon his duties as Milnor Professor of Systematic Divinity at Gambier, to which post he had been appointed and for which he was peculiarly fitted. In this important department of duty he continued for eighteen years, during four of which he was also President of Kenyon College. In both capacities he displayed distinguished merit, adding to mature and finished scholarship unusual prudence, thorough application, and marked executive ability. On his resignation of the Milnor Professorship in December, 1863, the Trustees of the Theological Seminary unanimously appointed him Emeritus Professor, a tribute of respect most fitting and appropriate.

SOUTH CAROLINA. The movements of the war left the State of South Carolina comparatively undisturbed during 1864. The Federal fleet occupied the entrance to the harbor of Charleston. Morris Island was also held, and an artillery fire was directed at intervals against Fort Sumter and the city of Charleston. Hilton Head was also occupied by troops, and Port Royal preserved as the base of Federal military operations on the coast of the State. Some skirmishes took place between the hostile troops, and some expeditions were made by bodies of the Federal troops, but the results, excepting so far as related under the title of **ARMY OPERATIONS**, were unimportant. The lower part of the city of Charleston suffered much injury from the shells thrown into it by the distant Federal guns. Some of the effects of the shells are thus described by a visitor:

We visited the old office of the "Mercury," in Broad street. A message sent by the "Marsh Angel" had preceded us, entering the roof, passing into the chimney, and exploding within, dumping several card loads of brick bats, mortar, and soot into the editorial room, smashing all the windows, and splintering the doors.

The "Courier," in Bay street, had not escaped

damage. A shell went through the roof, tearing down through the floors, ripping up the boards, breaking the timbers, jarring the plaster from the walls, exploding in the second story, rattling all the tiles from the roof, bursting out the windows, smashing the composing stone, opening the whole building to the sun-light. Another shell had dashed the sidewalk to pieces and blown a passage into the cellar wide enough to admit a six horse wagon. Near the "Courier" office was the Union Bank, Farmers and Exchange Bank, and Charleston Bank. They were costly buildings, fitted up with marble mantels, floors of terra cotta tiles, counters elaborate in carved work, and with gorgeous frescoing on the walls. The rooms are silent now. The oaken doors splintered, the frescoing washed from the walls by the rains which drip from the shattered roof, the desks are kindling wood, the cornice-work has dropped from the ceiling to the ground, the tiles are ploughed up, the marble mantels shivered, the beautiful plate-glass of the windows lies in a million fragments upon the floor. In short the banks have broke! They helped on the rebellion—contributed of their funds to inaugurate it, and invested largely in the State stock to place the State on a war footing. By a document which has fallen into my hands and which lies before me, I notice that the three banks already named held on January 6, 1862, six hundred and ten thousand dollars' worth of the seven per cent. State stock, issued under the act of December, 1861.

Passing from the banks to the hotel I found a like scene of destruction. The door of the Mills house was open. The windows had lost their glazing and were boarded up. Sixteen shots have struck the building. The Charleston Hotel has several great holes in the walls.

The churches have not escaped. St. Michael's, the oldest of all, has been repeatedly struck. The pavement is thick with broken glass which has been rattled from the windows by the explosions of the shells. All the churches in the lower portions of the city are wrecks.

In that corner of the State occupied by Federal troops, of which Beaufort is the principal place, apart from the military and naval headquarters, a mass State Convention was held on Tuesday, April 17. The call for the Convention invited the people of the State "without distinction of color" to participate in the election of delegates to the Baltimore Presidential Convention. About one hundred and fifty colored persons, and two-thirds as many whites, assembled and selected twelve whites and four Africans as delegates. A series of resolutions was also adopted. These delegates, however, although admitted to seats, were not allowed to take an active part in the proceedings of the Convention.

The secession State Government held the control of almost all the State, and continued in undisturbed operation through the year. The Legislature, when in session, adopted resolutions expressive of its unshaken purpose to secure independence and separation from the Northern States, and declaring the importance of restraining the Richmond Government strictly within the exercise of powers delegated to it in its Constitution. On the subject of peace the views expressed by Gov. Bonham, in his message to the Legislature, prevailed, as follows:

Those in whom the treaty-making power of the Confederate Government resides have done all they

can, with propriety, to show the North and the world that we are desirous of peace. The President of the United States, on the other hand, has repeatedly declared that there can be no peace without submission on our part, and reconstruction. A people who, under such circumstances, could be induced to persist in efforts to obtain peace, outside of the constitutional mode, are already subjugated. Such a course, with the blood of their sons and brothers still moist on their soil, the wrongs of their outraged women still unavenged, the ruins of their residences and granaries still smoking, would be unbecoming the great Confederate people, who, four years since, with so much unanimity and enthusiasm, resolved to maintain at every cost their right to abolish the former government "and to establish a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness." We can obtain no peace that would not degrade us, except such as we shall secure by the defeat of our enemies.

On Dec. 19th new State officers were inaugurated, viz.: A. G. Magrath as Governor, and H. R. McGaw as Lieut.-Governor. In his inaugural the Governor thus endeavors to arouse the energies of the people:

While I would stimulate into activity all the resources we may have, and prepare for the maintenance of those rights to which we are entitled, I have the utmost confidence that in this we shall surely pave the way to that peace which we all so much desire, and which our enemies have hitherto denied us. I have no hope in their forbearance; for I have no belief in their humanity. I have no reliance in their moderation; for I have no faith in their justice. When their hope of success shall fade away, and that it will do when they realize the unalterable purpose by which we are animated, then will they think of peace. And that peace only will be lasting which rests upon the conviction of our strength; as that peace only can be honorable which involves the admission of our independence. Let not the apprehension that we are exhausted find place in our minds, or its poison sicken our hearts. What people have ever struggled for more than the boon we seek to secure? What people, even amid the proud list of European dynasties, could have sustained for four years such a war as that waged upon us (and at the close of that period have still maintained in the field an army, in numbers, in confidence, and in discipline, equal to that which rallies under our banners). Other nations, for lesser purposes, have striven longer, endured more than we have, and won for themselves imperishable honor. Let us not hesitate in our purpose or falter in its execution.

With a voting population of forty-seven thousand the State furnished to the rebel army sixty-five thousand men. Of all the persons who might have claimed exemption from military service, less than one hundred were within the limits of the State. Notwithstanding the defiant spirit shown by the Governors, the State was regarded as too thoroughly exhausted to permit another man to be taken from her agricultural or mechanical interests.

SPAIN. A Kingdom in Southern Europe. The present queen, Isabella II., born October 10th, 1830, the eldest daughter of King Fernando VII., succeeded her father on September 29th, 1833, declared of age by the Cortes November 8th, 1843. Her eldest son and heir to the throne is Alfonso, Prince of Asturias, born

November 28th, 1857. The last general census, taken May 21st, 1857, stated the area and total population of the kingdom as follows:

	Area of English square miles.	Population.
Continent of Spain.....	177,751	15,807,753
Balearic Islands.....	1,757	266,952
Canary Islands.....	3,220	227,146
	182,758	16,301,851

The budget of the year 1862, and the first six months of the year 1863,* makes the following estimate of the public receipts and expenditures:

	Reals.†
<i>Expenditures.</i>	
ORDINARY:	
Royal household.....	74,025,000
Cortes	6,232,475
Public debt.....	575,985,918
Indemnities	21,915,542
Pensions	221,495,821
President of the Council.....	654,000
Statistics	14,183,667
Foreign Affairs.....	24,194,816
Justice	48,432,985
Public worship.....	265,294,275
War	570,944,272
Navy	176,560,158
Interior	153,078,404
Public works.....	142,187,813
Finances	702,525,669
Total ordinary expenditures.....	2,997,710,263
Extraordinary	565,986,733
Total of expenditures.....	3,563,697,001

<i>Receipts.</i>	
ORDINARY:	
Direct taxes.....	754,305,000
Indirect taxes.....	755,290,500
Stamps, State monopolies (salt, tobacco)....	1,153,256,000
Surplus of Colonial chests.....	178,500,000
	2,876,351,500
Extraordinary (sales of national property).....	556,498,166
	3,432,849,666
Deficit.....	130,847,335

The public debt, on December 1st, 1862, amounted to 15,066,675,135 reals (the annual interest to 339,994,360 reals).

The Spanish Army, according to the "Almanach de Gotha" for 1864, consisted, in 1863, of 8 captain-generals, 50 lieutenant-generals, 110 major-generals, 312 brigadier-generals, 9,203 officers, and 236,301 privates; besides a number of regiments in Cuba, Porto Rico, San Domingo, and the Philippines.

The Spanish fleet, according to the same authority, was, in 1862, composed as follows:

<i>Sailing Vessels.</i>	
2 ships of the line, carrying each.....	84 Guns.
3 frigates " " from 32 to 42 "	"
4 corvettes " " 16 to 32 "	"
8 brigs " " 12 to 18 "	"
1 schooner " " 6 "	"
10 schooners " " 1 to 7 "	"
6 feluccas, " " 1 to 4 "	"
10 transports, " " 5 "	"
44 sailing vessels.	

* The receipts for the year 1862 alone were estimated at 2,031,569,000, and the expenditures at 2,021,135,280 reals.

† One hundred reals are equal to \$4.93; one real, therefore, is about equal to five cents. The figures above may therefore, be converted into American money by dividing them by twenty.

go presents to the civilized world the spectacle of an entire people in arms ungratefully resisting as tyrants those whom they called in as preservers.

So strange a political phenomenon has been examined by the Ministers undersigned with delicate attention and deep study. They have thoroughly sifted the sad history of the annexation of San Domingo, and have considered the question from every point of view imaginable, commencing by those of justice and right, and last regarding those of expediency. They have well taken into account the reasons that might be alleged on the ground of the national honor and respect, and have considered the event of the most brilliant future possible a triumph obtained at the cost of immense sacrifices; they have weighed the arguments for and against that may be based upon considerations of national and foreign policy, and, finally, have carefully made the sad calculation of the numerous and precious lives that Spain loses every day that this sterile contest is prolonged, and of the great amount of treasure it consumes.

As a result of this laborious examination, the Ministers are impressed with the conviction that the question of San Domingo has reached a point which will allow us to make the following deductions:

That it was a delusion to believe that the Dominican people, as a whole, or in the great majority, desired, and, above all, demanded their annexation to Spain. That the struggle having become general, it does not now bear the character of a measure taken to subject a few discontented rebels, but of a war of conquest completely foreign to the spirit of Spanish policy. That even by concentrating our efforts and sacrifices in order to obtain a triumph we should place ourselves in the sad position of holding the island entirely by military occupation, full of difficulties and not exempt from dangerous complications; that even under the most favorable hypothesis that a portion of the population may show themselves devoted to us after victory, the Governmental system that would have to be established in those dominions must either be little suitable to the usages and customs of the inhabitants, or very dissimilar to that of the other colonial provinces.

Upon all these and other considerations which the superior intelligence of the Cortes will supply, the Ministers, anxious to put an end to the useless sacrifices in men and money which the war in San Domingo imposes upon the nation, have the honor to propose—being duly authorized by Her Majesty—the following project of law:

Art. 1. The royal decree of the 19th of May, 1861, declaring the territory of the Dominican Republic reincorporated with the monarchy, is repealed.

Art. 2. The Government is authorized to take the necessary measures for the execution of this law, giving account of the same to the Cortes.

Duke of VALENCIA, President of the Council.
ANTONIO BENAVIDES, Minister for Foreign Affairs.

LORENZO ARRAZOLA, Minister of Grace and Justice.

BARZANALLANA, Minister of Finance.

CORDOVA, Minister of War.

ARMERO, Minister of Marine.

LUIS GONZALES BRAVO, Minister of the Interior.

GALIANO, Minister of Public Works.

SEIJAS LOZANO, Minister of the Colonies.

The action of the Cortes on this bill belongs to the history of 1865, and will be referred to in the next volume of the *ANNUAL CYCLOPÆDIA*.

When San Domingo shall be abandoned, Spain will only own, in America, Cuba, Porto Rico, and a small group of islands called the Spanish Virgin Islands. According to the last census taken in Cuba, the white population of

that island amounts to 793,484 souls. The colored population nearly reaches this figure, numbering no less than 603,046. But of this number no less than two-fifths (225,843) are already free. For the education of the negroes little is done, and there were only 13,319 males, and 13,461 females, who were able to read and write. Compared with the total population, the slaves form about 25 per cent.—about the same proportion which the slave population of Arkansas and Tennessee held to the free population of those States.

In Porto Rico, which, in a total population of 583,308, has 239,527 persons of color, the condition of the negro and the prospect of the abolition of slavery are much better than in Cuba. No slaves have been introduced there from Africa for about thirty years, and the number has dwindled down to 41,736, in a population of 583,308. They have many privileges, and among them the right to purchase their own freedom. In no country on this side of the Atlantic does the institution approach so nearly a patriarchal system. The slaves have free access to the tribunals to state their grievances; their evidence is taken in court, even against their master, and it has as much weight as that of white persons of the same intelligence. They have the privilege of changing their masters when dissatisfied, and can oblige them to accept payment for their manumission when the minimum price of their assessed value is offered. The child of a slave mother and white father is free from its birth; and in very many cases, when the mother is a deserving woman, her freedom is given her. A society for abolishing slavery in these colonies was established at Madrid, and joined by prominent men of all political parties.

SPEKE, Captain JOHN HANNING, the discoverer of the source of the Nile, born at Jordans, Somersetshire, England, in 1827, killed by the accidental discharge of his gun while hunting, near Bath, England, Sept. 15, 1864. After receiving his education at a provincial grammar school, he entered the army at the age of seventeen, and was soon ordered to India, where, as a subaltern officer, he made the campaign of the Punjaub under Lord Gough, and took part in the victories of Ramnuggur, Sadoolapore, Chillianwallah, and Guzerat. His regiment during this period was attached to Sir Colin Campbell's division. He found opportunity while in India to gratify not only his warlike ardor and love of adventure, but also the fondness for field-sports which had distinguished him from boyhood. The frequent leaves of absence with which he was favored, by way of reward for his military services, were spent in hunting, botanizing, and collecting geological specimens among the Himalayas, or in the unexplored regions of Thibet. His object in these excursions was two-fold: first, he was ambitious of completing and developing a museum of natural history, which he had begun to collect at his father's house at Jordans; and, secondly,

he was trying to save money enough to enable him to make a long exploration of the valley of the Nile during the three years' furlough to which he would be entitled as soon as he had served ten years in India; and he found that life in the jungles and the backwoods was much cheaper than life in the cantonments. In September, 1854, he received his furlough and set out for Aden, in Arabia, intending thence to cross the Gulf of Aden into the territory of the Somalis, reputed one of the most savage of all the African tribes. Here, however, at the suggestion of Sir James Outram, he was induced to join the expedition which was about starting for the same region under Lieut. Richard F. Burton. While waiting for this expedition to move, he made an excursion of three months in Arab disguise into the Somali country, without white companions. On April 7, 1855, the expedition rendezvoused at Berbera, on the African shore of the Gulf of Aden. Lieutenant Burton assumed command; Lieutenants Stroyan and Herne took charge of the principal scientific duties; and Speke, to use his own words, was "a Jack-of-all-trades, assisting everybody, looking after the interests of the men, portioning out their rations, setting the guards, and collecting specimens of natural history in all its branches." At the very outset of the journey they were attacked by the savages; Lieutenant Stroyan was killed; Speke was seriously and the others slightly wounded, and after making their escape with difficulty they returned to Aden. By his physician's order Speke now returned to England, having nothing to show, said he, after this signal failure, "but eleven artificial holes in my body." On reaching home he found the country engaged in the Russian war. He went to the Crimea, as a volunteer in the Turkish contingent, with the rank of captain, served through the campaign, and on the conclusion of peace projected an excursion to the Caucasus, to examine the fauna of that region. He gave up this plan, however, on receiving from Captain Burton an invitation to join him in another African journey. Their steps on this occasion were to be turned toward the great lake-regions of Central Africa, of which the most enticing reports, gathered from the natives by Drs. Krapf and Rebmann, had reached England. The history of this trip is given in Captain Burton's "Lake-Regions of Central Africa" (1860). Starting about mid-summer, 1857, from the mission-house of Rabbai Alpia, on the Eastern coast, opposite the island of Mombas, they proceeded inland, discovered Lake Tanganyika, and separated at Kazeh, whence Captain Speke, following the route indicated by some native traders, reached Lake Nyanza, which he then suspected and afterward proved to be the source of the Nile. The important geographical results of this expedition were mainly due to Speke, his companion applying himself mainly to the history, languages, and peculiarities of the people.

Captain Speke returned to England in 1859,

and immediately prepared for his last expedition, of which he has given an account in his "Journal of the Discovery of the Sources of the Nile" (1864). His companion on this occasion was Captain Grant. They left the Eastern coast of Africa, Oct. 2, 1860, intending to make at once for Lake Nyanza, and trace downward to Egypt that outlet which they believed to be the source of the Nile. They were not heard of for nearly two years and a half. On Feb. 15, 1863, they were encountered at Gondokoro, on the Nile, by Mr. Baker, who had gone up the river in the hope of hearing news of them. They had reached the western side of the lake about a year after the time at which they started, and remained there until Aug. 1862. Owing to the vexatious delays interposed by petty kings on the bank of the river, they were six months making their way from the lake to Gondokoro. They had reached this point by following the course of the stream, with the exception of avoiding a few bends by land-travelling. On his return home he was received with the most flattering demonstrations of welcome. He received the medal of the Royal Geographical Society and a gold medal from the King of Italy, and his merits were recognized in Parliament by Lord Palmerston. In September, 1864, he went to Bath to attend the meeting of the British Association, where it was expected that some controversy would take place between him and his former companion, Burton, growing out of a difference of opinion respecting their discoveries in Africa. Captain Speke published an account of his first and second African journeys in "Blackwood's Magazine" in 1859-'60, and a volume entitled, "What led to the Discovery of the Source of the Nile."

STRUVE, FRIEDRICH GEORG WILHELM VON, a Russian astronomer, born in Altona, April 15, 1793, died at Pulkowa, near St. Petersburg, Nov. 23, 1864. In 1813 he entered the University of Dorpat, in the government of Livonia, where he devoted his attention to philology and astronomy, and in 1817 became director of the observatory in that city. After rendering the name of Dorpat illustrious in the annals of astronomy, a wider sphere of usefulness was opened before him by the Emperor of Russia. An observatory at Pulkowa was projected, and Struve was the master-spirit which superintended its erection, and so perfect are all the arrangements that it will serve as a model for all time. The work done at Pulkowa principally relates to sidereal astronomy, and each contribution to science which emanated from that observatory was the result of twenty-five years of arduous study on his part. Besides the observations and reductions of northern stars, determinations of the parallaxes of 1830, observations of comets, nebulae, and Saturn's ring, &c., were undertaken, and a large amount of geographical work. One of the last important acts of M. Struve was to visit the Crown ministers and the Superintendents of Surveys

in the principal States of Europe, in order to establish a national confederation for effecting the measure of an arc of parallel from Orsk, on the river Oural, to Valentia, in the west of Ireland, a measure which has now made considerable progress. The name of Struve is associated with all the great works of triangulation and geodesy carried out in Russia and Eastern Europe. His most important works are "Observations at Dorpat," 8 vols., Dorpat, 1817-'39; "New Catalogue of Double Stars," Dorpat, 1827; "On the Micrometrical Measurement of Double Stars," St. Petersburg, 1827; "Studies in Stellar Astronomy upon the Milky Way, and the Distance of the Fixed Stars," St. Petersburg, 1847; "Medial Positions of the Double and Multiple Fixed Stars for the Epoch 1830," St. Petersburg, 1852.

STUART, JAMES E. B., a major-general in the Confederate service, born in Patrick Co., Va., about 1832, died in Richmond, June 11th, 1864. He was graduated at West Point in 1854, commissioned a cavalry officer, and after reaching the rank of first lieutenant, resigned May 14, 1861. He had previously seen considerable active service in the Indian country, and was known as a fearless rider and brave soldier. He immediately entered the Confederate army, commanded the cavalry at the battle of Bull Run, was promoted a brigadier-general in Sept. 1861, and in the ensuing winter organized the cavalry forces of the enemy in Virginia. He first brought himself conspicuously into notice by his celebrated raid in the rear of Gen. McClellan's communications near Richmond, on June 13th

and 14th, 1862, which was the immediate precursor and cause of the change of base soon after commenced by the Federal army, and also of the seven days' fighting. During the advance of Gen. Lee toward Maryland in the succeeding August he made a night attack, in the midst of a terrific thunder-storm, on Gen. Pope's headquarters, capturing many private papers and plans of campaign; and in October, a few weeks after the battle of Antietam, at the head of two thousand cavalry and four pieces of flying artillery, he crossed the Potomac between Williamsport and Hancock, and passing through Mercersburg and Chambersburg, rode completely round the Union lines, and recrossed the river into Virginia with the loss of but one man. This raid, though of little advantage beyond the capture of several hundred horses and the destruction of a few thousand dollars' worth of stores, was the most daring movement of the kind hitherto attempted during the war, and greatly enhanced Gen. Stuart's reputation as a cavalry officer. It was his last great success. At Beverly ford in Virginia, and in Maryland and Pennsylvania, during the Gettysburg campaign, he was invariably worsted in his encounters with the Federal cavalry. He, however, rendered efficient service in protecting the retreat of Lee's army after the battle of Gettysburg. He was mortally wounded in an encounter with Gen. Sheridan's cavalry at Yellow Tavern, near Richmond, while endeavoring to cover that city against Federal raids, and died a day or two afterwards.

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TALLMADGE, HON. NATHANIEL P., born in Chatham, Columbia Co., N. Y., February 8, 1795, died at Battle Creek, Michigan, Nov. 2, 1864. He graduated at Union College; studied law, and was admitted to the bar in 1818; was a member of the Assembly of New York in 1828; of the State Senate, from 1830 to 1833; a Senator in Congress from that State from 1833 to 1844; and was subsequently appointed, by President Tyler, Territorial Governor of Wisconsin. Some years since he removed to Battle Creek, Michigan, where he resided at the time of his death.

TANEY, ROGER BROOKE, Chief Justice of the United States, born in Calvert County, Maryland, March 17th, 1777, died in Washington, D. C., October 12th, 1864. He was graduated at Dickinson College, Carlisle, Pa., in 1795, admitted in 1799 to the bar of his native county, from which he was elected a delegate to the General Assembly, and in 1801 removed his place of residence to Frederick. In 1822 he removed to Baltimore having previously served as Senator in the Legislature of the State during a term of four years. He was

appointed Attorney-General of Maryland in 1827, and in 1831 was appointed Attorney-General of the United States by President Jackson. During the contest of the Administration with the Bank of the United States, upon the dismissal of Mr. Duane from the office of Secretary of Treasury, September 23, 1833, on account of his refusal to remove the deposits, Mr. Taney was appointed his successor, and immediately ordered the transfer of the deposits to the local banks selected by him as the agents of the Government. The Senate refused to confirm the nomination by a vote of 28 to 18, in June, 1834. In the following year he was nominated by President Jackson as an associate justice of the Supreme Court, but he was virtually rejected by the Senate, which indefinitely postponed the consideration of the subject on the last day of the term. Upon the death of Chief-Justice Marshall, he was appointed his successor by President Jackson, and was confirmed by the Senate in March, 1836, that body having changed its political relations. He took his seat upon the Supreme bench in January, 1837, and held the office until the

time of his death. When Mr. Taney became Chief Justice of the Supreme Court he was already considerably past the prime of life; he was fifty-nine years of age. He had been previously a lawyer in good practice and of considerable local repute; originally a Federalist in politics, and at one time of his life the friend of impartial liberty. In defending the Rev. Jacob Gruber from a charge of inciting slaves to disorder in Maryland, in 1818, Mr. Taney used these memorable words: "A hard necessity indeed compels us to endure the evil of slavery for a time. It was imposed upon us by another nation, while yet we were in a state of colonial vassalage. It cannot be easily or suddenly removed. Yet while it continues it is a blot on our national character, and every real lover of freedom confidently hopes that it will be effectually, though it must be gradually, wiped away, and earnestly looks for the means by which this necessary object may be attained. And until it shall be accomplished, until the time shall come when we can point without a blush to the language held in the Declaration of Independence, every friend of humanity will seek to lighten the galling chain of slavery, and better, to the utmost of his power, the wretched condition of the slave."

Judge Taney, though not a man of the same exhaustive learning and comprehensiveness of judgment with his illustrious predecessor, John Marshall, was extensively, and in some directions, profoundly versed in the law. His decisions were for the most part cautious, sensible, and on the whole sound. In his interpretations of the Constitution of the United States—the great crucial test of the wisdom and independence of the Court—he inclined to those middle and moderate opinions which treat the Union not as a consolidated nation on one side, nor as a mere confederation on the other, but as a composite or mixed nation, in which the sovereignty has been divided between the central and the local governments.

In the famous Dred Scott case, in which the only legal point involved was a plea to the jurisdiction of the Circuit Court, upon a writ of error to the Supreme Court, the Chief Justice having decided that there was no jurisdiction, proceeded to give an extra-judicial opinion which gave him an unpleasant notoriety, and was repudiated by some of the ablest of the associated justices. It was to the effect that a free negro of the African race whose ancestors were brought into this country and sold as slaves is not and cannot be a "citizen;" that for more than a century previous to the adoption of the Declaration of Independence negroes, whether slaves or free, had been regarded as "beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior that they had no rights which the white man was bound to respect;" that Dred Scott, a negro slave, who was removed by his master from Missouri to Illinois, lost what-

ever freedom he may have thus acquired by being subsequently removed into the territory of Wisconsin and by his return to the State of Missouri; that the inhibition of slavery in the territories of the United States lying north of the line of thirty-six degrees and thirty minutes, known as the Missouri Compromise, was unconstitutional; that the only two clauses in the Constitution which refer to negroes, treat them as persons whom it is morally lawful to deal in as articles of property; that the citizen of any State may take into a territory of the United States any article of property recognized by the Constitution, or, in other words, carry his slaves thither without molestation to his perfect right of ownership; and that Congress could not exercise any authority whatever over this species of property that it could not constitutionally exercise over other property.

TELEGRAPH, ELECTRIC. In the volumes of this *CYCLOPÆDIA* for the years 1861 and 1863, will be found articles in relation to certain great lines of telegraph, including those—recently contemplated or now in prosecution—designed to establish communication between the continents or to complete circuits around the world. Of the great lines alluded to, four now command a large share of interest and attention. These are: 1. The Anglo-Indian telegraph, a southern branch from the European network of lines, which has been very recently completed between Constantinople and Rangoon, through Calcutta, and is intended yet to stretch throughout Farther India to China on the north, and into Australia on the south. 2. The Siberian or Russian Asiatic telegraph, a northern branch from the same European system, already completed from Kazan, in European Russia, to Irkootsk, and thence at least to Kiakhta (a city south of Lake Baikal and on the northern border of Chinese Mongolia), and which, besides throwing off southward several important branches, is designed to extend to the eastern coast of Asia, at the mouth of the Amoor River. 3. The Collins Overland (Americo-Russian) telegraph, designed to connect the entire North American system of lines—as well as, eventually, the South American also—by way of Behring's Strait or the North Pacific, with the great Russian line, at its terminus at the mouth of the Amoor, and thus with the entire telegraph system of the Old World. 4. The Atlantic telegraph, also intended to effect a union of the systems of wires upon the two hemispheres, but by means of a cable from the western coast of Ireland to Newfoundland, and a renewed attempt at the laying down of which is to be made during the summer of 1865. The preparatory work connected with the latter two enterprises is already actively in progress.

The Anglo-Indian Line.—The British Government has sought to gain communication with India by two routes, which, however, would probably coincide through the length of a cable from the Persian Gulf across the head of the Arabian Sea to Hindostan. The first

cable laid down in the Mediterranean, by way of Malta to Alexandria, failed; but a stronger one, with larger conducting wires, has recently been submerged, and with success; by this, telegraphic communication exists to Alexandria, and thence to Suez. From this point a cable was to stretch along the bottom of the Red Sea to Aden, thence along the coast of Arabia to Muscat, and thence across the Arabian Sea; but progress beyond Suez was arrested by failure in laying the Red Sea cable. By the other route, Constantinople being in communication with western Europe, a wire is now extended thence through Turkey, by way of Angora, Sivas, Diarbekir, Mosul, Bagdad, Diwanyeh, and Korneh—the last at the junction of the Euphrates and Tigris in the Shat-el-Arab—and to Bussorah, situated on the river last named, seventy miles above its mouth in the Persian Gulf. From Bussorah a cable is laid by way of the Persian Gulf and across the Arabian Sea to Kurrachee, near the western outlet of the Indus; and thence lines extend to Bombay, Madras, Delhi, Calcutta, and other principal towns of India—through the last named reaching, as already mentioned, to Rangoon. A long delay in the completion of this line arose through difficulties interposed by the Turkish authorities to the erection of the wires between Diwanyeh and Korneh, a distance of one hundred and sixty miles. The first despatch was sent through from Bagdad to Bombay, January 29, 1865; and later, private messages had reached Constantinople from Calcutta in twelve hours, and from Kurrachee in eight and a half hours. From Rangoon it is intended to lay a cable along the coast of the Malay peninsula to Singapore, at its southern extremity, and a cable thence along the coast of Cochin-China and China, to Hong-Kong and Canton. A branch from Singapore is to proceed by alternate cables and land lines along Java, Timor, and other islands, to the northern coast of Australia, probably at the Gulf of Carpentaria, there to connect with the wires of that continent—already in all some one thousand two hundred miles in length—even Sydney and Melbourne being thus brought within a few hours' distance of all the European capitals. It is now expected that the lines both to Canton and to Australia will be in operation by the close of the year 1867.

The Siberian, or Russian Asiatic Line.—Of this, Kazan in European Russia, previously connected by way of Nijni-Novgorod and Moscow with St. Petersburg, may be considered the starting-point. By the close of the year 1864, this line had been completed by way of Perm, west of the Ural Mountains, and east of them through Ekaterinburg, Omsk, and Tomsk, to Irkootsk, and either the main line or a branch to Kiakhta; while, doubtless, the main line has by the present time been carried far to eastward of this point, along the upper Amoor—its intended course being, according to Commander Chefskin's statement, through Verchne Udinsk, Chetah, Habaravka at the mouth of the Usuri

(branch of the Amoor), and Sofinsk, to Nicolavsky, where the great river flows into the Strait of Tartary. It is anticipated that the line will be completed through its entire length during 1867, if not earlier. From Queenstown, on the western coast of Ireland, to Irkootsk, a distance of six thousand five hundred miles, a despatch has been transmitted (in 1864) in two hours' time.

Main Branches of the Siberian Line.—These, as at present contemplated, are to be: 1. A wire from Kazan southwardly through the Astrakhan, Georgian, and Circassian provinces, by Tiflis, to Teheran, the capital of Persia; thence to join the Anglo-Indian line, either at Bagdad, or by continuing through Ispahan and Shiraz, to Bushire on the Persian Gulf. 2. A wire from Omsk through Central Asia, running southeastwardly through Mongolia, entering China at Ili (or Illy), thence to southwest and south through Turkestan, Bokhara, and Balk, to Cabool in Afghanistan, and onward to points in the Punjab at which it also will connect with the Oriental or Indian system of lines. 3. A wire from Irkootsk, which may, however, be said to start at Kiakhta, following thence the route of the tea caravans to the Chinese-wall gate at Yehol, and thence to Peking. A company of American citizens, resident in China, and chartered in 1864 by the New York Legislature, under the name of the East India Telegraph Company, proposes to unite the great northern and southern lines again by supplying the link here needful; that is, by extending a line from Canton and Hong-Kong, with the necessary branches for the ports of Amoy, Shanghai, and Nankin, to Peking. From this extension also it is designed to reach Australia by another route—carrying a wire (alternately land and submarine) from a point on the mainland opposite the island of Formosa, across that island, thence by way of Manilla across Luzon and the other islands of the Philippine group, thence by New Guinea, to cross Torres' Strait to Cape York on the northern Australian coast. 4. A wire from the confluence of the Usuri with the Amoor—a point seven hundred miles above the mouth of the latter, thence southward along the Usuri to Lake Kingka, and to the port of Vladi Vostok, opposite that of Hakodadi (on Yesso), and which is to be the Russian naval station on the Pacific. 5. A wire, submarine and land, from the mouth of the Amoor, crossing the Strait of Tartary, Saghalien Island, the Strait of La Perouse, Yesso—through Hakodadi—and the Strait of Sangar, to Jeddo, the capital of Japan.

The Collins Overland Line.—This important line was projected by Mr. Perry McDonough Collins, of California, who has been since 1856 commercial agent of the United States Government for the region of the Amoor River. Major Collins explored, in 1857, the country lying along that river, extending his journey to Petropaulovsky, in Kamtschatka, about one thousand miles east from its mouth, and across

the Sea of Okhotsk. May 23, 1863, he obtained from the Russian Government an authorization of the proposed line through its territory on both sides of the Pacific, a distance of about 5,000 miles, with a grant of the exclusive right to maintain such line for thirty-three years; and February 9, 1864, a similar authorization and grant from the British Government for the continuation of such line through British Columbia to the northern frontier of the United States, a distance of about five hundred miles. A third memorial of Mr. Collins on the subject to the United States Congress was presented in the Senate, April 12, 1864, by the Hon. Z. Chandler, chairman of the Committee of Commerce of that body; and to this the Hon. William H. Seward, Secretary of State, replied in an elaborate and instructive paper, in which, discussing the questions of the feasibility of the proposed line, its utility, and its claim to Government patronage, he is led upon all these points to decidedly affirmative conclusions. He states, among other particulars, that the length of the line would be about six thousand and forty miles; that the highest elevation on the whole line, occurring in the Rocky Mountains within the United States, is not so great as that of the Sierra Nevada where crossed by the Pacific Telegraph; and that the line between St. Petersburg and Archangel on the White Sea, as well as that around the Gulf of Bothnia, both of which reach latitudes as high as any part of the proposed line would do, are maintained in operation without difficulty. The length of cable required at Behring's Strait would be about forty miles. The waters are about one hundred and eighty feet deep, and are frozen through one-half the year; but it is believed that the safety of the cable would not be endangered by the ice. It may be added that the cold, dry air of high latitudes, as well as snow and ice, are highly non-conducting, and so favor insulation and the rapid transmission of the electric current. Little seems to be feared on the score of interference by the sparse population, Indian and Tartar, along the route, unless, as Mr. Cochrane suggests, it be in the case of certain unsubdued tribes in Russian America, toward Behring's Strait. If the overland line be constructed, and the Atlantic cable laid down, with success, they will together serve to complete a telegraphic circuit around the earth between the parallels of 42° and 65° north latitude. In accordance with Mr. Seward's recommendation, an act of Congress was passed, approved July 1, 1864, granting to Mr. Collins the right of way across the public lands, with the right to take therefrom materials for constructing the same, and the use of a national vessel, officered and equipped, to make surveys and soundings and to aid in prosecuting the work. The act requires, further, "That the rate of charges for public or private messages shall not exceed on said line the average usual rates in Europe and America for the same service, or such rates as shall be ascertained and

fixed by a convention between the United States, Russia, and Great Britain."

The interval requiring to be spanned by the wire of the overland line, materially reduced at the western extremity by the prospective early completion of the Siberian telegraph to its terminus, has been not less so at the eastern, by lines constructed within the past few years. The Western Union Telegraph Company, under the lead of its indefatigable president, Hiram Sibley, Esq., of Rochester, N. Y., completed in 1861 a telegraph line connecting the more easterly net-work of the continent with the California wires at San Francisco; and a northward extension of the State line, later carried along the Pacific coast, had in November, 1864, been constructed to Olympia, on the south of Puget's Sound, and thence to Victoria, on Vancouver's Island. Immediately upon the passage of the act of Congress above referred to, Mr. Collins closed an arrangement with the Western Union Co., assigning to it the Russian and British concessions, the company on its part assuming the construction and operation—under the name of the "Western Union Extension"—of the overland intercontinental line, and in accordance with the grants already named. March 7th, 1865, Col. Charles S. Bulkley, engineer-in-chief of the overland line, sailed with his party from San Francisco for New Archangel, on Sitka Island, the capital of Russian America. A detachment was to be landed at Victoria, to complete a small break in the line between that point and New Westminster, on Frazer River, in British Columbia—a matter, probably, of some three weeks' labor. At least three vessels, carrying the needful supplies and materials, will be engaged in the work of the expedition, the entire land and naval force of which will number not less than fifteen hundred men.

The present intention of the company is, if practicable, to make the overland line an extension of that from San Francisco to New Westminster. Starting from the point last named, they will probably carry the line to some distance up Frazer River, and thence along a somewhat inland course, taking in the way the Finlay branch of Peace River, and the Pelly River, passing thence to and along the Yukon, and then down the Kvichpak, into which it flows, nearly or quite to the mouth of the latter. Thence the line may pass to Cape Prince of Wales, across Behring's Strait to East Cape, from that point around the Gulf of Anadir, down the coast, across the head of the peninsula of Kamtschatka to Penjinsk Gulf, and thence around the Sea of Okhotsk to its terminus at Nicolavsky. Russian preferences, it is said, indicate a route from the end of the Siberian line by cable across the Okhotsk Sea to Petropaulovsky, or else proceeding to the same point by submarine and land lines by way of Saghalien, Yesso, and the Kurile Islands, thence in like manner by Behring and Copper Islands and the Aleutian Islands to Alaska, on

the American side. In either case, some two thousand miles of cable would be required, the greatest length being across the Okhotsk Sea, about six hundred miles, or by the other route at most no longer than three hundred miles. Mr. Collins has estimated the cost of the line by Behring's Strait at a maximum of \$5,000,000; by the Aleutian Islands route it would be much greater. He has also indicated two intermediate routes, neither requiring more than one-fourth the entire length of cable needful by that just named. One of these would be by way of Oulovorskoy (or Oliootorsk), in the north-eastern part of Kamtschatka, to Gore's and Nunivack Islands, and thence to Cape Vancouver in Russian America; the other, by Cape Navarin, further north, to St. Lawrence Island, and thence to Cape Romanzoff. The distance from New York to London by the overland route has been estimated at about seventeen thousand miles, throughout which, as already seen, only about six thousand miles of telegraph line remain to be constructed. It is believed that this can be accomplished within two, or at the farthest, three years' time. The rising and free commerce of the Amoor River region has already attracted thither many American merchants; but the successful establishment of the proposed line must be followed by general commercial advantages of the highest magnitude, if not also by social and political consequences the extent of which must be at present quite beyond the reach of calculation.

The route which in certain parts the overland line will finally take, it has already become apparent, remains in a measure subject to the decision of future developments; and among the changes to be made may possibly be the choice of a more easterly point of departure from the northern limit of the United States, and perhaps also of a more inland course through British America. Of certain acts of Congress, approved July 2, 1864, and which make grants for railroad and telegraph lines to the Pacific, one authorizes such road and line from Lake Superior to Puget's Sound. By a report of a committee of the Hudson's Bay Company, also, it appears that that company has already had surveys made, and material to some extent ordered, for a telegraph line from the settlements of the Red River (of the north), through their territory and British Columbia, to New Westminster—this line also, at its western portion, to run along Frazer River. It is hoped to have this line completed within a year. As it would still require some years to effect a junction with the Canadian system at Collingwood or Ottawa, through the wilderness north of the great lakes, it has been proposed meantime to connect with the Hudson Bay Company's line by a wire from some part of the Western States; and among the propositions to effect this, a bill was (January 5, 1865) introduced by Senator Ramsay, of Minnesota, authorizing the Northwestern Telegraph Com-

pany to extend one of their main lines from St. Paul by the route of the Pacific R. R. to St. Cloud, and thence to the southern boundary of the British Possessions, at or near Pembina, there to connect with the line previously mentioned. When completed, these lines would afford continuous communication from Chicago, by way of La Crosse, St. Paul, St. Cloud, and Pembina, with the western coast of the Continent, at New Westminster.

The Atlantic Submarine Telegraph Line.—The new cable for this line, and which is intended to be laid, as was the preceding one, along the bed of the Atlantic Ocean from the western coast of Ireland to Trinity Bay, Newfoundland, is at the present time far advanced toward completion. This cable, manufactured by Messrs. Glass, Elliott & Co., at Morden Wharf, E. Greenwich, is constructed with the most minute attention to details, and with every possible effort to guard by personal care and by instrumental tests against imperfections of any kind. The plan of its construction differs in several particulars from that adopted for the former cable, to which it is in fact believed to be in all important respects superior. It is believed that the first Atlantic cable failed through the circumstance that, from the manner of its construction, the strain due to its weight in laying came chiefly upon the core; and accordingly, while in the new cable the conducting wires are larger and stronger than in the old, yet the great effort has been so to construct the whole that the core shall be relieved of strain. A section of the new cable perfected measures one inch and one-eighth in diameter. Its core proper presents the ends of seven conducting copper wires, six of which are twisted about a central one; around each of these is seen a homogeneous coating of gutta percha, and which in the section appears about the sixth of an inch thick. About the core is a barely distinguishable ring, marking the place of a layer of jute; and outermost of all, a ring of strengthening and protecting material, somewhat over a quarter of an inch thick, in which appear the ends of ten iron wires, about each of which are closely twisted strands of Manilla yarn.

The core of the cable is formed by twisting together the copper wires, and then coating in the manner above indicated. The twisted wires are passed through a vessel containing a compound—the invention of a Mr. Chatterton—the application of which secures a firm adhesion of the film of gutta percha next applied. The core is then subjected to hydraulic pressure, and electrically tested. After this it is again coated with Chatterton's compound, and then with gutta percha; and so on, until four layers of each have been applied, and the entire thickness is about half an inch.

The iron wire, for covering and protecting the core, is manufactured at Birmingham, being drawn from Webster and Horsfall's homoge-

neous iron. Its size is that known as No. 13 (gauge .095); each strand of it is capable of sustaining a strain of 1,000 lbs., under which it is extended to the amount of one per cent. The covering of this wire with the Manilla yarn, like the making of the core, is performed in a separate factory, specially devoted to such purpose. Five strands of the yarn are closely wound upon each iron wire from as many bobbins; each of the machines for the purpose, and which are of two different patterns, being capable of turning out about 140 miles of covered wire a day. As fast as it is thus wound, the wire is passed through a hot solution of tar and gutta percha, the fibrous covering becoming saturated with this; and it is then conducted through tanks of water, to cool this coating material.

At the Morden Wharf factory, the work of closing the covered iron wires upon the core, so as to complete the cable, is performed. The core is received here on large reels: these are sunk in circular openings filled with water; and the coils are then for twelve hours subjected to electrical tests, in order to determine beyond a doubt the continuity of the conducting wires, and the completeness of their insulation. When a faulty transmission of the current takes place, the difficulty is almost invariably found to consist in an imperfect joining of the ends of two lengths of wire. The core having been wrapped in a padding of jute, which is also saturated with a preservative mixture, the covered iron strands are closed upon it, being so wound about the core that when the cable is subjected to strain this shall fall first and mainly upon them; the mechanism, expressly devised for this part of the work, occupies two floors of the manufactory. The closing machines, below, consist essentially of large wheels or tables revolving horizontally, with reels of the several strands so arranged on their margin as to maintain a relatively stationary position, instead of keeping their axes pointed always to the centre of motion. The strands, converging upward toward a small opening in the ceiling, meet, and are twisted round the jute-covered core. The cable, thus formed entire, is conducted over grooved wheels to a building the floor of which gives place to huge tanks or vats, eight in number, and between which platforms extend. The depth of these is alike 12 feet, while four of them are circular, 34 feet each in diameter, and four elliptical, each 36 feet by 27. The completed cable is brought down from the wheels overhead, and is carefully coiled away by hand in these tanks, until the capacity of each—about 140 miles—is equalled. Water is kept flowing into each tank over its edge, and, percolating between the coils, is allowed to fill the tank to the height occupied by the cable. The purpose of this is to allow of a continued and thorough testing of the efficiency of the protective covering, the ends of all the portions of cable being carried into the electrician's room, and an elec-

trical current of measured force being continually sent through the wires; by this means the least defect in insulation can be registered with unfailing accuracy, and even to its exact distance and degree.

The size of the copper or conducting wires is that known as No. 18 (gauge .048); and the weight of copper is 300 lbs. per nautical mile, against 107 lbs. per mile in the old cable.

The weight of the new cable completed, as ascertained in air, is 35½ cwt. per mile; that of the former one having been but 20 cwt. Its breaking strain is 7½ tons, while that of the former was only 3½ tons. Its specific gravity is very low—its weight in water being 14 cwt. per mile, against 13.4 cwt. for the old cable. This low gravity is owing to the large proportion of fibrous material present; and in connection with its greatly increased strength, the result gained is that the new cable is capable of supporting in water 11 miles of its length. As, however, the greatest depth of water encountered in laying the former cable was about 2½ nautical miles, it is not probable that the present one will in any case be subjected to a strain equal to its actual strength. The destruction of the fibrous material of the cable by fishes, is believed to be guarded against by the poisonous qualities of compounds with which it has been saturated.

The distance to be spanned by the cable, measured at the surface of the ocean, is about 1,640 nautical miles. It is, however, proposed to produce in all 2,300 miles of cable; and it is expected that this entire length will be finished by the end of the first week of June. From the factory, the sections of cable are conveyed in tanks on the hulks, Amethyst and Iris, to the Great Eastern, lying in the Medway. The shipping of the cable was commenced January 19, 1865. On board the monster steamer, which is to perform the work of laying it down, the cable is in final preparation to be coiled away in three immense tanks. It is expected the expedition will set forth about the close of the month of June. The method of paying out the cable will probably be in the main similar to that before adopted; and if the rate of steaming does not exceed seven knots an hour, the object of the expedition should still be accomplished in from ten to eleven days. The 2,300 miles of cable, even without making allowance for the twist, will contain about 16,000 miles of copper wire, and 23,000 of iron wire, besides a very much greater length of the strands of fibrous material.

Among other great lines, mainly submarine, which have been projected with more or less probability of future accomplishment, are, one from San Francisco or Panama to the Sandwich Islands, and thence in time to China or Japan; one from France to the Azores, and thence to New York; and also one to consist in an extension of an existing French line from Marseilles, through Corsica and Sicily to Tri-

poli, and thence along the northern and western coasts of Africa to some point near the mouth of the Senegal or of the Gambia, thence across the Atlantic to Pernambuco, or some adjacent point on the coast of Brazil, perhaps taking in the way one or more of the Cape Verde isles and the little island of St. Paul. The distance from continent to continent by the route last named is about 1,400 miles; the ocean-bed is understood to be favorable, and the water not very deep, while ice in any form is unknown. Parties in France, Italy, Spain, Portugal, and Brazil are said to be united in favoring this enterprise.

The reader is further referred to Major Collins' book, "Overland Explorations in Siberia," etc., New York, 1864—a work from which some of the statements of this article are taken; and to "The Telegrapher," monthly, published in New York by the National Telegraph Union.

TENNESSEE. That portion of Tennessee not in the possession of the enemy, continued without change under the authority of the military Governor, Johnson, until the beginning of 1864. Measures were then commenced for the purpose of reconstructing a State Government in sympathy with the Union. On January 26th Governor Johnson issued a proclamation for an election of certain officers on March 5th. This election was to be held in the various counties of the State, "or wherever it is practicable so to do," for justices of the peace, sheriffs, constables, trustees, circuit and county court clerks, registers, and tax collectors. The qualifications required of electors were thus stated:

But inasmuch as these elections are ordered in the State of Tennessee, as a State of the Union under the Federal Constitution, it is not expected that the enemies of the United States will propose to vote, nor is it intended that they be permitted to vote, or hold office.

And in the midst of so much disloyalty and hostility as have existed among the people of this State toward the Government of the United States, and in order to secure the votes of its friends, and exclude those of its enemies, I have deemed it proper to make known the requisite qualifications of the electors at said elections. To entitle any person to the privilege of voting, he must be a free white man, of the age of twenty-one years, being a citizen of the United States and a citizen of the county where he may offer his vote six months preceding the day of election, and a competent witness in any court of justice in the State, by the laws thereof, against a white man, and not having been convicted of bribery, or the offer to bribe, of larceny, or of any other offence declared infamous by the laws of the State, unless he has been restored to citizenship in the mode pointed out by law. And he must take and subscribe before the judges of election the following oath:

I solemnly swear that I will henceforth support the Constitution of the United States, and defend it against the assaults of all its enemies; that I will hereafter be, and conduct myself as a true and faithful citizen of the United States, freely and voluntarily claiming to be subject to all the duties and obligations, and entitled to all the rights and privileges of such citizenship; that I ardently desire the suppression of the present insurrection and rebellion against the Government of the United States, the success of its armies and the defeat of all those who oppose them, and that the Constitution of the United States, and all laws and proclamations made in pursuance thereof, may be

speedily and permanently established and enforced over all the people, States, and Territories thereof; and further, that I will hereafter aid and assist all loyal people in the accomplishment of all these results. So help me God.

And all the judges, officers, and persons holding the election, before entering upon their respective duties, in addition to the oath now required by the laws of the State, shall take and subscribe the same oath, and also that they will permit no one to vote who has not taken and subscribed the oath above set forth, or refuses to do so.

The proclamation was preceded by a public meeting in Nashville on Jan. 21st, relative to a restoration of the civil Government. A large number of persons were present, resolutions were adopted and Gov. Johnson addressed the assemblage. He thus stated his views on the manner of reconstruction:

The election of the primary officers, such as justices of the peace, constables, etc., is fixed by the constitution of the State on the first Saturday in March, and the Executive should say to the people of that State to go to the ballot-box on that day and elect constables, justices, sheriffs, county trustees, and clerks. And when elected, let them be commissioned as they ordinarily are. The agent of the Government supplies the vacuum. Is there any thing outside of the principles of the Constitution in that? Is there any usurpation in it? There must be a beginning somewhere. Don't we all know that in the absence of government there must be something done, seemingly irregular, for the purpose of bringing back order? Then we take a step without precedent, but clearly justifiable, and proceed to elect our officers as we have done heretofore. We look in the various judicial districts of the State, and find they are vacant for judges; we turn to the laws and Constitution of the State, and find that when vacancies occur by death, resignation, or otherwise, the Executive shall make temporary appointments, and these appointees shall hold their places until their successors are elected and qualified. Then, don't we see how easy the process is? Begin at the foundation, elect the lower officers, and then come up to the judiciary, and put it in motion, wherever it can be. But it might be said this can't be done in all the counties. Well, if it is done in a half dozen counties, it is so much done, and that much done we can do more.

A question arose among some of the judges appointed to hold the election, whether it was not sufficient to require of the voters the oath of the President's amnesty proclamation. This caused the following correspondence:

NASHVILLE, February 20, 1864.

Hon. W. H. SEWARD, Secretary of State, *Washington, D. C.*:

In county and State elections must citizens of Tennessee take the oath prescribed by Gov. Johnson, or will the President's oath of amnesty entitle them to vote? I have been appointed to hold the March election in Cheatham County, and wish to act understandingly.

WARREN JORDAN.

REPLY.

WASHINGTON, February 20, 1864.

WARREN JORDAN, *Nashville*:

In county elections you had better stand by Gov. Johnson's plan, otherwise you will have conflict and confusion. I have seen his plan.

(Signed)

A. LINCOLN.

The result of the election was stated by the press of Nashville to have been a failure. A large number of soldiers and employes of the Government who had been stationed at Nashville for six months voted, but the people re-

frained from appearing at the polls. The "Union," the official paper of Gov. Johnson, said: "We might as well speak out plainly, and confess to the world, that what was called an election, Saturday, at least so far as Nashville is concerned, was a serious farce. And it would be well if those in authority would observe a like candor, and thereby save scandal to the Government, or at least to this administration." No further steps toward reconstruction appear to have been taken as a consequence of this election. An effort is made in the following statement of the "Argus," published in Memphis, in Gen. Washburne's military department, early in June, to explain the numerous failures in the attempts at reconstruction:

It is quite natural for absent Tennesseans, who observed the interest taken by the State in the work of restoring her to her old position in the Union, as evinced by her public journals, and also notice, that notwithstanding the movement alluded to, we are just where we were a year ago, to inquire what we are doing. With the people of the State so much divided in sentiment regarding the proper policy to be pursued, it could scarcely be supposed that the entire proposition of any one party or clique would be endorsed. Some wanted one thing and some wanted another. While all desired a restoration to the State of civil government and her former position in the Union, all could not unite upon one basis of action. The Amnesty Proclamation came most opportunely. Although all did not endorse every thing it contained, it was undoubtedly the most feasible proposition offered, and there is little doubt that four-fifths of the Union men of the State were willing last spring, and are willing to-day, to reorganize the State in accordance with its provisions. The work was commenced, but soon abandoned. The military Governor of the State, it was soon announced, opposed the plan, and as much depended upon his coöperation, means were soon found to clog the movement. That Tennessee is not to-day in the full enjoyment of all her rights as a State of the Union is not the fault of the people of Tennessee, but of Gov. Johnson and the radical clique, who were then as they are now, opposed to reorganization, except upon their own terms—in exact accordance with their own ideas and isms.

We do not believe, with our contemporary, that if the people, without paying attention to Gov. Johnson, were to proceed with the work of reorganization, he could persuade the Administration "to interfere with the bayonet," and there is no good reason why the people should hesitate to proceed in this work, regardless of Gov. Johnson. As long as the people allow Gov. Johnson to have his own way undisturbed so long will he thwart every effort at reorganization which does not originate with him.

Meantime, in May, a convention was held in East Tennessee, at Knoxville, to take such action as might be necessary to restore civil government in the State. A committee appointed on the subject presented a majority and minority report. The former was in spirit and substance in harmony with the Crittenden resolutions of 1861, and the latter recommended the abolition of slavery in the State, the enlistment of negroes, and the renomination of Mr. Lincoln. Here this movement ended.

On August 3d, a call was published in Nashville for a convention of loyal citizens to meet in Nashville on September 5th, relative to the reorganization of the State. On that day the

convention assembled. Delegates from the east and south were prevented from attending by a raid of General Wheeler, and an adjournment was suggested but not approved. The convention organized by the appointment of Samuel Milligan, President. The Committee on credentials reported the following resolutions:

Resolved, That all delegates who may have been regularly appointed by loyal primary county conventions, shall be admitted to the floor.

Resolved, That all unconditional Union men, who are for all the measures of the Government looking to putting down the rebellion, from the different counties of the State, shall be qualified to participate in the deliberations of this convention; and that all persons claiming seats, under this resolution, be requested, with as little delay as possible, to hand in their names to the committee on credentials.

This report was adopted. A committee on business for the Convention reported, on the 7th, that a convention elected by the loyal people should assemble at an early day to revise the State Constitution; that the Union people of Tennessee should hold an election for President in November; that the electors should be free white men, for six months residents of the State, and have voluntarily borne arms in the Federal service during the present war and are in the service or honorably discharged, and all known active friends of the Government of the United States in each county; that the citizen electors should be registered; that polls should be opened at the county seat of each county, and guarded and protected so as to secure a free and fair election, and also polls opened for soldiers; that the State militia should be immediately enrolled, organized, and armed; that the proceedings of the convention at Baltimore should be adhered to and supported as due alike to self-preservation and self-respect; and that agents should be appointed to look after the interests of Tennessee soldiers and their families. The report was adopted without opposition. On the next day a Presidential electoral ticket was adopted by the Convention. A further report was made by the business committee, expressing the sense of the Convention as in favor of the complete suppression of the rebellion, the immediate abandonment of slavery, and its prohibition in future by all suitable and proper amendments to the State Constitution, which was adopted. Three members of the committee declared their non-concurrence in this portion of the report relating to the immediate abandonment of slavery; subsequently two of them withdrew this declaration. On the next day, the 8th, the business committee made the following report, which was adopted unanimously:

Resolved, That as a means of ascertaining the qualifications of the voters, the registers and officers holding the elections may examine the parties upon oath touching any matter of facts, and should be required to take and subscribe to the following oath, viz. (said oath being *prima facie* evidence subject to be disproved by other testimony):

Oath. I solemnly swear that I will henceforth support the Constitution of the United States, and defend it against the assaults of all its enemies; that I am an active friend of the Government of the United States, and the enemy of the so-called Confederate States; that I ardently desire the suppression of the rebellion against the United States; that I sincerely rejoice in the triumphs of its armies and navies, and in the defeat and overthrow of the armies and navies of all armed combinations in the interest of the so-called Confederate States; that I will cordially oppose all armistices or negotiations for peace with rebels in arms, until the Constitution of the United States, and all laws and proclamations made in pursuance thereof, shall be established over all the people of every State and Territory embraced within the National Union; and that I will heartily aid and assist the loyal people in whatever measures may be adopted for the attainment of these ends; and further, that I take this oath freely and voluntarily and without mental reservation. So HELP ME GOD.

Resolved, That the offices of the State of Tennessee should be filled by none but truly loyal men, the unfaltering friends of the National Union, and that all doubtful men should be at once removed from office.

Resolved, That we do cordially approve and endorse the policy and course of Gov. Andrew Johnson as military Governor of the State.

Resolved, That an Executive Committee of five from each division of the State be appointed, who shall have power, among other things, to fill all vacancies that may occur in the electoral ticket.

Resolved, That the military Governor of the State of Tennessee be requested to execute the foregoing resolutions in such manner as he may think will best subserve the interests of the Government.

On September 7th Governor Johnson issued a proclamation, stating that as military Governor he should proceed to appoint officers and establish tribunals, as he had heretofore done in all the counties and districts of the State wherever the people gave evidence of loyalty and a desire of civil government, and a willingness to sustain the officers and tribunals. All officers were required to take the oath recommended by the Convention, and all cases, civil and criminal, coming before the judicial tribunals of the State involving the rights of colored persons, were to be adjudicated and disposed of as free persons of color.

On Sept. 30th the Governor issued another proclamation, in which, after quoting the resolutions adopted by the Convention relative to the Presidential election, relative to the qualifications of electors and those above mentioned, relative to the oath to be taken by voters, he thus proceeds:

And *whereas*, it further appears from the proceedings of said Convention, "That the military Governor of the State of Tennessee is requested to execute the foregoing resolutions in such manner as he may think best subserves the interest of the Government."

And *whereas*, I, Andrew Johnson, military Governor of the State of Tennessee, being anxious to coöperate with the loyal people of the State, and to encourage them in all laudable efforts to restore the State to law and order again, and to secure the ballot-box against the contaminations of treason by every reasonable restraint that can be thrown around it, I do, therefore, order and direct that an election for President and Vice-President of the United States of America be opened and held at the county seat, or

other suitable place in every county in the State of Tennessee, on the first Tuesday after the first Monday in the month of November next, at which all citizens and soldiers, being free white men twenty-one years of age, citizens of the United States and for six months prior to the election citizens of the State of Tennessee, who have qualified themselves by registration, and who take the oath prescribed in the foregoing resolution, shall be entitled to vote, unless said oath shall be disproved by other testimony, for the candidates for President and Vice-President of the United States.

And to the end that the foregoing resolutions, which are made part of this proclamation, may be faithfully executed, and the loyal citizens of the State, and none others, be permitted to exercise the right of suffrage, I do hereby appoint the several gentlemen whose names are affixed to this proclamation to aid in said election and superintend the registration of the loyal voters in their respective counties, as provided by the fourth resolution above quoted.

But as the day of election is near at hand, and there may be difficulty in completing the registration within the time limited, it is not intended that the registration be an indispensable prerequisite to the qualification of the voter; and in such cases, where it has been impracticable, and where the voter is of known and established loyalty, he shall be entitled to vote, notwithstanding he may not have registered his name as required by the foregoing resolution.

The election shall be opened, conducted, returns made, &c., in all respects as provided for by the fourth chapter of the "Code of Tennessee," except so far as the same is modified by this proclamation.

But, in cases where the county courts fail or neglect to appoint inspectors or judges of election, and there is no sheriff or other civil officer in the county, qualified by law to open and hold said election, the registering agents, heretofore appended, may act in his stead, and in all respects discharge the duties imposed in such cases upon sheriffs.

In like manner, it is declared the duty of military officers commanding Tennessee regiments, battalions, or detached squads, and surgeons in charge of the hospitals of Tennessee soldiers, to open and hold elections on the day aforesaid, under the same rules and regulations hereinbefore prescribed, and at such suitable place as will be convenient to the soldiers, who are hereby declared entitled to vote without oath or registration.

In testimony whereof, I, Andrew Johnson, military Governor of the State of Tennessee, do hereunto set my hand, and have caused the great seal of the State to be affixed at this department, on the 30th day of September, A. D. 1864.

By the Governor, ANDREW JOHNSON.
Attest: EDWARD H. EAST, Secretary of State.

The Presidential electors who had been appointed by the Convention were in favor of Mr. Lincoln for President. Another list of Presidential electors in favor of Gen. McClellan was selected by persons not in sympathy with the State Convention. On the appearance of this proclamation of Governor Johnson these Presidential electors united in a protest, addressed to President Lincoln. They state the object of their protest in these words:

SIR: The undersigned, loyal citizens of the United States and of the State of Tennessee, on our own behalf, and on behalf of the loyal people of our State, ask leave to submit this protest against the proclamation of his excellency, Andrew Johnson, military Governor, ordering an election to be held for President and Vice-President, under certain regulations and restrictions therein set forth. A printed copy of said proclamation is herewith enclosed. The Constitution of the United States provides "that each

State shall appoint, *in such manner as the Legislature may direct*, a number of electors," &c. Under this provision of the Federal Constitution the Legislature of Tennessee, years before the present rebellion, prescribed the mode of election to be observed, which will be found to differ essentially from the mode prescribed by the military Governor. We herewith enclose a copy of the law of Tennessee governing the holding of said election. The military Governor expressly assumes, by virtue of authority derived from the President, to so alter and amend the election law of Tennessee (enacted under authority of the Constitution of the United States, as above set forth), as to make the same conform to his own edict as set forth in the proclamation aforesaid. He assumes so to modify our law as to admit persons to vote at the said election who are not entitled to vote under the law and the constitution of Tennessee. Instance this: our constitution and law require that such voter shall be a citizen of the *county* wherein he may offer his vote for six months next preceding the day of election; while the Governor's order only requires that he shall (with other qualifications named) be a citizen of Tennessee for six months, &c. This provision would admit to vote many persons not entitled by law. We will, for the sake of brevity, pass over some less important points of conflict between the proclamation and the law, but will instance in this place another. By our law it is provided that the polls shall be opened in every civil district in each county in the State; but the proclamation provides only for their being at one place in each county. This provision would put it out of the power of many legal voters to exercise the elective franchise.

They further protest against the oath required as impracticable, unusual, and a test oath. Many other objections are added. They further protest against the interference of the Governor with the elective franchise, and ask that all military interference shall be withdrawn "so far as to allow the loyal men of Tennessee a full and free election. By the loyal men of Tennessee we mean those who have not participated in the rebellion or given it aid and comfort, or who may have complied with such terms of amnesty as have been offered them under your authority."

This protest was laid before the President on October 15th, by Mr. J. Lellyett, one of the signers and one of the nominated Presidential electors. He published a statement of this interview, of which the following is the material part:

WASHINGTON, October 15.

To the Editor of the World:

I called upon the President to-day and presented and read to him the subjoined protest. Having concluded, Mr. Lincoln responded:

"May I inquire how long it took you and the New York politicians to concoct that paper?"

I replied, "It was concocted in Nashville, without communication with any but Tennesseans. We communicated with citizens of Tennessee outside of Nashville, but not with New York politicians."

"I will answer," said Mr. Lincoln emphatically, "that I expect to let the friends of George B. McClellan manage their side of this contest in their own way; and I will manage my side of it in my way."

"May we ask an answer in writing," I suggested.

"Not now. Lay those papers down here. I will give no other answer now. I may or may not write something about this hereafter. I understand this. I know you intend to make a point of this. But go ahead, you have my answer."

"Your answer then is that you expect to let Gen. McClellan's friends manage their side of this contest

in their own way, and you will manage your side of it in your way?"

"Yes."

I then thanked the President for his courtesy in giving us a hearing at all, and then took my leave.

Judge Mason, of this city, was present at the interview, to whom I refer in regard to the correctness of this report. On stepping outside of the door of the executive mansion I immediately wrote down the President's emphatic response, and submitted it to Judge Mason and another gentleman who happened to be present, and they both pronounced it accurate.

* * * * *

JOHN LELLYETT.

The following certificate accompanied it:

WASHINGTON, October 15.

John Lellyett, Esq.:

DEAR SIR: In compliance with the request in your note of this day, I have only to say that I was present at the interview referred to. Your statement of what took place is substantially correct; and on all material points I believe it literally so. Yours truly,

CHARLES MASON.

Subsequently, on October 22d, the President made the following reply:

EXECUTIVE MANSION, WASHINGTON, Oct. 22, 1864.

Messrs. Wm. B. Campbell, Thos. A. R. Nelson, James T. P. Carter, John Williams, A. Blizard, Henry Cooper, Bailie Peyton, John Lellyett, Em. Etheridge, John D. Perryman.

GENTLEMEN: On the 15th day of this month, as I remember, a printed paper, with a few manuscript interlineations, called a protest, with your names appended thereto, and accompanied by another printed paper purporting to be a proclamation by Andrew Johnson, military Governor of Tennessee, and also a manuscript paper purporting to be extracts from the Code of Tennessee, was laid before me.

[Here the President inserts the protest, the proclamation of Governor Johnson, and extracts from the laws of Tennessee.]

At the time these papers were presented, as before stated, I had never seen either of them, nor heard of the subject to which they relate, except in a general way, only one day previously. Up to the present moment nothing whatever upon the subject has passed between Governor Johnson or any one else connected with the proclamation and myself. Since receiving the papers, as stated, I have given the subject such brief consideration as I have been able to do in the midst of so many pressing public duties.

My conclusion is that I can have nothing to do with the matter, either to sustain the plan as the Convention and Governor Johnson have initiated it, or to revoke or modify it, as you demand. By the Constitution and laws the President is charged with no duty in the conduct of a Presidential election in any State; nor do I, in this case, perceive any military reason for his interference in the matter.

The movement set on foot by the Convention and Gov. Johnson does not, as seems to be assumed by you, emanate from the National Executive. In no proper sense can it be considered other than as an independent movement of at least a portion of the loyal people of Tennessee.

I do not perceive in the plan any menace of violence or coercion toward any one. Gov. Johnson, like any other loyal citizen of Tennessee, has the right to favor any political plan he chooses, and, as military Governor, it is his duty to keep the peace among and for the loyal people of the State. I cannot discern that by this plan he purposes any more.

But you object to the plan. Leaving it alone will be your perfect security against it. Do as you please on your own account, peacefully and loyally, and Gov. Johnson will not molest you, but will protect you against violence so far as in his power.

I presume that the conducting of a Presidential

election in Tennessee in strict accordance with the old code of the State is not now a possibility.

It is scarcely necessary to add that if any election shall be held, and any votes shall be cast in the State of Tennessee for President and Vice-President of the United States, it will belong, not to the military agents, nor yet to the Executive department, but exclusively to another department of the Government to determine whether they are entitled to be counted, in conformity with the Constitution and laws of the United States.

Except it be to give protection against violence, I decline to interfere in any way with any Presidential election.

ABRAHAM LINCOLN.

Subsequently, on October 29th, Messrs. Campbell, Peyton, and Lellyett, made a reply to the President's letter, which concludes thus :

After consultation with our friends, therefore, in different parts of the State, and having communicated with nearly all of our colleagues, we respectfully announce to the people of Tennessee that in view of what is set forth above—in view of the fact that our people are overawed by military power, the laws set aside and violated with impunity—and in view of the fact that we have appealed in vain to the President, whose duty it is “to see that the laws be faithfully executed,” and that those who act by his authority shall hold sacred the liberties of the people; in view of these things we announce that the McClellan Electoral Ticket in Tennessee is withdrawn.

An election was held on November 8th, but the vote of the State was not counted in the returns of the Electoral College by Congress.

The Convention which assembled in September and nominated an electoral ticket also appointed a State Executive Committee. This Committee issued a call in December, inviting the people of Tennessee to meet in Nashville in Convention on January 9, 1865, to nominate a ticket, which it was generally understood would consist of one hundred names of persons to compose a second convention. It was intended that this second body should revise the State Constitution and submit their work to the people for approval.

The Convention thus invited by the Committee assembled at Nashville on January 9th, and was organized by the election of Col. S. K. Rodgers, President; Col W. B. Wilson, Col. W. K. Hall, and Gen. A. C. Gillem, Vice-Presidents. On taking the chair the President made some explanations as to the object of the Convention. He said :

It was the design to nominate delegates to a State Constitutional Convention, to reform the State Government. We were now at a dead lock; something must be done to set the wheels of the Government in motion. The State has been redistricted by a bogus Legislature, which could not be recognized without recognizing secession. The convention of delegates to be chosen could redistrict the State; and we should have one as speedily as compatible with the public interest. The work was a great and important one; and he hoped there would be harmony among delegates. We must have civil government. The army cannot altogether put down guerrillas; but with the aid of civil government, with a Governor and judiciary, all could be easily effected. Besides, we must have representatives in the National Congress; and to do this we must adapt the State Constitution to existing circumstances, and have a legislature.

A report made by the committee on credentials was laid on the table and the following resolution adopted :

Resolved, That all delegates who give an active support to the Union cause; who have never voluntarily borne arms against the Government; and who have never voluntarily given aid and comfort to the enemy, be entitled to seats in this Convention.

On Tuesday, January 10th, a business committee was appointed, to whom all resolutions were referred. The day was occupied in discussing the basis of voting in the Convention, and resolutions were adopted giving one vote to each county, and one in addition for each one hundred, or fraction over fifty Union votes cast in 1861. Great opposition was made to this basis of voting by delegates from Middle and West Tennessee, where the Confederate force interfered with the election.

On the third day (Wednesday), in order to avoid dissatisfaction, this basis of voting was reconsidered and withdrawn. The convention was then occupied with speeches on general topics, awaiting the report of the business committee, which was presented during the afternoon. There was both a majority and minority report on the amendments proposed to the Constitution. There was no serious disagreement between both reports, but they differed in opinion on the power of the convention to act on the subject. The majority report urged action on these grounds :

The first Article and the first Section of the Declaration of Rights in the Constitution of the State of Tennessee, declares: “That all power is inherent in the people, and all governments are founded on their authority, and instituted for their peace, safety, and happiness; and for the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform, or abolish the government in such manner as they may think proper.” Therefore, a portion of the citizens of the State of Tennessee and of the United States of America, in convention assembled, do propound the following alterations and amendments to the constitution, which, when ratified by the sovereign loyal people, shall be and constitute a part of the permanent Constitution of the State of Tennessee.

The minority report was made by only one member of the business committee, J. R. Hood, of Hamilton County. The report says :

Whilst agreeing with the majority of the committee in most of the amendments proposed, and not desiring to divide the Union people of Tennessee by any premature discussion of them, yet we cannot, consistent with our ideas of the motives for which this convention was called, and by authority of which it is now assembled, agree with them in their opinion that the powers conferred on this body justify it in adopting any amendments to the organic law of the State. The following—among others—are the reasons which induces us to adopt this course :

1. The call under which this body is assembled, does not authorize any such action. In fact, the specific object is there stated, being only advisory in its character, and looking to the assembling hereafter of a duly elected and qualified body of delegates, clothed with full power to make all necessary amendments.

2. Many of the delegates now present inform us that no meetings were held in their counties authorizing them to act in a representative character, and that they are here only as individual members of the Union organization of the State.

3. We feel the danger of treading in the footsteps—even by implication—of the leaders of the rebellion in the State of Tennessee, under Isham G. Harris, who inaugurated and set on foot the ordinance of secession by the legislative body, then assembled, and its subsequent ratification by the people on June 8th, 1861, and whose action was openly and publicly condemned by us because of its revolutionary, rebellious, and unauthorized character.

4. The majority of your committee, we understand, agree with us in the legality of the course hereafter proposed by us, whilst we cannot agree with them in the assumed right and power of resolving ourselves into a constitutional convention, clothed with the authority of changing the organic and fundamental law of the State, and thereby depriving the people of the rights which belong to them alone. For these reasons and many others which will readily suggest themselves to the mind of the intelligent loyalist, we offer this resolution:

Resolved, That the acting Governor of the State of Tennessee be instructed and requested to issue writs of election to be holden on the 22d day of February, 1865, for the election of one hundred delegates on the general ticket system, who shall assemble at Nashville on the 4th day of March thereafter, to take into consideration such measures as will make the organic law of the State homogeneous with the liberal policy of the Government of the United States, their action to be submitted to the people for ratification or rejection on April 20th, 1865.

The amendments to the Constitution recommended by the report of the majority proposed the abolition of slavery; the appointment by the Governor and Senate of judges of the Supreme Court; the qualification of voters, allowing all persons of color who could be witnesses to vote; together with a schedule of measures relating to local concerns of the State.

On Thursday, the fourth day, January 12th, 1865, the various propositions were discussed, and at night the Convention adjourned to hear an address from Governor Johnson.

On the next day, Friday, the question of power in the Convention was discussed during the forenoon, when the business committee withdrew the report of the majority, and substituted a revised report, which proposed merely the abolition of slavery. After some discussion the question was taken on a motion to substitute resolutions of Col. Butler for the amended report of the business committee. These resolutions declared distinctly that the Convention would exceed its powers by taking the action proposed in the majority report. The vote was 113 for the resolutions and 161 against them. Many delegates had gone home. Says one correspondent: "The great speech of Gov. Johnson fixed the course of action irrevocably. The party favorable to postponement gradually crumbled away, lost its identity, and on the final vote upon the amended resolutions manifested nearly as much enthusiasm as their original supporters." The report of the committee adopted was as follows:

The first Article and the first Section of the Declaration of Rights in the Constitution of the State of Tennessee, declares: "That all power is inherent in

the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; and for the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform, or abolish the Government in such manner as they may think proper." Therefore, a portion of the citizens of the State of Tennessee and of the United States of America in convention assembled, do propound the following alterations and amendments to the constitution, which, when ratified by the sovereign loyal people, shall be and constitute a part of the permanent Constitution of the State of Tennessee.

PROPOSED ALTERATIONS AND AMENDMENTS.

ART. 1, Sec. 1. That slavery and involuntary servitude, except as a punishment for crime, where the party shall have been duly convicted, are hereby forever abolished and prohibited throughout the State.

Sec. 2. The Legislature shall make no law recognizing the right of property in man.

There was also adopted a schedule which repealed the section of the Constitution which forbid the General Assembly to pass emancipation laws; annulled the military league made with the Confederate States; also the declaration of independence and secession ordinance; suspended the statute of limitations from May, 1861; actions for torts began by attachments, may proceed without personal service of process on the defendant; annulled all laws and ordinances of the seceded State Government; deprived the Legislature of power to pay bonds, interest, or debts contracted or issued by the seceded State Government, and affirmed all civil and military appointments of Gov. Johnson. These amendments were to be submitted to a vote of the people on February 22d; and if adopted by the people, a State election was to be held on March 4th ensuing, for Governor and members of the Legislature, the latter to be voted for by general ticket upon the basis prescribed by act of February 19th, 1852. The Legislature was required to assemble on April 3d.

The following resolutions accompanied the amendments and schedule relating to voters:

Resolved, That the elections in the several counties shall be held at their county seats, or other convenient places in the counties, by the following named persons, to wit:

Resolved, That when the above amendment of the Constitution of the State of Tennessee shall be submitted to the qualified voters of the State for their ratification or rejection, and at the first election held under said Constitution as amended if ratified by the people, no person shall be permitted to vote unless he first take the following oath at the polls; and the name of each voter shall be written upon the back of his ticket, and it shall be the duty of judges and clerks of said elections to preserve said tickets and file them with the clerks of the county courts of their respective counties for future reference. Provided, however, That this oath shall not be required of the citizens who are well known to the judges of the election to have been unconditional Union men. Provided, also, that voters otherwise qualified, may vote within any county of the State, and if in the military service, wherever they may be on the day of election, and that the commanding officer of each regiment, battalion, detachment, battery, or hospital, is empowered to hold such elections.

I solemnly swear that I will henceforth support the Constitution of the United States, and defend it against the as-



Geo. H. Thomas.

saults of all its enemies; that I am an active friend of the Government of the United States, and the enemy of the so-called Confederate States; that I ardently desire the suppression of the present rebellion against the Government of the United States; that I sincerely rejoice in the triumph of the armies and navies of the United States and in the defeat and overthrow of the armies, navies, and all armed combinations in the interest of the so-called Confederate States; that I will cordially oppose all armistices or negotiations for peace with rebels in arms, until the Constitution of the United States and all laws and proclamations made in pursuance thereof, shall be established over all the people of every State and Territory embraced within the National Union; and that I will heartily aid and assist the loyal people in whatever measures may be adopted for the attainment of these ends; and further, that I take this oath freely and voluntarily and without mental reservation. So help me God.

Resolved, That the returns of this election shall be made to the Secretary of State, and that the result be declared by the proclamation of the acting Governor.

Resolved, That the Convention do nominate and offer to the people a candidate for Governor, and that the delegates from the several Senatorial and Representative districts be requested to nominate and present to the Convention candidates for their respective districts, to be placed upon the general Legislative ticket. Provided, that nothing in this resolution shall be construed to prevent the people in the different counties making nominations for candidates for the Legislature.

The Convention then nominated W. G. Brownlow for Governor, and Senators and Representatives of the Legislature, and persons to hold the elections in the different counties. It then adjourned.

The vote on the proceedings of the Convention was taken on February 22d, 1865. In East Tennessee, 15 counties, the vote for ratification was 9,605; for rejection 9; in Middle Tennessee, in 21 counties the vote for ratification was 11,377, for rejection 37; in Shelby County, West Tennessee, the vote for ratification was 873; for rejection 2. The vote of the Tennessee troops was, for ratification 3,438; for rejection 0. Total for ratification 25,293; do. for rejection 48.

The vote of the State at the Presidential election in 1860 was 145,333. The vote of the State on the election of delegates to the State Convention in 1861 was as follows:

	Union.	Disunion.
East Tennessee.....	30,903.....	5,577
Middle Tennessee.....	36,809.....	9,828
West Tennessee.....	24,091.....	9,844
	91,803	24,749

Union majority.....67,054

A proclamation was issued by Gov. Johnson declaring the amendments to the Constitution to be ratified. An election was subsequently held for Governor and members of the Legislature, on a general ticket, and carried without opposition. W. G. Brownlow was chosen Governor. The subsequent events belong to the record of 1865.

The military operations in the State were confined to raids by the enemy with the exception of the advance of Gen. Hood upon Nashville. (*See ARMY OPERATIONS.*) The distress of the inhabitants, especially in East Tennessee, became most severe. It was stated, in an address to President Lincoln, that of a voting pop-

ulation of 35,000 Union men in East Tennessee, 15,000 to 18,000 had stolen away from home and enlisted in the Union army in Kentucky; that the enemy in 1861 took 60,000 hogs, and other stock in proportion; that Burnside's, Sherman's, and Longstreet's armies had exhausted the remaining supplies; that probably not five per cent. of the usual breadth of wheat could be sown in the spring of 1864, as the fences had been destroyed and the farms left desolate. Even the supply of seed for the common products of farms was gone. Contributions were sent by the Northern people to aid the sufferers.

The permanent Federal military posts were at Memphis and Gallatin in West Tennessee, Nashville and Murfreesboro in Middle Tennessee, and Knoxville in East Tennessee. In the vicinity of these posts detachments were also stationed. At the commencement of the year the Confederate General Longstreet held a line in East Tennessee extending from Strawberry Plains to Sevierville, and numerous skirmishes took place between the hostile forces before Longstreet withdrew to Virginia. The attack on Fort Pillow, in West Tennessee, and the raid of Gen. Forrest at that time, are stated under the title of ARMY OPERATIONS; also the defeat of Gen. Sturgis in his march from Memphis toward Mississippi. In August East Tennessee was invaded by Wheeler, and much damage was caused in the destruction of the railroad, burning of bridges and depots. On Sept. 4th Gen. Gillem surprised and defeated the small force of the guerrilla John Morgan at Greenville, in East Tennessee. Morgan had sought to rest himself for the night at a private house, when the occupant, Mrs. Williams, the wife of a member of Gen. Burnside's staff, informed the Federal forces, a number of whom arrived in season to slay him as he attempted to escape from the house. Gen. Gillem took about seventy-five prisoners. The important military movements in East Tennessee, near the close of the year, will be found under ARMY OPERATIONS. In Middle Tennessee, early in September, Gen. Wheeler appeared with his force, consisting of several thousand horsemen and several sections of artillery. His advance came within the neighborhood of Murfreesboro. Nearly half the railroad between that post and Nashville was destroyed. This expedition was soon followed by another under Gen. Forrest, which came near Tullahoma, and destroyed a few miles of the railroad and cut the telegraph wires in several places. The raid of the enemy, however, was a success. Three regiments of Federal infantry and several pieces of artillery were captured; one of the regiments, the 110th colored, was reported to have been treated as prisoners of war. Several miles of trestle-work and several bridges were also destroyed by Forrest.

The permanent occupation of Nashville as a military base for the Federal army caused a most rapid development of the social evil

known as the prostitution of women. Its effects upon the army were so bad as to require the interference of military authority. This authority was exercised to restrict and regulate the evil.

Early in the summer of 1863, Gen. R. S. Granger, then commanding this post, was "daily and almost hourly beset by the commanders and surgeons of regiments urging him to devise some method (in order to preserve the health and efficiency of their troops) to rid the city of this class of women." The first arrangement that suggested itself was expulsion. They were collected together, and put on board a steamer. "On the 8th of July the boat, with her remarkable crew, shoved off from her moorings. On reaching Louisville, Ky., where they were directed to discharge their freight, the authorities refused to receive any such commercial articles. The manager of the boat then took them to Cincinnati, where a similar fate awaited them. By an order from Washington, the boat was directed to return. She arrived and discharged her miserable cargo on Aug. 3, 1863."

Sickness among the soldiers increased at once, and again the officers renewed their complaints and demands for a remedy. The Provost Marshal, Col. Spaulding, of the 18th Michigan infantry, subsequently of the 12th Tennessee cavalry, proposed, with Gen. Granger's permission, to institute a plan for the preservation of the health of the city in this particular. The General endorsed his scheme, and it was put in operation at once. He proposed that these persons should be compelled to report to a medical officer for examination, and if found to be free from contagious diseases, permitted to pursue their vocation; on condition, first, that they should pay a fee for this license, and secondly, that they should submit at stated periods to a medical inspection. Whenever they were found to be diseased, they were to be sent to a hospital and not permitted to leave it until they were cured.

For the first certificate of health one dollar was charged; for the license five dollars; for every subsequent certificate one dollar. This money was to be applied to the support of a hospital.

On the 20th of August a notice was served on every public woman to report, under penalty of arrest and imprisonment in the workhouse for not less than thirty days.

After a trial of some months, the plan was completed; and now, every ten days, these people are obliged to report to the surgeon. Two special hospitals were established at Nashville; one for unfortunate females and the other for their male counterparts in the army. These were placed under the charge of Surgeon W. M. Chambers, U. S. volunteers, with Surgeons Fletcher and J. J. O'Reilly as assistants.

Up to the 1st of Jan., 1864, sixty patients had been placed in the hospitals and restored to

health. Had no such institution existed, it is probable that there would have been many hundreds of other patients in the military hospitals alone, not to speak of citizens and their innocent victims in private life.

Eleven have been reformed, and are now living virtuous unmarried lives; and at least thirty-two have forsaken their old mode of existence, and are married women. And this, too, without any special effort at their reformation; for the hospital is simply a medical institution, established solely for the purpose of preserving the health of the army.

Of 126 women, of whose biographies Dr. Chambers has taken notes, only four were educated, and they were driven, they say, to a vicious life, by the mistreatment of friends and husbands.

The majority of the women, he believes, are led to adopt this deplorable expedient for support by the cruelties of friends. The majority of them were left without parents, and the mistreatment of guardians drove them to the streets. One in six are impure from choice, or are the victims of the inherited malady, known in medical science as nymphomania. A very large majority—the doctor thought four-fifths—could be restored to a virtuous life, if the proper efforts were made for their rescue.

The number of patients in the hospital averages from five to ten; it has been as high as twenty-eight; every arrival of troops from the front or the North invariably increases the sick list. Excepting at such times, sickness is very seldom contracted in the city; it is imported. The statistics show that officers are more immoral than the enlisted men; yet hardly once a month now (whereas formerly it was a daily incident) is a prescription made for them. The plan has saved thousands of men from the sick list, thereby promoting the efficiency of the army. One report concludes in these words:

The method adopted in the army at this post has met with the hearty approval of all classes of society, commencing with the lieutenant-general commanding the armies of the United States, and of all citizens who have had the subject before them, together with the unfortunates themselves; and I will add, that if a similar plan had been adopted at the various cities North, where the troops went to or passed through them veteranizing, there would not have been one case of sickness where now there are twenty. The facts of this hospital bear me out in this conclusion.

The most noteworthy of these facts is the startling announcement that out of nineteen hundred and two soldiers, patients at the military special hospital, only twenty-four of them contracted their maladies in Nashville. Complaints from officers have entirely ceased.

After an experience of one year, Dr. Chambers wrote:

From carefully kept statistics I am more than ever impressed with the opinion that the system is attended with the very best results to the army, and hope now soon a like plan shall be adopted in all the cities where troops are stationed. Already surgeons have been sent here from Memphis and Louisville to examine into the working of the plan in the city, and I

have no doubt these cities will have similar systems in a short time.

There are between three and four hundred of these persons in Nashville. The fees paid to the medical officers entirely support the hospital. The adoption of this plan, therefore, in other cities, will be attended by no expense; on the contrary, it would save, if universally adopted, millions of dollars and hundreds of lives every year.

TERRITORIES OF THE UNITED STATES.

The present divisions of the vast domain of the United States, which have been organized into territories, are Arizona, Colorado, Dakota, Idaho, Indian Territory, Montana, Nebraska, New Mexico, Utah, and Washington. For their area, population, original organization, etc., *see* ANNUAL CYCLOPEDIA, 1862.

ARIZONA.—The explorations in 1864 brought to light and led to the occupation of districts of rare value in this territory. Adding the resources of northern and central Arizona, now known to those long developed below the Gila River, and there is, with many barren acres common in all metalliferous countries, an extent of mineral, agricultural, pastoral, and timber lands, equal in the aggregate to the area of the State of New York. In gold, silver, platinum, copper, and lead, no portion of the world is richer. The agricultural lands on the Salinas River are capable of supplying food for a State. Irrigation is not necessary in that region if the rains are as frequent as during the last year; other parts have suffered for two years from drought. In the southern districts, where it is required, the rivers are large and regular in their flow. The wheat produced is excellent, and the grasses unsurpassed in nutritious qualities. Wood is abundant.

The seat of Government is Prescott. The territorial officers are John N. Goodwin, of Maine, Governor; Richard C. McCormick, of New York, Secretary; — Turner, of Iowa, Chief Justice; Coles Bashford, of Wisconsin, Attorney General. A weekly newspaper called the "Arizona Miner" is published at Fort Whipple. At the election for delegate to Congress, Charles D. Poston, Republican, received 514 votes; Charles Leib, Democrat, 226, and 145 scattering.

COLORADO.—This territory is unusually rich in gold. The delegate from the territory to Congress, Mr. H. P. Bennett, made the following statement before the House: "Judging from what I know of the undeveloped resources of this country, from what I am told by practical miners who are well informed upon this subject, I say here to-day, before this House and before this country, to be placed upon the records and read of all men, that within five years' time, and by the year 1869, the gold fields of Colorado Territory will produce \$50,000,000 annually, and even then its full resources of mineral wealth in gold alone remain not wholly developed. I speak from the united testimony of practical miners who have spent several

years in the mines of California, when I say that the gold-bearing region of Colorado is far more extensive, quite as inexhaustible, and the gold-bearing quartz of a much richer quality than in California."

In 1859 the amount of Colorado gold received at the Philadelphia mint was \$62,000; in 1861 it was \$1,000,000, and in 1864 it was estimated at \$20,000,000. Some difficulties occurred with the Indians during this year. The military force of the territory is strong and able to contend with them. An act was passed at the last session of Congress to enable the people of the territory to form a State Government. The people, however, postponed the subject. The Governor of the territory is John Evans, who resides at Denver City.

DAKOTA.—The Governor of this territory is Newton Edmonds. The capital is Yankton, on the Missouri River, due west from Chicago, and about sixty miles from the Iowa State line. The state of hostilities which prevailed a year ago between a portion of the Sioux tribes and the Government continued during 1864, and great excitement has necessarily existed even among those tribes who are friendly to the whites. The failure of the crops among the Indians has been so great as to make it necessary to provide supplies to keep them from starvation.

IDAHO.—This territory was organized under an act of Congress of March, 1863. Its Governor is Caleb Lyon: the Secretary, W. B. Daniels. Two weekly newspapers are published in the territory, the "Boise News" at Idaho City, and the "Golden Age" at Lewiston. At the election for delegate to Congress, the Democratic candidate was chosen by a small majority. The boundaries of the territory were thus defined by Congress:

"Beginning at a point in the middle channel of the Snake River, where the northern boundary of Oregon intersects the same; then follow down said channel of Snake River to a point opposite the mouth of the Kooskooskia, or Clearwater River; thence due north to the forty-ninth parallel of latitude; thence east, along said parallel, to the twenty-seventh degree of longitude west of Washington; thence south, along said degree of longitude, to the northern boundary of Colorado Territory; thence west, along said boundary, to the thirty-third degree of longitude west of Washington; thence north, along said degree, to the forty-second parallel of latitude; thence west, along said parallel, to the eastern boundary of the State of Oregon; thence north, along said boundary, to the place of beginning."

This boundary was changed at the session of Congress of 1863-'64. The last section of the Montana Act provides that "until Congress shall otherwise direct, all that part of the territory of Idaho included within the following boundaries, to wit: Commencing at a point formed by the intersection of the thirty-third degree of longitude west from Washington with

the forty-first degree of north latitude; thence along said thirty-third degree of longitude to the crest of the Rocky Mountains; thence northward along the said crest of the Rock Mountains to its intersection with the forty-fourth degree and thirty minutes of north latitude; thence eastward along said forty-fourth degree thirty minutes to the thirty-fourth degree of longitude; thence northward along said thirty-fourth degree to the forty-fifth degree north latitude; thence eastward along said forty-fifth degree to the twenty-seventh degree of longitude; thence south along said twenty-seventh degree to the forty-first degree north latitude; thence west along said forty-first degree to the place of beginning, shall be, and is hereby, incorporated temporarily into and made part of the territory of Dakota."

It is computed, from reliable information, that the entire yield of gold from the mines east of the Cascade range, during the season of 1861, was nearly \$5,000,000; and it is calculated that the yield of 1862 and 1863 approximated to \$20,000,000.

This territory embraces within its boundaries the productive mineral regions of Salmon River, Boise, Oro Fino, Beaver Head, Warren's Diggings, and numerous other mining localities that have been recently discovered. The principal towns in Idaho, are Lewiston, the capital, situated at the junction of the Clearwater with Snake River, and from whence is transported in boats, by teams and pack animals, the greater proportion of the supplies used by the mining population scattered throughout the territory. Oro Fino, which lies nearly due south of Lewiston, Elk City, Florence, Placerville, and Bannock City, are also places of considerable importance commercially, and contain an average of fifteen hundred inhabitants each. Considerable trade is also carried on at Forts Boise, Benton, Owen, Lemhi, Hall, and Bonneville, at some of which troops are stationed for the protection of immigrants and settlers against the depredations of the numerous bands of Indians who roam over that vast scope of country.

The Oro Fino gold mines were discovered during the summer of 1860, by a prospecting party under command of Captain Pierce. A portion of this party passed the winter of 1860-'61 in the mines of Oro Fino, and such was the result of their labors that nearly five thousand miners and traders found their way to these mines during that year, and succeeded in establishing the towns of Oro Fino and Elk City. The discovery of rich gold mines in this vicinity naturally excited prospecting parties to extend their researches. Accordingly, in 1861, a party of men under the direction of J. J. Healy, successfully worked on Salmon River. Other parties also worked in the Oro Grand District. In May, 1862, rich gold discoveries were made in what is now known as Warren's Diggings, to which the rush was so great that the rival towns—Richmond and Washington—were at once established.

In the summer of 1862 a party of prospecters, under the command of a miner name Grimes, entered the Boise region in search of gold, but, whilst encamped upon a small creek, they were attacked by Indians, and their leader killed. The locality is now known as Grimes's Creek, situated midway between Placerville and Bannock City.

INDIAN TERRITORY.—This territory comprises the tract of country adjoining Kansas and Arkansas, to which the southern Indians have been removed from their former residences within the limits of the old States. The number of these tribes is large, and a general feeling of discontent prevails among them because of the destitution of their families and the failure of the Government to send into their country a sufficient force to preserve order and protect them against the wholesale plundering, robbing, and thieving to which they have been subjected at the hands of the rebels, and of whites professing to be their friends and loyal to the Government. Probably no portion of the country, of equal extent within the territorial limits, is better adapted to the business of stock-raising than is this country owned by these Indians. Prior to the war they had engaged in this business extensively, and many of them owned herds of cattle numbered by thousands. When the people were driven forth their stock was necessarily left behind without ostensible owners. The Confederates availed themselves of this condition of things to procure immense supplies of beef for their armies.

MONTANA.—This territory was organized under an act passed at the last session of Congress. Its boundaries are as follows: "Commencing at the intersection of the twenty-seventh degree of longitude west from Washington with the forty-fifth degree of north latitude; thence due west on said forty-fifth degree to its intersection with the thirty-fourth degree of longitude; thence due south along said thirty-fourth degree to the forty-fourth degree and thirty minutes; thence due west along said forty-fourth degree and thirty minutes to its intersection with the crest of the Rocky Mountains; thence following the crest of the Rocky Mountains northward till its intersection with the Bitter Root Mountains; thence northward along the crest of the Bitter Root Mountains to its intersection with the thirty-ninth degree of longitude; thence along said thirty-ninth degree northward to the boundary line of the British possessions; thence eastward along said boundary line to the twenty-seventh degree of longitude; thence southward along said twenty-seventh degree to the place of beginning."

The Governor of the territory is Sidney R. Edgerton. The country is rich in gold and silver mines. Virginia City has grown very rapidly, with a mining population attracted by the diggings. The Indians are numerous in the territory, and were troublesome during the year. The great want of the territory is adequate machinery to develop its wealth and

capital to make the proper explorations. The population of the territory is about 20,000, of which nearly one-half are at Virginia City. The Governor's residence is at Bannock City.

NEBRASKA.—An act was passed by Congress at its last session, to enable this territory to form a State Government. The delegates elected to prepare a Constitution met at Omaha on July 4th, and voted to adjourn *sine die*. The vote for delegate to Congress was for Hitchcock, Republican, 3,486; Miller, Democrat, 2,399. The Legislature contains thirty-one Republicans, and twenty-one Democrats. The Governor of the territory is Alvin Saunders, and the Secretary Algeron S. Paddock. Their official residence is Omaha. The greater number of the four bands of Sioux Indians, which are under the charge of the Indian Superintendency, remained hostile, and military operations against them were continued through the year. Major-General Pope, in command of this military Department, recommended to the Government to gather the Indians around military posts, disarm them, and compel them either to become good farmers and Christians, or to starve. Others proposed to buy lands for them with their annuities, and scatter them among the whites throughout the thickly-settled portions of the country.

NEW MEXICO.—This territory has continued undisturbed since its successful occupation by the Federal forces in 1862. The Governor is Henry Connolly, and the Secretary Wm. F. M. Army. Capital Santa Fé. Some difficulties occurred between the military and some of the civil authorities, as appears by a letter of Judge J. G. Knapp, making charges against Gens. Carlton and West. In stating the classes of offences which he charges, he says:

They have set up in New Mexico a military despotism worse and more oppressive than the worst and most cruel tyrants of any country have ever established, and threaten citizens with imprisonment and death who dare oppose their unjust and oppressive measures: and all this is done when no enemy is near nor any necessity exists for their conduct.

WASHINGTON TERRITORY, situated in the extreme northwest, contained in 1864 an estimated population of 14,000. The capital is Olympia, and the Governor William Pickering; secretary, Elwood Evans. The Legislature consists of a Council and House of Representatives, which assemble annually on the first Monday of December. The former is composed of nine members, and the latter of thirty. The total vote of the territory in 1863 for a delegate to Congress was 3,231. Of these votes George E. Cole, Democrat, received 1,644; and J. O. Raynor, Republican, 1,446; and 41 scattering. The estimated value of property in 1864 within the territory was \$5,482,521. There are five weekly papers published in the territory. This territory possesses great natural advantages, having a vast seaboard on the Pacific Ocean, the Straits of St. Juan de Fuca and adjacent waters. The Columbia River and its numerous tributaries

flow through the territory from the 49th to the 46th parallel of latitude.

The commerce of the people residing on the seaboard is principally confined to lumbering, fishing, and coal-mining. Large cargoes of spars, lumber, shingles, &c., are constantly shipped to San Francisco, the Sandwich Islands, South America, China, New Zealand, and ports in Europe. Large quantities of coal are shipped from Bellingham Bay, where a company, with a capital stock of \$1,000,000, is extensively engaged in mining. Oysters, salmon, and other varieties of fish, are also exported in large quantities. The Columbia River forms the line of division between the State of Oregon and Washington Territory. Passing along, in a northerly direction, the first place of importance on the seacoast of Washington Territory is Shoalwater Bay, a picturesque sheet of water which has the reputation of producing the finest flavored oysters on the coast. The country bordering the bay is very generally settled by men who unite with the occupation of farming the avocation of fishing. Large quantities of oysters are annually shipped from Shoalwater Bay to San Francisco, Sacramento, Portland, and other places on the Pacific coast. Large quantities of piles and spars are also shipped from this point, which, together with the shipment of about 30,000 bushels of oysters, make the value of the exports from this locality about \$120,000. This bay was discovered by Lieut. John Meares, in the *Felice*, July 5, 1788, and upon sounding for an entrance, discovered so many shoals that he gave it the name it at present bears. A lighthouse was erected on Cape Shoalwater, which was first illuminated on October 1st, 1858. The height of the tower is 41½ feet from the base, and 87 feet above the level of the sea. Oysterville and Brucefort are the names of the villages on the bay. Passing along the coast about thirteen miles further north is Gray's Harbor, a bay which was discovered by Gray in 1792, and named by him Bulfinch Harbor, after one of the owners of his vessel; but the present name was subsequently applied to it by Lieut. Whidby, who surveyed it in 1792, and called it Gray's Harbor, in compliment to its discoverer. This bay is extensively settled by enterprising people, who have erected lumber and flouring mills, and established a town near the point where the Chehalis River empties into the bay. Several smaller streams also empty into this bay. The Chehalis is navigable for boats for a distance of sixty miles, and drains the country well suited for agricultural purposes. North of Gray's Harbor are the Queniult, Raft, Queets, Ohahlats, Quilcuyats, and several smaller rivers emptying into the Pacific Ocean south of Cape Flattery, which forms the southern headland of that vast expanse of water known as the Straits of Juan de Fuca. The entrance to this strait is about fourteen miles wide, and the distance from the entrance to Whidby's Island, its eastern boundary, is eighty-four miles. The depth of water through-

out the strait may be inferred from the fact that the officers of the U. S. Coast Survey found no bottom in its deepest parts, even with 150 fathoms of line. Juan de Fuca Straits is the main artery for the waters of Admiralty Inlet, Puget Sound, Possession Sound, Hood's Canal, Canal de Haro, Rosario Strait, Bellingham Bay, and the vast Gulf of Georgia, extending between Vancouver's Island and New Caledonia for a distance of 120 miles, with an average width of 20. This strait was discovered in 1787, by Berkely, while in command of a boat's crew of the ship *Imperial Eagle*. In June, 1788, Berkely communicated the fact of its existence to Meares, who sent a party to explore it, and applied to the strait the name of "Juan de Fuca." Gray and Vancouver entered this strait in 1792, but to the latter the world is indebted for the first authentic account of its vast extent and numerous surroundings. Sailing along the Strait of Juan de Fuca, on the south—or Washington Territory—shore, Neah Harbor, Clallam Bay, Port Angeles, New Dungeness, and Port Townsend are passed, thence up Admiralty Inlet into Puget Sound, to Budd's Inlet, the head of which is located at Olympia, the capital of Washington Territory. From this point to the forty-ninth parallel of latitude—the dividing line between the United States and British possessions—a large number of bays, harbors, and ports, line the vast sheet of water extending the entire distance.

UTAH.—The estimated population of this territory in 1864 was 80,000. The number of counties in the territory is fourteen. The popular election is held on the first Monday in August, and the Legislature assembles on the second Monday in December. This body consists of a Council and House of Representatives. The former is composed of thirteen members, and the latter of twenty-six. The assessed property in the territory amounts to \$5,051,176. The Federal Governor is James D. Doty, and the Secretary Amos Reed. The Chief Justice is John Titus, and the Associates Charles R. Walte and Thomas J. Drake.

There is another organization in the territory known as the Mormon Church, or Church of Jesus Christ of Latter Day Saints, as follows:

First Presidency.—The first quorum of authority in the Church is the First Presidency, and is composed of three members, viz.: Brigham Young, Heber C. Kimball, Daniel H. Wells.

Twelve Apostles.—The next quorum in authority is the Twelve Apostles, viz.: Orson Hyde, Orson Pratt, John Taylor, Wilford Woodruff, George A. Smith, Amasa M. Lyman, Ezra T. Benson, Charles C. Rich, Lorenzo Snow, Erastus Snow, Franklin D. Richards, George Q. Cannon.

Seventies.—The next quorum in authority is the Seventies. The seventy members that constitute the first quorum of seventies, are all presidents of the first ten quorums of seventies, making seven presidents to each quorum; the

members of all the other quorums of seventies number sixty-three, each quorum having seven presidents. There are sixty-eight quorums of seventies organized in Utah Territory.

High Priests.—There is a quorum of High Priests, the numerical extent of which is not defined. This quorum has a president and two counsellors.

There are also quorums of Elders, Priests, Teachers, and Deacons.

The Seventies and High Priests in the various settlements in this territory have meetings, and are regulated by a local presidency, separate from, but subordinate to, the standing presidencies of their quorums.

John Smith (son of Hiram Smith) is presiding patriarch. There are several other patriarchs in the church.

High Council.—There is a High Council, composed of twelve members, organized at Great Salt Lake City, and in all the principal settlements of the territory.

Bishops.—The territory is divided into wards; over each ward is a bishop, with two counsellors. Great Salt Lake City is divided into twenty wards. Edward Hunter is the presiding bishop.

Membership.—In the territory, the numerical membership of the Church will nearly correspond with the population. Throughout the United States there are branches and members of the Church, but at present so unorganized that the number is not known.

There are organized branches and conferences of the Church throughout England, Scotland, Ireland, Wales, Denmark, Norway, Italy, Switzerland, Germany, and in other parts of the world.

In an address by Brigham Young, in Jan., 1865, he complains of the failure of Congress to admit Deseret into the Union as a State, and suggests that the territorial laws of Utah be declared to be the laws of the "State of Deseret." He further said:

The progress which is being made in the opening of coal mines, by which coal in increased quantities and of an improved quality is being brought into market; in the erection of handsome and substantial stores and public buildings, and commodious and elegant dwellings; in the production of staples and in the advancement of home manufactures of various kinds, is a cause of sincere congratulation. Machinery for the manufacture of woollen and cotton fabrics has been imported and put into successful operation, and I trust the day is not far distant when our importation of these articles will be comparatively limited.

The efforts of our citizens to produce cotton have been crowned with very encouraging success. There have been, and still are, many difficulties to be contended with and overcome before the raising of cotton can become as remunerative as the raising of cereals in more favorable localities; but the experience gained during the past few years by the citizens of the cotton-growing districts will be of incalculable benefit to them in their future operations. The recent accessions of strength which those settlements have received, have had an inspiring effect upon the old settlers there, and they feel that many of the difficulties under which they have heretofore labored are about to be overcome.

TEXAS. Agricultural labors in Texas were exceedingly prosperous in 1864. Large numbers of slaves had been brought into the State from Arkansas, and Mississippi, and Louisiana for safety, so that labor became abundant. The crop of cotton was estimated at five hundred thousand bales, thus exceeding the crop in all the other cotton-growing States, which was estimated at four hundred thousand bales. The crop of corn was estimated as sufficient to furnish a supply for two years.

The control of the Richmond Government over the people was in a great measure lost by the Federal occupation of the Mississippi River. The troops raised in Texas during the year remained west of the Mississippi, and took no part in the great campaigns in Georgia and Virginia. The rule of the secessionists was as severe as at any previous period, and those who were known to entertain Union sympathies experienced great suffering.

The military operations in the State were confined to some movements on the Western border, of little importance. Brownsville, opposite Matamoras, was opened to trade by a proclamation of the President, in February; but the Union forces were subsequently withdrawn.

In the latter part of the year the successes of the Federal troops in the East had produced an effect on the public mind; the Union sentiment became more open and avowed, and a disposition was manifested to make peace.

THOMSON, ROBERT DUNDAS, M. D., a Scottish chemist and professor, born in Scotland in 1811, died at Richmond August 17, 1864. He commenced his professional education at the Edinburgh University, and subsequently studied under the auspices of his uncle, Professor Thomas Thomson, at the University of Glasgow. On the completion of his course he was appointed assistant-surgeon in the navy of the East India Company, and as such he proceeded on a voyage to India and China. On his return he commenced the practise of his profession in London, where he continued about eight years, during which time he was instrumental in founding the Blenheim Free Dispensary, acting gratuitously as one of its physicians. At this time he conducted a monthly periodical entitled "Records of General Science," and also assisted in editing the "Annals of Medicine." On his marriage with the daughter of Prof. Thomas Thomson, he removed to Glasgow, and for a period of ten years assisted his uncle in the active duties of his professor's chair, delivering regularly the course of lectures. Subsequently he was appointed Professor of Chemistry in St. Thomas's Hospital, London. In 1856 he was appointed health officer of Marylebone, and afterwards, on being chosen member for chemistry in the council of the University of London, he resigned his professorship at St. Thomas's. Dr. Thomson was a voluminous writer on scientific subjects. He was for three years editor of the "British Annual;" published a book on

"Food for Cattle," also a "School Chemistry," and contributed largely to the Royal Society, of which he was a fellow, and to the Meteorological Society, of which he was president. His more elaborate work, the "Encyclopædia of Chemistry," which evinces enormous labor and research, is well known in the scientific world. His death was caused by a tumor of a malignant character, which ultimately prevented his taking nourishment.

TOTTEN, JOSEPH GILBERT, Brevet Major-General of the U. S. Army, and Chief of the Engineer Department, born in New Haven, Conn., Aug. 23, 1788, died at Washington, D. C., April 22, 1864. He graduated at West Point in 1805, as 2d lieutenant of engineers, and remained in the service until March, 1806, when he resigned and went into civil life, from which he again entered the army in 1808. Promoted to be a 1st lieutenant in 1810, and captain in 1812, he was Chief Engineer of the Army on the Niagara frontier in the campaign of 1812 and 1813. Brevetted as Major "for meritorious services," June, 1813, he became Chief Engineer of the Army on Lake Champlain in the campaign of 1814, and was brevetted Lieutenant-Colonel, September 11, 1814, "for gallant conduct at the battle of Plattsburgh." Passing through the successive grades of major and lieutenant-colonel in his own corps, he became Colonel and Chief Engineer, December 7, 1838. From 1816 to 1838, with but an intermission of two years, he was a member of the Board of Engineers for planning the national defences. During the Mexican war he served as chief engineer of the army under General Scott, until the capture of Vera Cruz, conducting the siege operations against that place, and was brevetted a brigadier-general "for gallant and meritorious conduct" on that occasion. Subsequently he resumed his duties as chief engineer, continuing in their performance with but two short intervals until his death. The fortifications of Newport, R. I., were built under his immediate supervision, and with other defences and fortifications are enduring monuments to his memory. In the first days of the rebellion Gen. Scott urged upon Gen. Totten the acceptance of the position of Commander-in-chief, which the latter declined on the ground of physical inability for field service. Gen. T., amid all his other labors, found time to translate and have published *Vicat on Mortars*, the work of one of the ablest of the French corps of civil engineers. During the period of twenty-six years in which Gen. Totten stood at the head of the engineer department, he discharged his varied duties with untiring devotion, spotless integrity, and signal ability, as an acknowledgment of which the President, upon hearing of his serious illness, forwarded his commission as brevet Major-General.

TURKEY. An Empire in Eastern Europe. The present ruler is Sultan Abdul-Aziz-Khan, born February 9th, 1830, the thirty-second sovereign of the family of Osman, and the

twenty-ninth since the capture of Constantinople; succeeded his brother Sultan Abdul-Medjid-Khan, June 25th, 1857. The heir apparent to the throne is not the oldest son of the reigning Sultan, but the oldest son of the deceased Sultan, Abdul-Medjid-Khan. The reigning Sultan is reported to have the intention to obtain the consent of the leading powers of Europe for a change in the law of succession.

The area and population of the empire is estimated as follows:

	Geographical square miles.	Population. in 1844.
Possessions in Africa.....	44,940	5,650,000
" " Asia.....	31,470	16,050,000
" " Europe.....	9,878	15,730,000
	86,288	37,430,000

The following estimate of the religious statistics is given by Kolb (*Handbuch der vergleichenden Statistik*, 1860):

	Europe.	Asia.	Total.
Mohammedans	4,550,000	12,650,000	21,000,000
Greeks and Armenians..	10,000,000	300,000	13,000,000
Catholics	640,000	260,000	900,000
Jews.....	70,000	80,000	150,000

The budget for 1864-'5 shows a revenue of £14,737,231. The expenditure is estimated at £14,571,238. The increase in the latter over that of last year is occasioned by the public debt and the Circassian immigration. A reduction in the army and navy expenses to the amount of £37,758 will be made.

The Turkish army consisted, during the Crimean war, of 105,325 nizam (active army), 103,827 redif (reserve), 7,741 militia; total, 216,893. The duration of military service is five years in the active army, and seven years in the reserve. An order of the Turkish Government, issued in January, 1864, grants leave of absence, during six months of the year, to all soldiers who have served a sufficient time to acquire the experience and practice necessary for military duties. An important saving—which forms one of the temporary economies promised in the report on the budget—will thus be effected. Better men will be secured for the army, now that the soldiers will be able for some months in the year to enjoy the comforts of home. The suspension of the conscription is a corollary to the regulation. The order provides that all soldiers and non-commissioned officers who, after having attained the necessary degree of skill in their military drill and instruction, may desire to spend the winter season in their homes, shall be permitted to leave their regiments during that period of the year in which the rigors of the season prevent the practice of military exercise.

The press in Turkey has been hitherto comparatively free; but an edict, issued in December, 1864, greatly restricts this freedom. The following are the chief provisions of the new law:

"Arts. 1, 2, and 3 provide that every paper must be authorized by the Government—the name of the responsible editor printed on every issue—that, if a native, he must be over thirty years of age; and if a foreigner, he must agree to submit to Turkish jurisdiction.

"Art. 8 provides that when any person is mentioned by name in a paper he must be allowed an opportunity to reply in the same paper, occupying not more than the space taken by the original article.

"Art. 9 prohibits the entrance into the empire of any foreign publications hostile to the Turkish Government.

"The remaining twenty-six articles comprise its penal provisions, which are such as the following:

"Art. 14 punishes every offence against 'public morality, good manners, or any one of the religions or creeds professed in the empire,' with a fine of from \$15 to \$100, or with imprisonment of from one week to three months.

"Art. 17 protects 'friendly and allied sovereigns' against attack by a penalty of imprisonment of from three months to three years, or a fine of from \$50 to \$500. Every other imaginable class is protected by similar provisions.

"Art. 26 forbids the publication or reproduction 'intentionally and in bad faith' of false news, and of fabricated or false documents, under penalty of from a month to a year's imprisonment, or a fine of from \$50 to \$250. Prosecutions may take place at any time within six months.

"Art. 33 provides for the doubling of all penalties in case of a repetition of the offence."

In July, 1864, the Turkish Government closed all the Protestant missionary establishments, and arrested several converts to Protestantism. In consequence of the remonstrances of the representatives of the United States and other Protestant countries it permitted, however, after a few days the reopening of the Bible and the American missionary societies. In August all the missionary stations were reopened, but the converts in the capital were for the present to be sent to the provinces. The continuance of religious controversy in the Protestant books was also authorized, provided that the Koran was not insulted.

No part of the Turkish Empire has attracted for several years so much attention as the United Danubrian principalities (formerly Moldavia and Wallachia). In virtue of the treaty of Paris of March 30th, 1856, and of the convention of August 19th, 1858, each of the two principalities, contrary to the wish expressed by the people, was to have its own prince, a distinct assembly and a distinct administration. The germ of a future union was, however, laid in the appointment of a joint commission which was to prepare a legislative union. When, however, both provinces elected the same prince, Colonel Alexandre Couza, a

conference of representatives of the great powers, held at Paris, September 6th, 1859, confirmed this double election. The Ottoman Porte reluctantly yielded to the popular demand by sanctioning the legislative and administrative union of the two principalities, on December 4th, 1861. The first united assembly of the principalities met at Bucharest, on February 5th, 1862. Although the Porte had given its consent only to a union for the lifetime of the reigning prince, the latter, in his opening discourse, spoke of a definite union. The address of the assembly expressed in emphatic terms the same sentiments. In this cause all the people of the two principalities appeared to be unanimous. The same was the case with regard to the secularization of the property belonging to the Greek convents, which on December 14th, 1863, was adopted by the assembly by a vote of ninety-seven against three, and notwithstanding the protest of the Porte, in conjunction with the Cabinets of London, St. Petersburg, Vienna, and Berlin, confirmed by a unanimous vote on January 14th, 1864. On January 27th the assembly voted an indemnity of 50,000,000 francs to be paid to the religious communities of the Holy Places, this indemnity to be covered by a loan to be issued at 88, and bearing 7 per cent. interest.

Concerning many other questions, there was manifested, however, an irrevocable difference of opinion between the assembly which represented chiefly the aristocracy and the prince, who was determined to introduce into the administration of the country sweeping reforms. On April 24th the Chamber of Deputies passed a resolution that in future the Ministers should take the oath of allegiance to the people and not to the prince. On April 25th it passed a vote of censure upon the Government for the introduction of a rural bill rendering all the peasants landed proprietors.

Public opinion sided, however, with the prince against the assembly, and the vote of censure passed by the latter was very emphatically disapproved by the people. A message from the prince, announcing the prorogation of the Chambers until the 14th of May, was likewise enthusiastically applauded by the people. When the Chambers met again, on May 14th, and refused to adopt a new (liberal) electoral law submitted to them, the prince again dissolved them, and promulgated a statute supplementary of the fundamental law of the State (convention of August 19th, 1858), and a new electoral law. Both of these were submitted by him to a general ballot, which resulted in the adoption of the new constitution by a vote of 683,928 for and 1,307 against. There were, altogether, 766,905 persons entitled to vote. According to the new constitution, the Moldo-Wallachian Chamber is to be composed

of 160 members—eighty-five for Wallachia, and seventy-five for Moldavia. Out of the above number the fifty-six towns of the two principalities will send ninety-one deputies, whilst the rural communes, although more numerous, and possessing a more extensive territory, will only be represented by sixty-nine. In consequence of new remonstrances from the Ottoman Porte and the great European powers, Prince Couza, after having personally negotiated with the Turkish Government at Constantinople, consented to modify the new constitution by forming a senate which will be partly nominated by the prince and partly selected by the people.

While the new constitution was submitted to the vote of the people, a conspiracy was discovered at Bucharest to overthrow the Government of Prince Couza, and effect the separation of the principalities, with a return to the former *regime*. The contents of the papers seized on the person of Dr. Lamberti, showed the connivance of foreign enemies of the prince. Dr. Lamberti was arrested with Prince Soutzo, formerly minister under Shirby. The prisoner confessed his guilt, and acknowledged the authenticity of the documents signed by himself, and by the other persons compromised in the affair. Simultaneously, another reactionary conspiracy was discovered at Jassy. Deputy Balsch was arrested, and the papers of a so-called national committee were seized. This discovery excited a great indignation among the people, and had a considerable influence on the result of the election.

The important rural law, which abolished compulsory labor, and made the peasants landed proprietors by the payment of an indemnity to the landowners, was promulgated on Aug. 27th, and received throughout the country with immense enthusiasm. The law divides the peasants into three classes proportionately to the number of cattle they possess. They will respectively receive about 14-8 or 4 acres of land in Wallachia, 16-12 or 6 acres in Moldavia, and 18-12 or 8 acres in Bessarabia, according to the class to which they belong.

Elections for the General Councils (Provincial Diets) were held in November, and were very favorable to the Government. All the Councils Generals sent addresses of congratulation to Prince Couza; two of them also voted the necessary funds for erection of statues of the prince; four, provincial colleges to bear his name, and ten others, monuments to be erected in his honor.

The elections for the Chambers in December, were equally favorable to the Government. They were opened by the prince on Dec. 18th, in the presence of the diplomatic corps and the great bodies of the State. The message delivered by the prince was greatly applauded.

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UNITED STATES. The benefits of the amnesty proclamation issued by President Lincoln on December 8th, 1863, were sought by a large number of persons, originally from the South, who were within the Federal lines, and against whom suspicion of sympathy or secret coöperation with the seceders existed. Others whose property had been seized for confiscation, complied with the terms of the proclamation in order to save their property. Others, who were in confinement, sought to obtain a release by a simple compliance with its terms. Indeed, so various were the cases which arose, that an explanation or limitation of its terms was required. For this purpose the President, on March 28th, issued the following proclamation:

Whereas, It has become necessary to define the cases in which insurgent enemies are entitled to the benefits of the Proclamation of the President of the United States, which was made on the eighth day of December, 1863, and the manner in which they shall proceed to avail themselves of these benefits:

And whereas the objects of that Proclamation were to suppress the insurrection and to restore the authority of the United States; and whereas the amnesty therein proposed by the President was offered with reference to these objects alone:

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, do hereby proclaim and declare that the said Proclamation does not apply to the cases of persons who, at the time when they seek to obtain the benefits thereof by taking the oath thereby prescribed, are in military, naval, or civil confinement or custody, or under bonds or on parole of the civil, military, or naval authorities, or agents of the United States as prisoners of war, or persons detained for offences of any kind, either before or after conviction; and that, on the contrary, it does apply only to those persons who, being yet at large and free from any arrest, confinement, or duress, shall voluntarily come forward and take the said oath with the purpose of restoring peace and establishing the national authority. Prisoners excluded from the amnesty offered in the said Proclamation may apply to the President for clemency, like all other offenders, and their applications will receive due consideration.

I do further declare and proclaim that the oath prescribed in the aforesaid Proclamation of the 8th of December, 1863, may be taken and subscribed before any commissioned officer, civil, military, or naval, in the service of the United States, or any civil or military officer of a State or Territory not in insurrection, who by the laws thereof may be qualified for administering oaths. All officers who receive such oaths are hereby authorized to give certificates thereon to the persons respectively by whom they are made. And such officers are hereby required to transmit the original records of such oaths at as early a day as may be convenient to the Department of State, where they will be deposited and remain in the archives of the Government. The Secretary of State will keep a register thereof, and will, on application, in proper cases, issue certificates

of such records in the customary form of official certificates.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-four, and of the Independence of the United States the eighty-eighth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, Secretary of State.

Some efforts were made to circulate the proclamation within the enemy's lines, but it received very little consideration there. In East Tennessee, Gen. Foster attempted to circulate it in the form of handbills among the troops of Gen. Longstreet, with the hope of inducing them to desert. The latter, in a letter to Gen. Foster, said:

The immediate object of this circulation seems to be to induce our soldiers to quit our ranks and take the oath of allegiance to the United States Government. I presume, however, that the great object and end in view is to hasten the day of peace. I respectfully suggest for your consideration the propriety of communicating any views that your Government may have upon this subject through me, rather than by handbills circulated amongst our soldiers.

The few men who may desert under the promise held out in the proclamation cannot be men of character or standing. If they desert their cause they disgrace themselves in the eyes of God and of man. They can do your cause no good, nor can they injure ours.

As a great nation you can accept none but an honorable peace. As a noble people you could have us accept nothing less.

I submit, therefore, whether the mode that I suggest would not be more likely to lead to an honorable end than such a circulation of a partial promise of pardon.

Twenty copies were sent to Gen. Longstreet by Gen. Foster, with acknowledgment of the letter.

The original proclamation excepted from its benefits the State of Virginia. The number of persons which it required to inaugurate a new State was one-tenth of the persons who voted at the Presidential election in 1860, as follows:

STATES.	Total vote in 1860.	Number required.	Population in 1860.
Alabama	90,357	9,036	964,201
Arkansas	54,053	5,406	435,450
Florida	14,347	1,435	140,425
Georgia	106,365	10,637	1,057,286
Louisiana	50,500	4,050	708,002
Mississippi	69,120	6,912	791,305
Tennessee	145,333	14,533	1,109,801
North Carolina	96,230	9,623	992,622
Texas	62,986	6,298	604,215

Virginia had already been reconstructed

under the organizations of West Virginia and East Virginia. South Carolina is omitted in the list, as the Presidential vote was cast by the State Legislature. The operation of this provision of the original proclamation is stated in the articles ARKANSAS, FLORIDA, LOUISIANA, TENNESSEE. This provision of the proclamation was also much discussed in Congress, for which *see* CONGRESS, U. S.

The relations between President Lincoln and Lieut.-Gen. Grant were of a most friendly nature, as is shown by the following correspondence after the latter assumed the duties of his office:

EXECUTIVE MANSION, WASHINGTON, April 30, 1864.

Lieut.-Gen. Grant:—Not expecting to see you before the spring campaign opens, I wish to express in this way my entire satisfaction with what you have done up to this time, so far as I understand it. The particulars of your plan I neither know nor seek to know. You are vigilant and self-reliant, and pleased with this, I wish not to obtrude any restraints or constraints upon you. While I am very anxious that any great disaster or capture of our men may be avoided, I know that these points are less likely to escape your attention than they would be mine. If there be any thing wanting which is within my power to give, do not let me fail to know it. And now with a brave army and a just cause, may God sustain you. Yours, very truly, A. LINCOLN.

HEADQUARTERS ARMY OF THE U. S. }
CULPEPPER C. H., VA., May 1, 1864. }

Mr. President:—Your very kind letter of yesterday is just received. The confidence you express for the future, and satisfaction for the past in my military administration, is acknowledged with pride. It shall be my earnest endeavor that you and the country shall not be disappointed. From my first entry into the volunteer service of the country to the present day, I have never had cause of complaint, and have never expressed or implied a complaint against the Administration or the Secretary of War for throwing any embarrassment in the way of my vigorously prosecuting what appeared to be my duty. Indeed, since the promotion which placed me in command of all the armies, and in view of the great responsibility and importance of success, I have been astonished at the readiness with which every thing asked for has been yielded without even an explanation being asked. Should my success be less than I desire and expect, the least I can say is the fault is not with you.

Very truly, your obedient servant,

U. S. GRANT, Lieut.-Gen.

The following letter, written one month later, also expresses similar sentiments:

EX. MANSION, WASHINGTON, June 3, 1864.

Hon. A. Conkling and others:

GENTLEMAN: Your letter inviting me to be present at a mass meeting of loyal citizens to be held in New York on the 4th inst., for the purpose of expressing gratitude to Lieut.-Gen. Grant for his signal services, was received yesterday.

It is impossible for me to attend. I approve, nevertheless, of whatever may tend to strengthen Gen. Grant and the noble armies now under his direction. My previous high estimation of Gen. Grant has been maintained and heightened by what has occurred in the remarkable campaign he is now conducting, while the magnitude and difficulty of the task before him does not prove less than I expected. He and his brave soldiers are now in the midst of their great trial, and I trust that at your meeting you will so shape your good words that they may turn to men and guns moving to his support.

Yours truly, ABRAHAM LINCOLN.

A weariness of the war, or a laudable desire to put an end to the appalling horrors of the conflict, awakened in the mass of the people, on both sides, a strong wish for peace. So prevalent was this wish, that even unofficial individuals were tempted to undertake the preparation of the preliminaries. The President appears kindly to have indulged these inclinations, although they resulted in showing that neither side were willing to make any concession merely for the sake of peace.

The first of these movements, in point of time, consisted in a visit of Rev. Col. Jacques and Mr. J. R. Gilmore to Richmond, in which two interviews were had with Mr. Davis. The visit resulted in nothing, and the President appears to have taken no part in the matter further than to approve of their passage through the Federal lines, although the terms suggested in the conversations are the same as the President has advanced on every subsequent occasion. The following letter explains the manner in which a passage into the enemy's lines was obtained:

HEADQUARTERS ARMIES OF THE UNITED STATES, }
CITY POINT, VA., July 8, 1864. }

Gen. R. E. Lee, Commanding Confederate Forces near Petersburg, Va.

GENERAL: I would request that Col. James F. Jacques, 78d Illinois volunteer infantry, and J. R. Gilmore, Esq., be allowed to meet Col. Robert Ould, commissioner for the exchange of prisoners, at such place between the lines of the two armies as you may designate. The object of the meeting is legitimate with the duties of Col. Ould as commissioner. If not consistent for you to grant the request here asked, I would beg that this be referred to President Davis for his action.

Requesting as early an answer to this communication as you may find it convenient to make, I subscribe myself, very respectfully, your obedient servant,
U. S. GRANT, Lieut.-Gen. U. S. A.

The following note opened the way for an interview with Mr. Davis:

SPOTTISWOOD HOTEL, RICHMOND, VA., July 17, 1864.

Hon. J. P. Benjamin, Secretary of State, C. S. A.

DEAR SIR: The undersigned, James F. Jacques of Illinois, and James R. Gilmore, of Massachusetts, most respectfully solicit an interview with President Davis. They visit Richmond as private citizens, and have no official character or authority; but they are fully possessed of the views of the United States Government relative to an adjustment of the differences now existing between the North and South, and have little doubt that a free interchange of views between President Davis and themselves would open the way to such official negotiations as would ultimately in restoring peace to the two sections of our distracted country.

They therefore ask an interview with the President, and awaiting your reply, are, most truly and respectfully, your obedient servants, JAS. F. JACQUES,
JAS. R. GILMORE.

Mr. Gilmore states the conversation between himself and Mr. Davis thus:

Gilmore—Well, sir, be that as it may, if I understand you, the dispute between your Government and ours is narrowed down to this, Union or disunion?

Davis—Yes, or to put it in other words, independence or subjugation.

Gilmore—Then the two Governments are irreconcilably apart. They have no alternative but to fight it out. But it is not so with the people. They are

tired of fighting, and want peace; and as they bear all the burden and suffering of the war, is it not right they should have peace, and have it on such terms as they like?

Davis—I don't understand you; be a little more explicit.

Gilmore—Well, suppose the two Governments should agree to something like this: To go to the people with two propositions: say, peace with disunion and Southern independence, as your proposition—and peace, with union, emancipation, no confiscation, and universal amnesty, as ours. Let the citizens of all the United States (as they existed before the war) vote "yes" or "no" on these two propositions, at a special election within sixty days. If a majority votes disunion, our Government to be bound by it, and to let you go in peace. If a majority votes Union, yours to be bound by it and to stay in peace. The two Governments can contract in this way, and the people, though constitutionally unable to decide on peace or war, can elect which of the two propositions shall govern their rulers. Let Lee and Grant, meanwhile, agree to an armistice. This would sheathe the sword; and, if once sheathed, it would never again be drawn by this generation.

Davis—The plan is altogether impracticable. If the South were only one State, it might work; but as it is, if one Southern State objected to emancipation it would nullify the whole thing; for you are aware the people of Virginia cannot vote slavery out of South Carolina, nor the people of South Carolina vote it out of Virginia.

Gilmore—But three-fourths of the States can amend the Constitution. Let it be done in that way; in any way so that it be done by the people. I am not a statesman or a politician, and I do not know just how such a plan could be carried out; but you get the idea—that the people shall decide the question.

Davis—That the majority shall decide it, you mean. We seceded to rid ourselves of the rule of the majority, and this would subject us to it again.

Gilmore—But the majority must rule finally, either with bullets or ballots.

Davis—I am not so sure of that. Neither current events nor history shows that the majority rules, or ever did rule. The contrary, I think, is true. Why, sir, the man who should go before the Southern people with such a proposition, with any proposition which implied that the North was to have a voice in determining the domestic relations of the South, could not live here a day. He would be hanged to the first tree, without judge or jury.

Mr. Benjamin, Secretary of State, in an official letter to James M. Mason, commissioner in Europe, says:

Mr. Gilmore then addressed the President, and in a few minutes had conveyed the information that these two gentlemen had come to Richmond impressed with the idea that this Government would accept a peace on a basis of a reconstruction of the Union, the abolition of slavery, and the grant of an amnesty to the people of the States as repentant criminals. In order to accomplish the abolition of slavery, it was proposed that there should be a general vote of all the people of both federations, in mass, and the majority of the vote thus taken was to determine that as well as all other disputed questions. These were stated to be Mr. Lincoln's views.

The President answered, that as these proposals had been prefaced by the remark that the people of the North were a majority, and that a majority ought to govern, the offer was, in effect, a proposal that the Confederate States should surrender at discretion, admit that they had been wrong from the beginning of the contest, submit to the mercy of their enemies, and avow themselves to be in need of pardon for their crimes; that extermination was preferable to dishonor. He stated that if they were themselves so

unacquainted with the form of their own Government as to make such propositions, Mr. Lincoln ought to have known, when giving them his views, that it was out of the power of the Confederate Government to act on the subject of the domestic institutions of the several States, each State having exclusive jurisdiction on that point, still less to commit the decision of such a question to the vote of a foreign people.

The next attempt to prepare the way for negotiations was of a semi-official character, and resulted in a clear statement by the President of his terms of settlement so indefinitely brought out in the preceding conversation. Mr. Horace Greeley, who was the active participant on the Union side, thus relates the origin of the correspondence which took place:

Some time since it was announced by telegraph from Halifax that Messrs. C. C. Clay, of Alabama, Jacob Thompson, of Mississippi (ex-United States Senators), Professor J. P. Holcombe, of the University of Virginia, and George N. Sanders, of Kentucky, had reached that city from Dixie *via* Bermuda, on important business, and all of those but Mr. Thompson (who is in Toronto) were soon quartered at the Clifton, on the Canada side of Niagara Falls. I heard soon after of confidential interviews between some or all of those gentlemen and leading Democrats from our own and neighboring States, and there were telegraphic whispers of overtures for reconstruction, and conditions were set forth as those on which the Confederates would consent to reunion. (I cannot say that any of these reports were authentic.) At length, after several less direct intimations, I received a private letter from Mr. Sanders, stating that Messrs. Clay, Holcombe, himself, and another, desired to visit Washington, upon complete and unqualified protection being given by the President or the Secretary of War.

As I saw no reason why the opposition should be the sole recipients of these gentlemen's overtures, if such there were (and it is stated that Mr. Clay aforesaid is preparing or to prepare an important letter to the Chicago Convention), I wrote the President, urging him to invite the rebel gentlemen aforesaid to Washington, there to open their budget. I stated expressly that I knew not what they would propose if so invited; but I could imagine no offer that might be made by them which would not conduce, in one way or another, to a restoration of the integrity and just authority of the Union.

The President ultimately acquiesced in this view so far as to consent that the rebel agents should visit Washington, but directed that I should proceed to Niagara, and accompany them thence to the capital. This service I most reluctantly undertook, feeling deeply and observing that almost any one else might better have been sent on this errand. But time seemed precious, and I immediately started.

The correspondence was as follows:

Mr. Sanders to Mr. Greeley.

[Private and confidential.]

CLIFTON HOUSE, NIAGARA FALLS, C. W. }
July 12, 1864. }

SIR: I am authorized to say that Hon. Clement C. Clay, of Alabama, Professor James P. Holcombe, of Virginia, and George N. Sanders, of Dixie, are ready and willing to go at once to Washington, upon complete and unqualified protection being given, either by the President or Secretary of War. Let the permission include the three names and one other.

Very respectfully, GEORGE N. SANDERS.
To Hon. HORACE GREELEY.

Mr. Greeley's Reply.

NIAGARA FALLS, N. Y., July 17, 1864.

GENTLEMEN: I am informed that you are duly accredited from Richmond as the bearers of propo-

sitions looking to the establishment of peace; that you desire to visit Washington in the fulfilment of your mission, and that you further desire that Mr. George N. Sanders shall accompany you. If my information be thus far substantially correct, I am authorized by the President of the United States to tender you his safe conduct on the journey proposed, and to accompany you at the earliest time that will be agreeable to you.

I have the honor to be, gentlemen, yours,
HORACE GREELEY.
 To MESSRS. CLEMENT C. CLAY, JACOB THOMPSON,
 JAMES P. HOLCOMBE, Clifton House, C. W.

Messrs. Holcombe and Clay to Mr. Greeley.

CLIFTON HOUSE, NIAGARA FALLS, July 18, 1864.

SIR: We have the honor to acknowledge your favor of the 17th inst., which would have been answered on yesterday but for the absence of Mr. Clay. The safe conduct of the President of the United States has been tendered us, we regret to state, under some misapprehension of facts. We have not been accredited to him from Richmond as the bearers of propositions looking to the establishment of peace. We are, however, in the confidential employment of our Government, and are entirely familiar with its wishes and opinions on that subject; and we feel authorized to declare that, if the circumstances disclosed in this correspondence were communicated to Richmond, we would be at once invested with the authority to which your letter refers; or other gentlemen, clothed with full powers, would be immediately sent to Washington with the view of hastening a consummation so much to be desired, and terminating at the earliest possible moment the calamities of the war. We respectfully solicit, through your intervention, a safe conduct to Washington, and thence by any route which may be designated, through your lines to Richmond. We would be gratified if Mr. George N. Sanders was embraced in this privilege.

Permit us, in conclusion, to acknowledge our obligations to you for the interest you have manifested in the furtherance of our wishes, and to express the hope that in any event you will afford us the opportunity of tendering them in person before you leave the Falls. We remain, very respectfully, &c.,

C. C. CLAY, JR.
 J. P. HOLCOMBE.

P. S.—It is proper to add that Mr. Thompson is not here, and has not been staying with us since our sojourn in Canada.

Mr. Greeley's Reply.

INTERNATIONAL HOTEL, }
 NIAGARA, N. Y., July 18, 1864. }

GENTLEMEN: I have the honor to acknowledge the receipt of yours of this date by the hand of Mr. W. C. Jewett. The state of facts therein presented being materially different from that which was understood to exist by the President when he entrusted me with the safe conduct required, it seems to me on every account advisable that I should communicate with him by telegraph, and solicit fresh instructions, which I shall at once proceed to do. I hope to be able to transmit the result this afternoon; and at all events I shall do so at the earliest moment. Yours, truly,

HORACE GREELEY.

To MESSRS. CLEMENT C. CLAY and JAMES P. HOLCOMBE, Clifton House, C. W.

Messrs. Clay and Holcombe to Mr. Greeley.

CLIFTON HOUSE, NIAGARA FALLS, July 18, 1864.

To Hon. H. GREELEY, Niagara Falls, N. Y.:

SIR: We have the honor to acknowledge the receipt of your note of this date by the hands of Col. Jewett, and will await the further answer which you purpose to send to us. We are, very respectfully, &c.,

C. C. CLAY, JR.
 JAMES P. HOLCOMBE.

Mr. Greeley to Messrs. Clay and Holcombe.

INTERNATIONAL HOTEL, }
 NIAGARA FALLS, N. Y., July 19, 1864. }

GENTLEMEN: At a late hour last evening (too late for communication with you) I received a despatch informing me that further instructions left Washington last evening, which must reach me, if there be no interruption, at noon to-morrow. Should you decide to await their arrival, I feel confident that they will enable me to answer definitely your note of yesterday morning. Regretting a delay which I am sure you will regard as unavoidable on my part, I remain, yours truly,

HORACE GREELEY.

To Hon. MESSRS. C. C. CLAY, JR., and J. P. HOLCOMBE, Clifton House, Niagara, C. W.

Messrs. Holcombe and Clay to Mr. Greeley.

CLIFTON HOUSE, NIAGARA FALLS, July 19, 1864.

SIR: Col. Jewett has just handed us your note of this date, in which you state that further instructions from Washington will reach you by noon to-morrow if there be no interruption. One or possibly both of us may be obliged to leave the Falls to-day, but will return in time to receive the communication which you promise to-morrow. We remain truly yours, &c.,

JAMES P. HOLCOMBE,
 C. C. CLAY, JR.

To Hon. HORACE GREELEY, now at International Hotel.

The despatch which Mr. Greeley received from Washington, he thus explains: "Not feeling at liberty to concede this, I telegraphed to Washington for further instructions, and was duly informed that Major Hay, the President's private secretary, would soon be on his way to me. He reached the Falls on the 20th, and we crossed over to the Clifton, where Major Hay, after mutual introductions, handed Professor Holcombe the following paper, in the handwriting of the President:

EXECUTIVE MANSION, WASHINGTON, July 18, 1864.

To whom it may concern:

Any proposition which embraces the restoration of peace, the integrity of the whole Union, and the abandonment of slavery, and which comes by and with an authority that can control the armies now at war against the United States, will be received and considered by the Executive Government of the United States, and will be met by liberal terms on other substantial and collateral points; and the bearer thereof shall have safe conduct both ways.

ABRAHAM LINCOLN.

"I left the Falls by the next train, leaving Major Hay to receive any response to the President's proffer, should any be made, but there was none."

Note from Major Hay to Mr. Holcombe.

INTERNATIONAL HOTEL, Wednesday, July 20th.

Major Hay would respectfully inquire whether Professor Holcombe and the gentlemen associated with him desire to send to Washington by Major Hay any messages in reference to the communication delivered to him on yesterday, and in that case when he may expect to be favored with such messages.

Note from Mr. Holcombe to Major Hay.

CLIFTON HOUSE, NIAGARA FALLS, }
 Thursday, July 21, 1864. }

Mr. Holcombe presents his compliments to Major Hay, and greatly regrets if his return to Washington has been delayed by any expectation of an answer to the communication which Mr. Holcombe received from him on yesterday, to be delivered to the President of the United States. That communication was accepted as the response to a letter of Messrs. Clay

and Holcombè to the Hon. H. Greeley, and to that gentleman an answer has been transmitted.

Messrs. Holcombe and Clay to Mr. Greeley.

CLIFTON HOUSE, NIAGARA FALLS, }
July 21, 1864. }

To Hon. Horace Greeley :

SIR: The paper handed to Mr. Holcombe on yesterday in your presence by Major Hay, Assistant Adjutant-General, as an answer to the application in our note of the 18th inst., is couched in the following terms:

EXECUTIVE MANSION, WASHINGTON, D. C., }
July 18th, 1864. }

To whom it may concern :

Any proposition which embraces the restoration of peace, the integrity of the whole Union, and the abandonment of slavery, and which comes by and with an authority that can control the armies now at war against the United States, will be received and considered by the Executive Government of the United States, and will be met by liberal terms on other substantial and collateral points, and the bearer or bearers thereof shall have safe conduct both ways.

ABRAHAM LINCOLN.

The application to which we refer was elicited by your letter of the 17th instant, in which you inform Mr. Jacob Thompson and ourselves that you were authorized by the President of the United States to tender us his safe conduct, on the hypothesis that we were "duly accredited from Richmond as bearers of propositions looking to the establishment of peace," and desired a visit to Washington in the fulfilment of this mission. This assertion, to which we then gave, and still do, entire credence, was accepted by us as the evidence of an unexpected but most gratifying change in the policy of the President—a change which we felt authorized to hope might terminate in the conclusion of a peace mutually just, honorable, and advantageous to the North and to the South, exacting no condition but that we should be "duly accredited from Richmond as bearers of propositions looking to the establishment of peace."

Thus proffering a basis for conference as comprehensive as we could desire, it seemed to us that the President opened a door which had previously been closed against the Confederate States for a full interchange of sentiments, free discussion of conflicting opinions, and untrammelled effort to remove all causes of controversy by liberal negotiations. We, indeed, could not claim the benefit of a safe conduct which had been extended to us in a character we had no right to assume and had never affected to possess; but the uniform declarations of our Executive and Congress, and their thrice repeated and as often repulsed attempts to open negotiations, furnish a sufficient pledge that this conciliatory manifestation on the part of the President of the United States would be met by them in a temper of equal magnanimity. We had, therefore, no hesitation in declaring that if this correspondence was communicated to the President of the Confederate States he would promptly embrace the opportunity presented for seeking a peaceful solution of this unhappy strife.

We feel confident that you must share our profound regret that the spirit which dictated the first step toward peace had not continued to animate the counsels of your President. Had the representatives of the two Governments met to consider this question—the most momentous ever submitted to human statesmanship—in a temper of becoming moderation and equity, followed as their deliberations would have been by the prayers and benedictions of every patriot and Christian on the habitable globe, who is there so bold as to say that the frightful waste of individual happiness and public prosperity which is daily saddening the universal heart might not have been terminated, or if the desolation and carnage of war must still be endured through weary years of blood and suffering, that there might not at least have been infused into its conduct something more of the spirit which softens and partially redeems its brutalities?

Instead of the safe conduct which we solicited, and

which your first letter gave us every reason to suppose would be extended for the purpose of initiating a negotiation in which neither Government would compromise its rights or its dignity, a document has been presented which provokes as much indignation as surprise. It bears no feature of resemblance to that which was originally offered, and is unlike any paper which ever before emanated from the constitutional executive of a free people. Addressed "To whom it may concern," it precludes negotiation, and prescribes in advance the terms and conditions of peace. It returns to the original policy of "no bargaining, no negotiations, no truces with rebels, except to bury their dead, until every man shall have laid down his arms, submitted to the Government, and sued for mercy."

What may be the explanation of this sudden and entire change in the views of the President, of this rude withdrawal of a courteous overture for negotiation at the moment it was likely to be accepted, of this emphatic recall of words of peace just uttered, and fresh blasts of war to the bitter end, we leave for the speculation of those who have the means or inclination to penetrate the mysteries of his Cabinet, or fathom the caprice of his imperial will. It is enough for us to say that we have no use whatever for the paper which has been placed in our hands. We could not transmit it to the President of the Confederate States without offering him an indignity, dishonoring ourselves, and incurring the well-merited scorn of our countrymen.

Whilst an ardent desire for peace pervades the people of the Confederate States, we rejoice to believe that there are few, if any, among them who would purchase it at the expense of liberty, honor, and self-respect. If it can be secured only by their submission to terms of conquest, the generation is yet unborn which will witness its restitution. If there be any military autocrat in the North who is entitled to proffer the conditions of this manifesto, there is none in the South authorized to entertain them. Those who control our armies are the servants of the people, not their masters; and they have no more inclination than they have right to subvert the social institutions of the sovereign States, to overthrow their established constitutions, and to barter away their priceless heritage of self-government.

This correspondence will not, however, we trust, prove wholly barren of good results.

If there is any citizen of the Confederate States who has clung to a hope that peace was possible with this administration of the Federal Government it will strip from his eyes the last film of such delusion; or if there be any whose hearts have grown faint under the suffering and agony of this bloody struggle, it will inspire them with fresh energy to endure and brave whatever may yet be requisite to preserve to themselves and their children all that gives dignity and value to life or hope, and consolation to death. And if there be any patriots or Christians in your land who shrink appalled from the illimitable virtue of private misery and public calamity which stretches before them, we pray that in their bosoms a resolution may be quickened to recall the abused authority and vindicate the outraged civilization of their country.

For the solicitude you have manifested to inaugurate a movement which contemplates results the most noble and humane, we return our sincere thanks, and are, most respectfully and truly, your obedient servants,

C. C. CLAY, JR.

JAMES P. HOLCOMBE.

Messrs. Clay and Holcombe to Wm. C. Jewett.

CLIFTON HOUSE, NIAGARA FALLS, July 20, 1864.
Col. W. C. Jewett, Cataract House, Niagara Falls :

SIR: We are in receipt of your note admonishing us of the departure of Hon. Horace Greeley from the Falls, that he regrets the sad termination of the initiatory steps taken for peace in consequence of the change made by the President in his instructions to

convey commissioners to Washington for negotiations unconditionally, and that Mr. Greeley will be pleased to receive any answer we may have to make through you. We avail ourselves of this offer to enclose a letter to Mr. Greeley, which you will oblige us by delivering. We cannot take leave of you without expressing our thanks for your courtesy and kind offices as the intermediary through whom our correspondence with Mr. Greeley has been conducted, and assuring you that we are, very respectfully, your obedient servant,

C. C. CLAY, Jr.
JAMES P. HOLCOMBE.

Mr. Greeley to Mr. Jewett.

INTERNATIONAL HOTEL, NIAGARA FALLS, July 20, 1864.

In leaving the Falls I feel bound to state that I have had no intercourse with the Confederate gentlemen at the Clifton House but such as I was fully authorized to hold by the President of the United States, and that I have done nothing in the premises but in fulfilment of his injunctions. The notes, therefore, which you have interchanged between those gentlemen and myself, can in no case subject you to the imputation of unauthorized dealing with public enemies.

HORACE GREELEY.

To W. C. JEWETT, Esq.

No further attempts to open negotiations were made until December 28th, when the President and Secretary Seward met Commissioners from Richmond at Fortress Monroe. For the details of this negotiation, see PUBLIC DOCUMENTS.

Early in the year there was much division of opinion among the people relative to the person for the next President, and the principles he should represent. The friends of the Secretary of the Treasury, Mr. Chase, early brought forward his name as a candidate. But the Legislature of Ohio indicating a preference for Mr. Lincoln, a letter was written by Mr. Chase, on March 15th, withdrawing his name. He said:

WASHINGTON, March 8, 1864.

MY DEAR SIR: In reply to a friendly letter from you, I wrote you briefly not long ago about the wishes expressed by many, that my name might be favorably regarded by the people in their next choice of a President, and closed by saying, that should our friends in Ohio manifest a preference for another, I should accept their decision with the ready acquiescence due from one who has been already trusted and honored by them beyond merits or expectation. The recent action of the Union members of our Legislature indicates such a preference. It becomes my duty, therefore, and I count it more a privilege than a duty to ask that no further consideration be given to my name.

It was never more important than now that all our efforts and energies should be devoted to the suppression of the rebellion, and to the restoration of order and prosperity on the solid and sure foundations of Union, freedom, and impartial justice, and I earnestly urge all with whom my counsels may have weight, to allow nothing to divide them while this great work—in comparison with which, persons and even parties are nothing—remains unaccomplished. Cordially your friend,

S. P. CHASE.

To JAS. C. HALL, Senate Chamber, Columbus, O.

Mr. Lincoln was renominated by his friends in several States. On January 6th, the Republican Convention of New Hampshire declared "Abraham Lincoln to be the people's choice for reelection to the Presidency in 1864." On February 17th, the Republican Convention of Connecticut resolved that they regarded Mr.

Lincoln's "reelection to the place he now holds, and the completion of his wise war policy, as vitally important to the best interests of the country." Twenty-one Republican members of the Legislature of New Jersey, in February, addressed a letter to Mr. Lincoln, saying: "We present your name as the man for the American people in 1864." At the same time all the Republican members of the Legislature of Pennsylvania also addressed a letter to Mr. Lincoln, saying: "Expressing what we feel to be the language, not only of our own constituents, but also of all the people of the loyal States, we claim to indulge the expectation that you will yield to the preference which has already made you the people's candidate in 1864." The National Union League of Philadelphia expressed similar views. A large majority of the Assembly of Maryland Legislature, at the same time declared, "that the reelection of Abraham Lincoln to the Presidency is the earnest desire of a vast majority of the loyal people of Maryland." The State Convention passed a resolution of a similar purport. At the same time the Legislature of Minnesota, by a large majority, recommended "our honored President to the people of Minnesota and the country for reelection to the office which he at present fills with such distinguished ability." The Legislature of Kansas, by a large majority, urged the Baltimore Convention to present the "name of our Chief Magistrate as a candidate for reelection, in which event the people of Kansas will rally to his support with an unanimity unparalleled in the history of the elective franchise." The Legislature of California resolved, "That we do heartily favor his reelection." The Republican Convention of Indiana, on February 23d, instructed their delegates to Baltimore to cast their votes for Mr. Lincoln. The Republican Central Committees of New York, at the same time, presented his name. In the Assembly of Missouri Legislature a resolution in favor of nominating Mr. Lincoln was laid on the table, 45 to 37 votes. The Union Leagues of Illinois expressed their preference for Mr. Lincoln. In Ohio, at a caucus of the Republican members of the Legislature, the following resolution was adopted:

Resolved, That in the opinion of this convention, the people of Ohio, and her soldiers in the army, demand the renomination of Abraham Lincoln to the Presidency of the United States.

The members spontaneously arose to their feet, and gave cheer upon cheer at the announcement of the passage of the resolution.

At the time when these movements were taking place, the following letter was quietly circulated:

WASHINGTON, D. C., February, 1864.

SIR: The movements recently made throughout the country to secure the renomination of President Lincoln, render necessary some counteraction on the part of those unconditional friends of the Union who differ from the policy of his Administration.

So long as no efforts were made to forestall the political action of the people it was both wise and patriotic for all true friends of the Government to devote their influence to the suppression of the rebellion.

But when it becomes evident that party machinery and official influence are being used to secure the perpetuation of the present Administration, those who conscientiously believe that the interests of the country and of freedom demand a change in favor of vigor, and purity, and nationality, have no choice but to appeal at once to the people, before it shall be too late to secure a fair discussion of principles.

Those in behalf of whom this communication is made have thoughtfully surveyed the political field, and have arrived at the following conclusions:

1. That even were the reelection of Mr. Lincoln desirable, it is practically impossible against the union of influences which will oppose him.

2. That should he be reelected his manifest tendency toward compromises and temporary expedients of policy will become stronger during a second term than it has been in the first, and the cause of human liberty and the dignity and honor of the nation suffer proportionately; while the war may continue to languish during his whole Administration, till the public debt shall become a burden too great to be borne.

3. That the patronage of the Government, through the necessities of the war, has been so rapidly increased, and to such an enormous extent, and so loosely placed, as to render the application of the "one-term principle" absolutely essential to the certain safety of our Republican institutions.

4. That we find united in Hon. Salmon P. Chase more of the qualities needed in a President during the next four years than are combined in any other available candidate; his record is clear and unimpeachable, showing him to be a statesman of rare ability, and an administrator of the very highest order, while his private character furnishes the surest obtainable guaranty of economy and purity in the management of public affairs.

5. That the discussion of the Presidential question, already commenced by the friends of Mr. Lincoln, has developed a popularity and strength in Mr. Chase unexpected even to his warmest admirers; and, while we are aware that this strength is at present unorganized and in no condition to manifest its real magnitude, we are satisfied that it only needs systematic and faithful effort to develop it to an extent sufficient to overcome all opposing obstacles.

For these reasons, the friends of Mr. Chase have determined on measures which shall present his claims fairly and at once to the country. A central organization has been effected, which already has its connections in all the States, and the object of which is to enable his friends everywhere most effectually to promote his elevation to the Presidency. We wish the hearty coöperation of all those in favor of the speedy restoration of the Union upon the basis of universal freedom, and who desire an administration of the Government, during the first period of its new life, which shall, to the fullest extent, develop the capacity of free institutions, enlarge the resources of the country, diminish the burdens of taxation, elevate the standard of public and private morality, vindicate the honor of the Republic before the world, and in all things make our American nationality the fairest example for imitation which human progress has ever achieved.

If these objects meet your approval, you can render efficient aid by exerting yourself at once to organize your section of the country, and by corresponding with the Chairman of the National Executive Committee, for the purpose either of receiving or imparting information.

Very respectfully,
S. C. POMEROY,
Chairman National Executive Committee.

In the U. S. Senate on March 11th, Mr. Pomeroy in a speech thus explained the preceding circular.

Some curiosity has been manifested, here and elsewhere, as to the authority and genuineness of a cir-

cular issued by me, as chairman of the national executive committee. Such curiosity is very laudable, and I take an early opportunity to say that I did issue that circular, and that it embodies the views of the national committee upon the subject presented. The committee was instituted in the usual manner at a public meeting convened in this city in the month of January last. That meeting comprised members of Congress and citizens from nearly every loyal State in the Union. The committee is composed of members of Congress and other citizens of the United States; all of them, so far as I am advised, of the most unquestioned loyalty, and devoted to the Union, and to freedom as the best means for restoring and preserving the Union. The object of the committee is to unite the sentiment of the country in the support of men and measures suited to the times. It issued a letter, called by some a circular, which it has distributed, as also the speeches of members of Congress on the engrossing topics of the day.

There was nothing secret in or about the letter, unless some person wrote "private" or "secret" upon it in order to attract attention and secure a wider circulation. The only motive for its dissemination at all was to notify the country of the existence of such a committee and of the purpose of its organization. Copies were sent by mail to the President of the United States, to the judges of the courts, the Governors of the States, and other distinguished persons in the loyal portion of the country. I do not know that the Secretary of the Treasury was consulted in reference to the organization of the committee. So far as I am informed, he was ignorant as to the persons composing that committee, as also of its action. This is the era of drafting men into the service of their country, without notice, and in that spirit he was drawn for the service. And because we believed the Secretary of the Treasury to be a suitable person, he was named as a candidate for the position of Chief Magistrate of the nation. We still believe him to be the man whom the people will delight to honor. And I find that many other men in the country think as we do in this matter. Indeed, I have yet to find the man friendly to freedom who does not concede that our choice would deposit the responsibilities of the Executive Government in able and safe hands.

Mr. President, the national executive committee still lives, and in my humble judgment bids fair to establish the fact of its existence on the page of the future. Indeed, its existence has now become almost a "military necessity." Through it we hope to stimulate, encourage, and combine the loyal men of the country for a more vigorous and successful prosecution of the war; believing that a speedy issue to the three years' doubtful conflict will save the credit of the nation, the lives of the army, and the very hope of a free Government among men!

Mr. Pomeroy, in continuing his remarks, complained of the present Administration as not being sufficiently "progressive," and enlarged on the preëminent fitness of Mr. Chase for the office of Chief Magistrate. The following are among the issues involved, as enunciated by the Senator from Kansas:

1. The immediate crushing out of the rebellion by every power in the Government, without amnesty proclamations, etc.

2. Constitutional amendments abolishing and forever prohibiting slavery.

3. The maintenance inviolate of the Monroe doctrine.

4. The organization of a system of rigid economy in all departments of the Government.

5. The confiscation of the property of leading rebels, and the organization in the disloyal States of a republican form of Government.

6. The perfection of a sound system of national currency.

7. Such subordination of States to the General Government as shall secure a true nationality.

8. A general adherence to the practise of the Government for thirty years as respects the one-term policy.

9. Thorough protection of individual rights, including the right of free speech, a free press, and the habeas corpus.

10. The support of a liberal protective system of foreign emigration.

11. Extension of aid toward the construction of a Pacific railroad.

Mr. Wilkinson, at the conclusion of Mr. Pomeroy's speech, made some remarks eulogistic of the existing Executive and his Administration, saying that if Mr. LINCOLN did not advance as fast as some might desire, one thing was certain—he never retraced a step once taken.

On March 25th, a movement was made to obtain a postponement of the meeting of the Baltimore Convention, by an application to the committee, as follows:

NEW YORK, March 25.

To the National Executive Committee of the Union and Republican parties.

GENTLEMEN: The undersigned, friends of the Government and supporters of the present Administration, respectfully suggest to you the propriety of reconsidering your recent action calling a convention of the Union and republican parties at Baltimore, on the 7th day of June next, to nominate a candidate for President of the United States for the ensuing term.

In the opinion of the undersigned, the country is not now in a position to enter into a Presidential contest. It is very important that all parties friendly to the Government shall be united in support of a single candidate, and that, when a selection shall be made, it shall be acquiesced in by all loyal sections of the country, and by all branches of the loyal party. It is equally clear that such unanimity cannot at present be obtained, and it is not believed that it can be reached as early as the day named by you for the national convention.

Upon the result of the measures adopted by the Administration to finish the war during the present spring and summer, will depend the wish of the people to continue in power their present leaders, or to change them for those from whom they may expect other and more satisfactory results.

Whatever time may be gained will be an advantage to the country, inasmuch as it will allow the forming of a better informed opinion on these subjects.

In the opinion of the undersigned, whatever will tend to lessen the duration and allay the acrimony of the Presidential strife, which is always exciting and disturbing in proportion to the length of the canvass, will be an advantage to the country.

In periods of war and great civil revulsions, time is reckoned by events, and months are as years in the periods of peace.

With a pure and patriotic desire to serve the best interests of the country, and in the belief that they will be best served by a postponement of a political convention to the latest day possible, we respectfully ask that you will reconsider your action, and name a day for the assembling of the national convention not earlier than the first day of September next.

Respectfully your obedient servants,

W. C. BRYANT,

J. MCKAYE,

GEORGE P. PUTNAM,

GEORGE OPDYKE.

WM. K. STRONG,

WM. CURTIS NOYES,

LORENZO SHERWOOD,

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A

N. Y. State Senators.

Dist. 19, A. H. Bailey.

" 18, James A. Bell,

" 17, Albert Hobbs,

" 15, James M. Cook,

" 26, Chas. F. Folger,

" 32, N. M. Allen,

" 30, Wilkes Angell,

" 27, S. T. Hayt,

" 29, Dan H. Cole,

Dist. 21, Cheney Ames,

" 12, F. H. Hastings,

" 2, D. Strong,

" 6, Wm. Laimbeer,

jr.,

" 23, Fred'k Juliand,

" 24, E. Cornell,

" 9, H. R. Low, Con-
testant.

The above list, says the N. Y. "Tribune" of April 25th, "contains the names of two-thirds of the Unionists chosen to our present State Senate. Others, who would doubtless have signed, were not in Albany when the above signatures were given. We understand that but two Senators declined to affix their names."

The views of the Abolitionists at this time are expressed in the following statement of the "National Anti-Slavery Standard":

Mr. Garrison has intimated his opinion, in his own paper, that Mr. Lincoln is on the whole the most unexceptionable candidate likely to secure an election. Other eminent Abolitionists have pronounced even more decidedly in favor of Gen. Fremont. And yet others, we believe, incline to the party of Mr. Chase, should the Republican Convention thrust the nomination upon him in spite of his reclamations. But all these inclinings come solely from the belief in the minds of these several men, that their candidate is the man best fitted to finish the great work appointed to this generation to do, or to leave undone at the price of ruin. Not one of them will retain his allegiance to his favorite chief a moment after he has been seen to falter, or after a truer leader shall appear in the field. It is not Lincoln, or Fremont, or Chase, or Butler, that they consider chiefly in this regard, but the slave, whose interests only they are to consult, and whose champion only they look for when they cast about for a fitting Head to the Nation. In their private capacity Abolitionists will exercise their perfect freedom of individual opinion.

On May 6th, the following address of Radical Republicans in favor of Gen. Fremont to the people was issued, inviting a mass convention at Cleveland, O.

To the People of the United States.

After having labored ineffectually to defer as far as was in our power the critical moment when the attention of the people must inevitably be fixed upon the selection of a candidate for the Chief Magistracy of the country; after having interrogated our conscience and consulted our duty as citizens; obeying at once the sentiment of a mature conviction and a profound affection for the common country, we feel ourselves impelled on our own responsibility to declare to the people that the time has come for all independent men, jealous of their liberties and of the national greatness, to confer together and unite to resist the swelling invasion of an open, shameless, and unrestrained patronage which threatens to engulf under its destructive wave the rights of the people, the liberty and dignity of the Nation.

Deeply impressed with the conviction that, in a time of revolution, when the public attention is turned exclusively to the success of armies, and is consequently less vigilant of the public liberties, the patronage derived from the organization of an army of a million of men, and an administration of affairs which seeks to control the remotest parts of the country in favor of its Supreme Chief, constitute a danger seriously threatening to the stability of republican institutions; we declare that the principle of One Term, which has now acquired nearly the force of law by the consecration of time, ought to be in-

flexibly adhered to in the approaching elections. We further declare that we do not recognize in the Baltimore Convention the essential conditions of a truly National Convention. Its proximity to the centre of all the interested influences of the Administration, its distance from the centre of the country, its mode of convocation, the corrupting practices to which it has been and inevitably will be subjected, do not permit the people to assemble there with any expectation of being able to deliberate at full liberty. Convinced as we are, that in presence of the critical circumstances in which the Nation is placed, it is only in the energy and good sense of the people that the general safety can be found; satisfied that the only way to consult it is to indicate a central position to which every one may go without too much expenditure of means and time, and where the assembled people, far from all Administrative influence, may consult freely and deliberate peaceably with the presence of the greatest possible number of men whose known principles guarantee their sincere and enlightened devotion to the rights of the people and to the preservation of the true bases of republican government; we earnestly invite our fellow-citizens to unite at Cleveland, Ohio, on Tuesday, the thirty-first of May next, for consultation and concert of action in respect to the approaching Presidential election.

People's Provisional Committee.—B. Gratz Brown, Mo.; Stephen S. Foster, Mass.; And. Van Antwerp, N. Y.; Bird B. Chapman, Ohio; Ezra C. Andrew, Maine; Henry A. Clover, Mo.; Peter Engelman, Wis.; Caspar Butz, Illinois; George Field, N. Y.; Edward Gilbert, N. Y.; Thomas R. Ackland, N. Y.; B. H. Brooks, Cal.; Peter Gillen, N. Y.; Isaac W. Hoff, N. Y.; Wen. Herries, N. Y.; James Hill, Maine; K. Heinzen, Mass.; And. Humbert, Pa.; S. P. Dinsmore, D. C.; J. W. Alden, N. J.; L. Siebold, Iowa; Wm. Morris Davis, Pa.; E. M. Davis, Pa.; W. H. Crame, Wis.; F. Muench, Mo.; J. Quimby Webster, Maine; W. F. Johnson, Pa.; Fried. Kapp, N. Y.; Charles E. Moss, Mo.; Ernest Pruessing, Ill.; Wm. D. Robinson, Maine; John S. Savery, N. Y.; G. Cluseret, N. Y.; Emil Preetorius, Mo.; Nath. P. Sawyer, Pa.; Ernest Schmidt, Ill.; Albert Gilbert, Colorado; James Redpath, Mass.; Walter H. Shupe, Ohio; Wm. H. Smith, Maine; P. W. Kenyon, N. Y.; James Taussig, Mo.; Ph. Stoppeblien, N. Y.; Samuel Taylor, N. Y.; James S. Thomas, Mo.; J. F. Whipple, N. Y.; Theo. Olshausen, Mo.; George M. Lowman, Pa.; John Wallower, Pa.

This was soon followed by another call for the same object, signed by a number of the State officers of New York, as follows:

To the People.—Citizens of the United States who mean to uphold the Union, who believe that the rebellion can be suppressed without infringing the rights of individual or of State, who regard the extinction of slavery as among the practical effects of the war for the Union, and favor an amendment of the Federal Constitution for the exclusion of slavery, and who demand integrity and economy in the administration of Government, are respectfully invited to meet in Mass Convention, at Cleveland, on Tuesday, the thirty-first day of May, inst., for consultation and concert of action in respect to the approaching Presidential election.

Lucius Robinson; John Cochrane; Andrew J. Colvin; Thomas B. Carroll; Edward Wade; George W. Demers; Ira Porter; Brace Millerd; Howard Holdridge; Francis G. Fine; Lemon Thomson; Charles Requa; Smith Requa; Thomas P. White, Ky.; Edward Cole, Ky.; Francis F. Williams, Ky.; Smith Thompson, Ky.; Leroy McArdle, Ky.; Wm. Bentley, Ky.; John F. Smithers, Ky.; Davis S. Whiteley, Ky.; Peter McCall, Ky.; Charles F. French, Ky.; Robert Kraus, Mo.; Hanson Brent, Mo.; J. B. Clairbour, Mo.; Wm. Freel, Mo.; Charles H. Frost, Mo.;

Thomas J. Riddle, Mo.; Wm. L. Bookstaver, Mo.; Fred. L. Braden, Ill.; Caspar O. Fitch, Ill.; Wallace Furman; Frederick Smith; Peter B. Lent, Ind.; Andrew F. Butler; Thomas Wilks; O. Whaley, Mass.; Johnson Stemer; Alfred Moses; Leonard J. Timon; John F. Pendleton, N. J.; Patrick Clare; Simon Munson.

A third call, signed by a considerable number of prominent Abolitionists, also appeared for the same object. Their objects were thus stated: "The things demanded, and which we ask you to join us to render sure, are, the immediate extinction of slavery throughout the whole United States, by Congressional action, the absolute equality of all men before the law without regard to race or color, and such a plan of reconstruction as shall conform entirely to the policy of freedom for all, placing the political power alone in the hands of the loyal, and executing with vigor the law for the confiscating the property of the rebels."

A convention of some five hundred persons assembled at Cleveland in response to these calls, and nominated Major-General John C. Fremont for President, and John Cochrane, Attorney-General of New York, for Vice-President. The political views or objects of the Convention were expressed in the following synopsis of resolutions:

1. The Federal Union shall be preserved.
2. The Constitution and Laws of the United States must be observed and obeyed.
3. The rebellion must be suppressed by force of arms, and without compromise.
4. The rights of free speech, free press, and the *habeas corpus* must be inviolate, save in districts where martial law has been proclaimed.
5. The rebellion has destroyed slavery, and the Federal Constitution should be amended to prohibit its reestablishment, and to secure to all men absolute equality before the law.
6. Integrity and economy are demanded at all times in the administration of the Government, and in time of war the want of them is criminal.
7. The right of asylum, except for crime, and subject to law, is a recognized principle of American liberty; any violation of it cannot be overlooked, and must not go unrebuked.
8. The National policy known as the "Monroe doctrine," has become a recognized principle, and the establishment of an anti-republican Government on this continent by any foreign power cannot be tolerated.
9. The gratitude and support of the nation is due to the faithful soldiers and the earnest leaders of the Union army and navy for their heroic achievements and deathless valor in defence of our imperilled country and civil liberty.
10. The one-term policy for the Presidency, adopted by the people, is strengthened by the force of the existing crisis, and should be upheld by constitutional amendments.
11. The Constitution should be so amended that the President and Vice-President shall be elected by a direct vote of the people.
12. The question of the reconstruction of the Rebellious States belongs to the people, through their respective representatives in Congress, and not to the Executive.
13. That the confiscation of the lands of rebels, and their distribution among the soldiers and actual settlers, is a measure of justice.

Gen. Fremont accepted the nomination in a letter addressed to a Committee of the Convention, on June 4th, as follows:

GENTLEMEN: In answer to the letter which I have had the honor to receive from you, on the part of the representatives of the people assembled at Cleveland, on the 31st of May, I desire to express my thanks for the confidence which led them to offer me the honorable and difficult position of their candidate in the approaching Presidential election.

Very honorable, because in offering it to me you act in the name of a great number of citizens, who seek, above all things, the good of their country, and who have no sort of selfish interest in view. Very difficult, because in accepting the candidacy you propose to me, I am exposed to the reproach of creating a schism in the party with which I have been identified.

Had Mr. Lincoln remained faithful to the principles he was elected to defend, no schism could have been created and no contest would have been possible. This is not an ordinary election; it is a contest for the right even to have candidates, and not merely, as usual, for the choice among them. Now for the first time since 1776, the question of constitutional liberty has been brought directly before the people for their serious consideration and vote. The ordinary rights secured under the Constitution and the laws of the country have been violated and extraordinary powers have been usurped by the Executive. It is directly before the people now to say whether or not the principles established by the Revolution are worth maintaining.

If, as we have been taught to believe, those guarantees for liberty which made the distinctive name and glory of our country, are in truth inviolably sacred, then there must be a protest against the arbitrary violation which had not even the excuse of necessity. The schism is made by those who force the choice between a shameful silence or a protest against wrong. In such considerations originated the Cleveland Convention. It was among its objects to arouse the attention of the people to such facts, and to bring them to realize that while we are saturating southern soil with the best blood of the country in the name of liberty, we have really parted with it at home.

To-day we have in this country the abuses of a military dictation without its unity of action and vigor of execution. An administration marked at home by disregard of constitutional rights, by its violation of personal liberty and the liberty of the press, and, as a crowning shame, by its abandonment of the right of asylum, a right especially dear to all free nations abroad, its course has been characterized by a feebleness and want of principle which has misled European powers and driven them to a belief that only commercial interests and personal aims are concerned, and that no great principles are involved in the issue. The admirable conduct of the people, their readiness to make every sacrifice demanded of them, their forbearance and silence under the suspension of every thing that could be suspended, their many acts of heroism and sacrifices, were all rendered fruitless by the incapacity, or, to speak more exactly, by the personal ends for which the war was managed. This incapacity and selfishness produced such results as led the European powers, and logically enough, to the conviction that the North, with its great, superior population, its immense resources, and its credit, will never be able to coerce the South. Sympathies which should have been with us from the outset of this war were turned against us, and in this way the Administration has done this country a double wrong abroad. It created hostility, or at best indifference, among those who would have been its friends if the real intentions of the people could have been better known, while at the same time it neglected no occasion for making the most humiliating concessions.

Against this disastrous condition of affairs the Cleveland Convention was a protest.

The principles which form the basis of its platform have my unqualified and cordial approbation, but I cannot so heartily concur in all the measures which

you propose. I do not believe that confiscation, extended to the property of all rebels, is practicable; and if it were so, I do not think it a measure of sound policy. It is, in fact, a question belonging to the people themselves to decide, and is a proper occasion for the exercise of their original and sovereign authority. As a war measure, in the beginning of a revolt, which might be quelled by prompt severity, I understand the policy of confiscation; but not as a final measure of reconstruction after the suppression of an insurrection.

In the adjustments which are to follow peace, no considerations of vengeance can consistently be admitted.

The object of the war is to make permanently secure the peace and happiness of the whole country, and there was but a single element in the way of its attainment. This element of slavery may be considered practically destroyed in the country, and it needs only your proposed amendment of the Constitution to make its extinction complete.

With this extinction of slavery the party divisions created by it have also disappeared. And if in the history of the country there has ever been a time when the American people, without regard to one or another of the political divisions, were called upon to give solemnly their voice in a matter which involved the safety of the United States, it is assuredly the present time.

If the Convention at Baltimore will nominate any man whose past life justifies a well-grounded confidence in his fidelity to our cardinal principles, there is no reason why there should be any division among the really patriotic men of the country. To any such I shall be most happy to give a cordial and active support.

My own decided preference is to aid in this way, and not to be myself a candidate. But if Mr. Lincoln is nominated, as I believe it would be fatal to the country to endorse a policy and renew a power which has cost us thousands of men and needlessly put the country on the road to bankruptcy, there will remain no other alternative but to organize against him every element of conscientious opposition with the view to prevent the misfortune of his reelection.

In this contingency I accept the nomination at Cleveland, and as a preliminary step I have resigned my commission in the army. This was a sacrifice it gave me pain to make. But I had for a long time fruitlessly endeavored to obtain service. I make the sacrifice now only to regain the liberty of speech, and to leave nothing in the way of discharging to my utmost ability the task you have set for me.

With my earnest and sincere thanks for your expressions of confidence and regard, and for the many honorable terms in which you acquaint me with the action of the Convention,

I am, gentlemen, very respectfully and truly yours,
J. C. FREMONT.

NEW YORK, June 4, 1864.

To Warhington G. Snether, of Maryland; Edward Gilbert, of New York; Casper Butz, of Illinois; Charles E. Mass, of Missouri; N. P. Sawyer, of Pennsylvania, Committee.

Mr. Cochrane also accepted the nomination, in a letter approving the views of the Convention.

The call for the Baltimore Presidential Convention was issued the earliest in the year, as appears by the following:

WASHINGTON, Feb. 22, 1864.

The undersigned, who, by original appointment, or subsequent designation to fill vacancies, constitute the Executive Committee created by the National Convention held at Chicago on the 16th day of May, 1860, do hereby call upon all qualified voters who desire the unconditional maintenance of the Union, the supremacy of the Constitution, and the complete suppression of the existing rebellion, with the cause

thereof, by vigorous war, and all apt and efficient means, to send delegates to a Convention to assemble at Baltimore on Tuesday the 7th day of June, 1864, at twelve o'clock noon, for the purpose of presenting candidates for the offices of President and Vice-President of the United States. Each State having a representation in Congress will be entitled to as many delegates as shall be equal to twice the number of electors to which such State is entitled in the Electoral College of the United States.

Edwin D. Morgan, N. Y., Chairman; Chas. J. Gilman, Me.; E. H. Rollins, N. H.; L. Brainerd, Vt.; J. Z. Goodrich, Mass.; Thomas G. Turner, R. I.; Gideon Welles, Conn.; Denning Duer, N. J.; Edward McPherson, Pa.; N. B. Smithers, Del.; J. F. Wagner, Md.; Thomas Spooner, O.; H. S. Lane, Ind.; Samuel L. Casey, Ky.; E. Peck, Illinois; Herbert M. Hoxie, Iowa; Austin Blair, Mich.; Carl Schurz, Wis.; W. D. Washburn, Minn.; Cornelius Cole, Cal.; Wm. A. Phillips, Kan.; O. H. Irish, Neb.; Jos. Gerhardt, D. C.

In compliance with this call the Convention assembled at Baltimore on June 7th. Delegates were present from all the free States, and also Delaware, Maryland, Kentucky, West Virginia, and Missouri; also from South Carolina, Florida, Louisiana, Arkansas, Tennessee, and Virginia, and from the Territories of Colorado, Nebraska, and Nevada. The delegates from South Carolina were rejected. Those from Louisiana, Arkansas, and Tennessee were regularly admitted. Those from Virginia and Florida were admitted without the right to vote, and also all other delegates from Territories and the District of Columbia. Ex-Gov. Wm. Dennison, of Ohio, was chosen chairman. Mr. Lincoln was nominated by 492 votes against 22 for Gen. Grant. Andrew Johnson, of Tennessee, was nominated for the vice-presidency.

The views of the Convention were expressed in the following resolutions:

1. *Resolved*, That it is the highest duty of every American citizen to maintain, against all their enemies, the integrity of the Union and the paramount authority of the Constitution and laws of the United States; and that, laying aside all differences and political opinions, we pledge ourselves, as Union men, animated by a common sentiment and aiming at a common object, to do every thing in our power to aid the Government in quelling, by force of arms, the rebellion now raging against its authority, and in bringing to the punishment due to their crimes the rebels and traitors arrayed against it.

2. *Resolved*, That we approve the determination of the Government of the United States not to compromise with rebels, or to offer any terms of peace except such as may be based upon an unconditional surrender of their hostility, and a return to their first allegiance to the Constitution and laws of the United States; and that we call upon the Government to maintain its position, and to prosecute the war with the utmost possible vigor to the complete suppression of the rebellion, in full reliance upon the self-sacrificing patriotism, the heroic valor, and the undying devotion of the American people to their country and its free institutions.

3. *Resolved*, That as slavery was the cause and now constitutes the strength of the rebellion, and as it must be, always and everywhere, hostile to the principles of republican government, justice and the national safety demand its utter and complete extirpation from the soil of the Republic; and that, while we uphold and maintain the acts and proclamations by which the Government, in its own defence, has aimed a death-blow at this gigantic evil, we are in

favor, furthermore, of such an amendment to the Constitution, to be made by the people in conformity with its provisions, as shall terminate and forever prohibit the existence of slavery within the limits of the jurisdiction of the United States.

4. *Resolved*, That the thanks of the American people are due to the soldiers and sailors of the army and navy who have perilled their lives in defence of their country and in vindicating the honor of its flag; that the nation owes to them some permanent recognition of their patriotism and their valor, and ample and permanent provision for those of their survivors who have received disabling and honorable wounds in the service of the country; and that the memories of those who have fallen in its defence shall be held in grateful and everlasting remembrance.

5. *Resolved*, That we approve and applaud the practical wisdom, the unselfish patriotism, and the unswerving fidelity to the Constitution and the principles of American liberty with which Abraham Lincoln has discharged, under circumstances of unparalleled difficulty, the great duties and responsibilities of the Presidential office; that we approve and endorse, as demanded by the emergency, and essential to the preservation of the nation, and as within the provisions of the Constitution, the measures and acts which he has adopted to defend the nation against its open and secret foes; that we approve especially the proclamation of emancipation and the employment as Union soldiers of men heretofore held in slavery; and that we have full confidence in his determination to carry these and all other constitutional measures essential to the elevation of the country into full and complete effect.

6. *Resolved*, That we deem it essential to the general welfare that harmony shall prevail in the national councils, and we regard as worthy of public confidence and official trust those only who cordially endorse the principles proclaimed in these resolutions, and which should characterize the administration of the Government.

7. *Resolved*, That the Government owes to all men employed in its armies, without regard to distinction of color, the full protection of the laws of war, and that any violation of those laws or the usages of civilized nations in time of war by the rebels now in arms should be made the subject of prompt and full redress.

8. *Resolved*, That foreign immigration, which in the past has added so much to the wealth, development of resources, and increase of power of this nation, the asylum of the oppressed of all nations, should be fostered and encouraged by a liberal and just policy.

9. *Resolved*, That we are in favor of the speedy construction of the railroad to the Pacific coast.

10. *Resolved*, That the national faith pledged to the redemption of the public debt must be kept inviolate; and that for this purpose we recommend economy and rigid responsibility in the public expenditures, and a vigorous and just system of taxation, and that it is the duty of every loyal State to sustain the credit and promote the use of the national currency.

11. *Resolved*, That we approve the position taken by the Government that the people of the United States can never regard with indifference the attempt of any European power to overthrow by force, or to supplant by fraud, the institutions of any republican Government on the Western Continent; and that they will view with extreme jealousy, as menacing to the peace and independence of their own country, the efforts of any such power to obtain new footholds for monarchical Governments, sustained by foreign military force, in near proximity to the United States.

On the next day a Committee of the Convention, of which ex-Gov. Dennison, of Ohio, was chairman, informed Mr. Lincoln of his nomination. Ex-Gov. Dennison said:

MR. PRESIDENT: The National Union Convention, which closed its sittings at Baltimore yesterday, appointed a Committee consisting of one from each State, with myself as Chairman, to inform you of your unanimous nomination by that Convention for election to the office of President of the United States. That Committee, I have the honor of now informing you, is present. On its behalf I have also the honor of presenting you with a copy of the resolutions or platform adopted by that Convention, as expressive of its sense, and of the sense of the loyal people of the country, which it represents, of the principles and policy that should characterize the administration of the Government in the present condition of the country. I need not say to you, sir, that Convention, in thus unanimously nominating you for reëlection, but gave utterance to the almost universal voice of the loyal people of the country. To doubt of your triumphant election, would be little short of abandoning the hope of a final suppression of the rebellion and the restoration of the Government over the insurgent States. Neither the Convention nor those represented by that body entertained any doubt as to the final result, under your administration, sustained by that loyal people, and by our noble army and gallant navy. Neither did the Convention, nor do this Committee, doubt the speedy suppression of this most wicked and unprovoked rebellion. (A copy of the resolutions was here handed to the President.) I would add, Mr. President, that it would be the pleasure of the Committee to communicate to you, within a few days, through one of its most accomplished members, Mr. Curtis, of New York, by letter, more at length the circumstances under which you have been placed in nomination for the Presidency.

In reply, the President said:

MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE: I will neither conceal my gratification nor restrain the expression of my gratitude that the Union people, through their Convention, in the continued effort to save and advance the nation, have deemed me not unworthy to remain in my present position. I know no reason to doubt that I shall accept the nomination tendered, and yet, perhaps, I should not declare definitely before reading and considering what is called the platform. I will say now, however, that I approve the declaration in favor of so amending the Constitution as to prohibit slavery throughout the nation. When the people in revolt, with the hundred days' explicit notice that they could within those days resume their allegiance without the overthrow of their institutions, and that they could not resume it afterward, elected to stand out, such an amendment of the Constitution as is now proposed became a fitting and necessary conclusion to the final success of the Union cause. Such alone can meet and cover all cavils. I now perceive its importance and embrace it. In the joint names of Liberty and Union let us labor to give it legal form and practical effect.

On the same day the members of the National Union League, having been in session at Baltimore on the previous day, called upon Mr. Lincoln. The chairman of the deputation said:

MR. PRESIDENT: I have the pleasure of introducing to you the representatives of the Union Leagues of the loyal States to congratulate you upon your re-nomination, and to assure you that we will not fail at the polls to give you the support that your services in the past so highly deserve. We feel honored in doing this; for we are assured that we are aiding in reëlecting to the proud position of President of the United States one so highly worthy of it—one among not the least of whose claims is that he was the emancipator of four millions of bondmen.

In reply, Mr. Lincoln said:

GENTLEMEN: I can only say in response to the remarks of your Chairman, I suppose, that I am very grateful for the renewed confidence which has been accorded to me, both by the Convention and by the National League. I am not insensible at all to the personal compliment there is in this; yet I do not allow myself to believe that any but a small portion of it is to be appropriated as a personal compliment to me. The Convention and the nation, I am assured, are alike animated by a higher view of the interests of the country for the present and the great future, and that part I am entitled to appropriate as a compliment is only that which I may lay hold of as being the opinion of the Convention and of the League, that I am not entirely unworthy to be intrusted with the place I have occupied for the last three years. I have not permitted myself, gentlemen, to conclude that I am the best man in the country; but I am reminded in this connection of a story of an old Dutch farmer, who remarked to a companion once that "it was not best to swop horses when crossing streams."

Subsequently, on June 14th, the Committee of the Baltimore Convention addressed a letter to Mr. Lincoln, informing him formally of his nomination, to which he replied as follows:

EXECUTIVE MANSION, WASHINGTON, June 27, 1864.

Hon. William Dennison and others, a Committee of the National Union Convention:

GENTLEMEN: Your letter of the 14th inst., formally notifying me that I have been nominated by the Convention you represent for the Presidency of the United States for four years from the 4th of March next, has been received. The nomination is gratefully accepted, as the resolutions of the Convention—called the platform—are heartily approved.

While the resolution in regard to the supplanting of republican government upon the Western Continent is fully concurred in, there might be misunderstanding were I not to say that the position of the Government in relation to the action of France in Mexico, as assumed through the State Department and endorsed by the Convention, among the measures and acts of the Executive, will be faithfully maintained so long as the state of facts shall leave that position pertinent and applicable.

I am especially gratified that the soldier and the seaman were not forgotten by the Convention, as they forever must and will be remembered by the grateful country for whose salvation they devote their lives.

Thanking you for the kind and complimentary terms in which you have communicated the nomination and other proceedings of the Convention, I subscribe myself your obedient servant,

ABRAHAM LINCOLN.

On Jan. 12th the following call was issued for the assembling of a National Democratic Convention:

NEW YORK, Jan. 12th, 1864.

At a meeting of the National Democratic Committee, held in New York this day, it was unanimously voted that the next National Democratic Convention, for the purpose of nominating candidates for the Presidency and Vice-Presidency of the United States, be held at Chicago, Illinois, on Monday, July 4th, 1864.

By a vote of the Committee at a meeting held Sept. 7th, 1863, the number of Delegates for each State was fixed at double the number of its electoral votes.

AUGUST BELMONT, Chairman.

FREDERICK O. PRINCE, Secretary.

In June a further notice appeared, postponing the assembling of this Convention until Aug. 29th. The effect of this postponement

was to suspend the active discussions which usually take place after each party has made its nominations. The excitement of a Presidential election was thus confined to the brief period between Sept. 1st and Nov. 8th, the day of the election.

On June 15th and 16th Mr. Lincoln visited the Sanitary Fair held in Baltimore and Philadelphia, and made brief speeches at each.

The following letter from Mr. Francis P. Blair, of Washington, the same gentleman who prepared the way for the negotiations at Fortress Monroe at a later period (*see* PUBLIC DOCUMENTS), was written in October, but describes events which took place in July preceding:

SILVER SPRINGS, Oct. 5th, 1864.

To the Editors of the National Intelligencer:

DEAR SIR: You give in your paper from "a New York journal" what purports to be an account of what passed in conversation between Gen. McClellan and myself when I visited New York about the 20th of July last. It is egregiously erroneous in many important points. As you evidently attribute some consequence to what is termed my "mission," you will not, I trust, hesitate to publish a simple and truthful statement of its object and execution.

I went to New York to heal the divisions in the Union party, by presenting my views to the leading men there who had in their hands the means of giving direction to the various large sections of that party. I concur in the opinion recently expressed by Gen. Grant, that union in the North would quickly quell the rebellion and restore peace and union to the whole country.

To contribute my mite to effect what I know to be the wish of every patriot, I repaired to New York to make an effort at conciliation. I went to the leading men and leading organs of public opinion there to ascertain in what way harmony would be best attained. I believed that united opposition to the rebellion could be concentrated on no other candidate for the Presidency than on the man against whom the enemy had declared war, because the nation had made him its chief magistrate, and for whom the delegates of the great party, electing in the first instance, had again given its preference by renomination. I went on this errand without consulting the President—without giving him, directly or indirectly, the slightest intimation of my object, and of course without his authority. I apprised no one but my son.

When I reached New York, I first saw the editors of the "Evening Post." This press had evidenced dissatisfaction with the Administration. Its conductors had felt that they had good ground of discontent. I explained to Mr. Bryant the attitude of the President, as I understood it, in reference to the matters that aggrieved him, both as regarded vital measures for the safety of the republic and of minor concerns of a personal character. I found Mr. Bryant the honest patriot which the whole of his life had shown him. He considered Mr. Lincoln, with all his abatements, the only man on whom we could rely for the maintenance of the cause in which we had embarked—for the union of its strength and the restoration of the National Government.

I next saw Mr. Bennett, of the "Herald." I had a long, agreeable, enlightened conversation with him. I expressed my views with earnestness and frankness, as he did those he entertained—not forgetting old scores of differences; and as I left his office he gave me in pretty emphatic raucous Scotch accent his last words for the President: "Tell him to restore McClellan to the army, and he will carry the election by default."

I called on Mr. Greeley. My interview with him satisfied me that his best efforts would not be wanting to secure the peace of the country through the reelection of the President.

Through Mr. Barlow, the intimate personal and political friend of Gen. McClellan (who was not in the city), I let the General know that I would be gratified by an opportunity of conversing with him. He came to town and visited me in my lodging at the Astor House. I had an hour's conversation with him, which I prefaced by telling him the motives which had brought me to New York, as I have stated them above, and by stating distinctly to him that I did not come from Mr. Lincoln; had no authority, or even consent, from him to make representations or overtures of any sort to him; that he had not been apprised of my visit or purpose, which was in part to advise with him (the General) as one whom he knew to be his friend with regard to the public interests and his own.

I told him that I had little doubt he would be the nominee of the Chicago Convention; and that if he accepted he would be defeated, and if defeated, his fate would be that of all previously defeated candidates who had played for the Presidency—Clay, Calhoun, Webster, and the rest; that although aspiration to the chief place in the republic was an honorable ambition, there was an instinct in the public mind which always excluded from general confidence any who sought it with the least suspicion of selfishness at the expense of great national considerations; and, if the public once pronounced its ban by voting him down as having sought the place, without duly weighing its great exigency, especially in such a revolutionary crisis as the present, he could never rise again.

I urged that he ought to consider that at this moment a schism of the Union party of the North, on the issue of the Presidency, was looked to everywhere, at home and abroad, as the only way possible through which the rebellion could accomplish its object—the dissolution of the Union; that I believed that he, the General, was the only man who had a position that enabled any party in the North to rally on, to command a force that could make a breach in the patriotic Union party, so as to defeat or in any essential degree enfeeble it, to give success or even the hope to the enemies of our Government, foreign or domestic; and on this ground I appealed to him to withhold his name from the so-called peace men who were soon to assemble at Chicago. I expressed the opinion that it was his duty to his country, and therefore his own true policy as it regarded his fame and aspirations to public honor, to address a note to Mr. Lincoln asking command in the army—declaring at the same time that he did not seek it with a view to recommend himself to a Presidential nomination; that I thought, and hoped he too thought, that no man, especially in revolutionary times, ought to lead an army in the field and aim through the strength of that position at once to grasp the civil power of the Government; that no man had ever marched from the battle-field to the civil power with an army which he had disciplined and led in person that did not find himself able and willing to use that army to secure that position. I urged, therefore, that if he wished to exert the high military attainments which his friends, and I among the rest, believed belonged to him, for the benefit of his country in its life and death struggle, that he should abandon the idea of being a candidate for the Presidency if he entertained it, and return to service in the field. I said if the President refused he would then be responsible for the consequence. If he assented, the result would be that he would confound his enemies, who had, as I believed, urged on the War Committee and impressed it on the public mind that the delays of the great army he had commanded in achieving decisive results were the consequence of an ambition to clutch the Presidency by lingering out the war and

his command to the end of the Presidential term, that he might make the prestige and hold the means to effect his purpose.

This was the scope of my argument to Gen. McClellan on the topic referred to. It was honestly meant, and designed to promote the public good and his own. He seemed so to consider it. Disclaiming any desire for a Presidential candidacy, he thanked me for the interest I had always taken, as his friend, in the relations of which I spoke; said that the suggestions I had made were worthy of deep consideration and they would be well weighed; that he was called to the country again by a sick child, and regretted he could not probably see me again.

I mentioned to Mr. Lincoln, on my return, the attempt I had made at the conciliation of parties in New York, with a view to defeat the opposition in the North, by restoring harmony among all favoring the crushing of the rebellion by arms, and told him I thought it probable Gen. McClellan might write to him in respect to himself. He neither expressed approval nor disapprobation of what I had done, but his manner was as courteous and as kind as Gen. McClellan's had been.

Your obedient servant, F. P. BLAIR.

On August 18th, the 164th regiment of Ohio soldiers, whose term of service had expired, paid their respects to the President, in front of the Executive Mansion, when he addressed them as follows:

Soldiers—You are about to return to your homes and your friends, after having, as I learn, performed in camp a comparatively short term of duty in this great contest. I am greatly obliged to you, and to all who have come forward at the call of their country. I wish it might be more generally and universally understood what the country is now engaged in. We have, as all will agree, a free Government, where every man has a right to be equal with every other man. In this great struggle, this form of government and every form of human rights is endangered if our enemies succeed. There is more involved in this contest than is realized by every one. There is involved in this struggle the question whether your children and my children shall enjoy the privileges we have enjoyed. I say this in order to impress upon you, if you are not already so impressed, that no small matter shall divert us from our great purpose. There may be some inequalities in the practical application of our system. It is fair that each man shall pay taxes in exact proportion to the value of his property, but if we should wait, before collecting a tax, to adjust the taxes upon each man in exact proportion with every other man, we should never collect any tax at all. There may be mistakes made sometimes; things may be done wrong, while the officers of the Government do all they can to prevent mistakes. But I beg of you, as citizens of this great republic, not to let your minds be carried off from the great work we have before us. This struggle is too large for you to be diverted from it by any small matter. When you return to your homes rise up to the height of a generation of men worthy of a free Government, and we will carry out the great work we have commenced. I return to you my sincere thanks for the honor you have done me this afternoon.

On August 31st, under similar circumstances, he thus addressed the 148th Ohio regiment:

Soldiers of the 148th Ohio—I am most happy to meet you on this occasion. I understand that it has been your honorable privilege to stand, for a brief period, in the defence of your country, and that now you are on your way to your homes. I congratulate you, and those who are waiting to bid you welcome home from the war; and permit me in the name of the people to thank you for the part you have taken

in this struggle for the life of the nation. You are soldiers of the republic, everywhere honored and respected. Whenever I appear before a body of soldiers, I feel tempted to talk to them of the nature of the struggle in which we are engaged. I look upon it as an attempt on the one hand to overwhelm and destroy the national existence, while on our part we are striving to maintain the Government and institutions of our fathers, to enjoy them ourselves, and transmit them to our children and our children's children forever.

To do this the constitutional Administration of our Government must be sustained, and I beg of you not to allow your minds or your hearts to be diverted from the support of all necessary measures for that purpose, by any miserable picayune arguments addressed to your pockets, or inflammatory appeal made to your passions and your prejudices.

It is vain and foolish to arraign this man or that for the part he has taken or has not taken, and to hold the Government responsible for his acts. In no Administration can there be perfect equality of action and uniform satisfaction rendered by all.

But this Government must be preserved in spite of the acts of any man or set of men. It is worthy of your every effort. Nowhere in the world is presented a Government of so much liberty and equality. To the humblest and poorest amongst us are held out the highest privileges and positions. The present moment finds me at the White House, yet there is as good a chance for your children as there was for my father's.

Again I admonish you not to be turned from your stern purpose of defending our beloved country and its free institutions by any arguments urged by ambitious and designing men, but stand fast to the Union and the old flag.

Soldiers, I bid you God-speed to your homes.

In August the following correspondence relative to a movement for a new nomination for the Presidency took place:

Boston, August 21st, 1864.

General Fremont:

SIR: You must be aware of the wide and growing dissatisfaction, in the Republican ranks, with the Presidential nomination at Baltimore; and you may have seen notices of a movement, just commenced, to unite the thorough and earnest friends of a vigorous prosecution of the war in a new Convention, which shall represent the patriotism of all parties.

To facilitate that movement it is emphatically advisable that the candidates nominated at Cleveland and Baltimore should withdraw and leave the field entirely free for such a united effort. Permit us, sir, to ask whether, in case Mr. Lincoln will withdraw, you will do so, and join your fellow-citizens in this attempt to place the Administration on a basis broad as the patriotism of the country and as it needs.

(Signed) GEO. L. STEARNS, S. R. URINO,
JAMES M. STONE, ELIZUR WRIGHT,
EDW. HABICH, SAM'L G. HOWE.

NAHANT, August 25th, 1864.

GENTLEMEN: I have to acknowledge the receipt of your letter of the 21st, addressed to me in New York.

If your letter were in effect an appeal only to my own sentiments in favor of a reunion of parties, I should not hesitate to renounce any personal views, but would be entirely ready to defer to the public opinion which your names represent.

But the conditions are no longer the same as when I expressed my readiness to retire in the event of a contingency which might have occurred at Baltimore. Having now definitely accepted the Cleveland nomination, I have not the right to act independently of the truly patriotic and earnest party who conferred that honor upon me. In any event, it would be necessary first to consult with them. It might, besides, have only the effect still further to unsettle the public mind, and defeat the object you have in view,

if we should disorganize before first proceeding to organize something better.

To this end I suggest that a direct effort be made to obtain an immediate understanding between the supporters of the Baltimore and Cleveland nominations, in order that the friends of both may coalesce and unite upon an early day for holding such a Convention as you propose. I am satisfied that I do not assume too much in saying that my friends will unite heartily in such a movement.

A really popular Convention, upon a broad and liberal basis, so that it could be regarded as a convocation in mass of the people, and not the work of politicians, would command public confidence. Such a Convention, acting in the large and liberal spirit in which it was called, without considerations of persons or political cliques, and without reference to by-gone situations, rising to the level of the occasion and taking the conditions of the country as they present themselves to-day, could safely be trusted to propose such a policy and name such a man as should, and undoubtedly would, receive the cordial and united support of the patriotic masses of the people. To the great body of these, so far as my information allows me to form any opinion, I think that the following propositions would be acceptable:

1. Respect for the personal liberty and the constitutional rights and dignity of the citizen.
2. The maintenance of the dignity of the United States in their relations to foreign powers.
3. The reestablishment of the Union; by peace, if it is possible; by war, if the employment of peaceful measures cannot be made to succeed.

Much has been said of late about peace, and you will therefore excuse me if I say here what I understand by it. For me, peace signifies the integral reestablishment of the Union without slavery; because slavery is the source of all our political dissensions, and because the institution itself is condemned by the enlightened and liberal spirit of the age. These are to me the essential conditions of peace. If it is practicable to attain this result, it would not be paying too dearly for it—taking also into consideration the material strength which the South has been permitted to acquire by the conduct of the war—to make concessions upon some points of secondary importance, such as that of paying an indemnity for their slaves to those who have remained in a sort of neutral condition during the unhappy war which has convulsed the country. To terminate this we are now expending life and money; it would certainly be a gain to reduce it simply to a question of money.

If, in spite of all these efforts to spare the South humiliation or losses of capital likely to be too severely felt, the political chiefs who direct the South persist in war, then the policy of the Convention should be to pronounce in that case for war with all the force and energy of the nation. For peace upon any terms, and merely because it is peace—a peace recognizing a North and a South—would not bring about a stable equilibrium. It would only prepare the way for new struggles, and for a condition of disastrous anarchy.

The paramount question is the Union. By peace, if it can be had on honorable and right terms; by war, if the political leaders who are directing the South insist upon war.

The situation of our country is unquestionably critical. It demands the devotion and the patriotism of all men who really love their country, and it is one of those moments when all personal aspirations should vanish in the face of the great questions of principle and national existence which are at stake.

Thanking you, gentlemen, for the evidence which your letter gives me of your confidence in my disposition to do every thing in my power for the interests of the country, I am, very truly yours,

J. C. FREMONT.

In Ohio this dissatisfaction was also mani-

festated. A circular was issued in Butler County by former supporters of Mr. Lincoln, calling a Convention on the 6th of August at Hamilton, to consider the withdrawal of Fremont and Lincoln, and the meeting of another Convention in Buffalo on Sept. 22d to nominate a candidate in their stead. Upon this call the New York "Evening Post" remarked:

But whether such a Convention will be needed or not, will depend very much on the action at Chicago. If a Peace Democrat of the character and opinions of Vallandigham should be nominated there, we do not see how the War Democrats, who may be unwilling to support Mr. Lincoln, can be induced to give in their adhesion to the party. On the other hand, if a sound, honest, capable and earnest War Democrat should be nominated there, on the simple platform of "unconditional submission to the Constitution and the laws," it would go far toward rallying to his support all that part of the nation which is dissatisfied with the present administration of affairs. In the former event a new Convention would be requisite; in the latter apparently needless.

Loyal Leagues was the name given to secret associations of Republicans supposed to be organized for the purpose of promoting the success of their favorite candidate for the Presidency. Very little is publicly known of them, but they were supposed to extend throughout all portions of the free States. On Aug. 3d the State Council of the Leagues in New York adopted the following resolution:

Resolved, That we earnestly recommend and urge upon the subordinate councils to organize military companies within their several bodies, to arm and drill with the utmost diligence, and with great caution, that no unnecessary occasion of offence be given to our enemies.

This recommendation was very generally adopted.

On the other hand, it was stated that secret political associations existed in the other parties, and particularly the Democratic, designed to aid their cause in the election. Whatever associations for this object may have existed in any party, the veil which hides their proceedings from the public gaze has not as yet been removed, and nothing further can here be said than to state the fact of their supposed existence.

On the adjournment of Congress in July, the Democratic members of that body issued a lengthy address to the members of their party, of which the following are the concluding sentences:

There are but two classes of men in this country who may rejoice in existing conditions: First, those who make money out of the war; and second, those who desire to achieve emancipation by it. As to the former, their thirst for sudden wealth is gratified, and it is not in their nature to regret deeply those calamities which fall upon their fellow-countrymen, but from which they are exempted. And as to the Radical Abolitionist, his cup of enjoyment is almost full. He believes that emancipation will take place, or the Union remain broken forever. Either result satisfies him profoundly and wholly, and no possible event during his existence can compete with either of these in merit and excellence.

But has not the country borne all it can reasonably bear, in fact much more than it can reasonably bear,

for the gratification of these two classes of men, and shall not the Administration of the Government, under favor of which they nestle in power and gratify their unholy greed and their detestable passions, be thrown out of power, thus relieving the country from this nightmare of corruption and fanaticism which is pressing out its very existence?

Short sighted and passionate men rush on to accomplish an immediate object, unable to perceive the consequences which lie beyond the present moment, and unwilling to believe that new obstacles in their path of passion and vengeance will succeed to the existing ones. They vainly think that if slavery be struck down by force, regardless of law or civil obligation, and negro equality be established in its stead, no subject of difficulty, no case of national peril, no "stone of stumbling," will remain in the path of our national progress. Vain delusion! Such expectations are proved to be false by a thousand examples in history. The source of danger is in these wild passions let loose in the land, which will not regard civil obligations, and which, in their headlong fury, tread under foot both public law and individual right. We do not decry theory, but we assert that statesmanship is concerned mainly in the domain of the practical, and that, in the present imperfect condition of human affairs, it is obliged to modify general ideas and adapt them to existing conditions, which are infinitely diverse in different countries and at different times. And, as all political powers are conventional—that is, established by express or implied consent—the validity of any political act must rest upon the ground that it is authorized.

Some distinct authority for it must be shown, or we must determine against its existence. And to the existence of a free government, and to the harmony and prosperity of a country wherein it is established, there must be a profound and constant respect by rulers and by people for all those things which have been agreed upon or instituted in affairs of Government, and there must be a careful repression of all the destructive forces by which the bands of society are loosened, and license or abuse introduced into public or social action. Of destructive forces, constituting capital causes of danger, corruption and fanaticism (before mentioned) must be ranked as chief; and are they not now both in existence, and conspicuous beyond any former example in these United States? Are they not predominant characteristics of the party which achieved success in 1860, and has since held and now holds possession of political power? And can there be hope of the future so long as these destructive principles run their course unrebuked and uncurbed? The sound elements of society must be brought to the surface, the body politic be purged of its unhealthy elements, and in places of public trust, just and broad-minded, pure and tolerant men be substituted for radicals and corruptionists. Then will the laws be kept; then will free individual action be permitted and permissible; crime only will be punished, and harmony and peaceful relations and widely-diffused prosperity succeed to violence, intolerance, waste, bloodshed, and debauchment of the national life!

The Democratic Convention assembled at Chicago on August 29th, and was organized by the election of Horatio Seymour, of New York, as chairman. Gen. Geo. B. McClellan was nominated for the Presidency. He received 202½ votes, and Thos. H. Seymour, of Conn., 23½ votes. The nomination was subsequently made unanimous. Geo. H. Pendleton was nominated for the Vice-Presidency. The views of the Convention were expressed in the following resolutions:

Resolved, That in the future, as in the past, we will

adhere with unswerving fidelity to the Union under the Constitution, as the only solid foundation of our strength, security, and happiness as a people, and as a framework of Government equally conducive to the welfare and prosperity of all the States, both Northern and Southern.

Resolved, That this Convention does explicitly declare, as the sense of the American people, that after four years of failure to restore the Union by the experiment of war, during which, under the pretence of military necessity, or war power higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to an ultimate convention of the States or other peaceable means, to the end that at the earliest practicable moment peace may be restored on the basis of the Federal Union of the States.

Resolved, That the direct interference of the military authorities of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware, was a shameful violation of the Constitution, and a repetition of such acts in the approaching election will be held as revolutionary and resisted with all the means and power under our control.

Resolved, That the aim and object of the Democratic party are to preserve the Federal Union and the rights of the States unimpaired; and they hereby declare that they consider the Administrative usurpation of extraordinary and dangerous powers not granted by the Constitution; the subversion of the civil by the military laws in States not in insurrection; the arbitrary military arrest, imprisonment, trial, and sentence of American citizens in States where civil law exists in full force; the suppression of freedom of speech and of the press; the denial of the right of asylum; the open and avowed disregard of State rights; the employment of unusual test oaths, and the interference with and denial of the right of the people to bear arms in their defence, as calculated to prevent a restoration of the Union and the perpetuation of a Government deriving its just powers from the consent of the governed.

Resolved, That the shameful disregard by the Administration of its duty in respect to our fellow-citizens who are now and long have been prisoners of war in a suffering condition, deserves the severest reprobation on the score alike of public policy and common humanity.

Resolved, That the sympathy of the Democratic party is heartily and earnestly extended to the soldiers of our army and the seamen of our navy, who are and have been in the field under the flag of their country; and in the event of its attaining power, they will receive all the care, protection, and regard that the brave soldiers and sailors of the republic have so nobly earned.

Mr. Wickliffe, of Kentucky, said: "The delegates from the West were of the opinion that circumstances may occur between noon of to-day and the 4th of March next, which will make it proper for the Democracy of the country to meet in convention again." He therefore moved the following resolution, which was unanimously adopted:

Resolved, That this Convention shall not be dissolved by adjournment at the close of its business, but shall remain organized, subject to be called at any time and place that the Executive National Committee shall designate.

A committee appointed by the Convention notified Gen. McClellan of his nomination, which he accepted in the following letter:

ORANGE, N. J., September 8th.

To Hon. Horatio Seymour and others, Committee, &c.:

GENTLEMEN: I have the honor to acknowledge the receipt of your letter informing me of my nomination by the Democratic National Convention recently held at Chicago, as their candidate at the next election for President of the United States.

It is unnecessary for me to say to you that this nomination comes to me unsought. I am happy to know that when the nomination was made, the record of my public life was kept in view. The effect of long and varied service in the army, during war and peace, has been to strengthen and make indelible in my mind and heart the love and reverence for the Union, Constitution, laws, and flag of our country impressed upon me in early youth. These feelings have thus far guided the course of my life, and must continue to do so until its end. The existence of more than one Government over the region which once owned our flag, is incompatible with the peace, the power, and the happiness of the people. The preservation of our Union was the sole avowed object for which the war was commenced. It should have been conducted for that object only, and in accordance with those principles which I took occasion to declare when in active service. Thus conducted the work of reconciliation would have been easy, and we might have reaped the benefits of our many victories on land and sea.

The Union was originally formed by the exercise of a spirit of conciliation and compromise. To restore and preserve it, the same spirit must prevail in our councils and in the hearts of the people. The reestablishment of the Union, in all its integrity, is and must continue to be the indispensable condition in any settlement. So soon as it is clear, or even probable, that our present adversaries are ready for peace upon the basis of the Union, we should exhaust all the resources of statesmanship practised by civilized nations and taught by the traditions of the American people, consistent with the honor and interests of the country, to secure such peace, reestablish the Union, and guarantee for the future the constitutional rights of every State. The Union is the one condition of peace. We ask no more.

Let me add what I doubt not was, although unexpressed, the sentiment of the Convention, as it is of the people they represent, that when any one State is willing to return to the Union it should be received at once with a full guarantee of all its constitutional rights. If a frank, earnest, and persistent effort to obtain these objects should fail, the responsibility for ulterior consequences will fall upon those who remain in arms against the Union, but the Union must be preserved at all hazards. I could not look in the face my gallant comrades of the army and navy who have survived so many bloody battles, and tell them that their labors and the sacrifice of so many of our slain and wounded brethren had been in vain, that we had abandoned that Union for which we have so often perilled our lives. A vast majority of our people, whether in the army and navy or at home, would, as I would, hail with unbounded joy the permanent restoration of peace on the basis of the Union under the Constitution, without the effusion of another drop of blood, but no peace can be permanent without Union.

As to the other subjects presented in the resolutions of the Convention, I need only say that I should seek in the Constitution of the United States, and the laws framed in accordance therewith, the rule of my duty and the limitation of Executive power; endeavor to restore economy in public expenditures, reestablish the supremacy of the law, and by the operation of a more vigorous nationality resume our commanding position among the nations of the earth. The condition of our finances, the depreciation of the paper money and the burdens thereby imposed on labor and capital, shows the necessity of a return to a sound financial system, while the

rights of citizens and the rights of States and the binding authority of law over the President, army, and people, are subjects of not less vital importance in war than in peace.

Believing that the views here expressed are those of the Convention and the people you represent, I accept the nomination. I realize the weight of the responsibility to be borne should the people ratify your choice. Conscious of my own weakness, I can only seek fervently the guidance of the Ruler of the Universe, and, relying on His all-powerful aid, do my best to restore Union and peace to a suffering people, and to establish and guard their liberties and rights.

Very respectfully,

GEO. B. McCLELLAN.

The political discussions which now ensued were conducted with great vigor and spirit. The Democratic party were early made to take a defensive position instead of being assailants. It was charged that the second resolution contemplated a cessation of hostilities under an armistice which might lead to peace with a dissolution of the Union. Notwithstanding this disadvantage they marshalled their forces with all their ancient energy. They urged in reply that the war was conducted not so much to restore the Union as to destroy the State institution of slavery. Mr. Seward, the Secretary of State, met this argument in a speech at Auburn on September 3d, with these words:

Although altogether unauthorized to speak for the President upon hypothetical questions, I think I can give an answer upon the subject of slavery at the present day—an answer which will be explicit, and, I hope, not altogether unsatisfactory. While the rebels continue to wage war against the Government of the United States, the military measures affecting slavery, which have been adopted from necessity, to bring the war to a speedy and successful end, will be continued, except so far as practical experience shall show that they can be modified advantageously, with a view to the same end. When the insurgents shall have disbanded their armies and laid down their arms, the war will instantly cease; and all the war measures then existing, including those which affect slavery, will cease also; and all the moral, economical, and political questions affecting slavery as others, which shall then be existing, between individuals, and States, and the Federal Government, whether they arose before the civil war began, or whether they grew out of it, will, by force of the Constitution, pass over to the arbitrament of the courts of law, and to the councils of legislation.

Again, at Washington, on Sept. 14th, in an address to the members of the Lincoln and Johnson Association, he said:

Fellow-citizens, the Democracy at Chicago, after waiting six weeks to see whether this war for the Union is to succeed or fail, finally concluded that it would fail, and therefore went in for a nomination and platform to make it the sure thing by a cessation of hostilities and an abandonment of the contest. At Baltimore, on the contrary, we determined that there should be no such thing as failure, and therefore we went in to save the Union by battle to the last. Sherman and Farragut have knocked the bottom out of the Chicago nominations, and the elections in Vermont and Maine prove the Baltimore nominations staunch and sound. The issue is thus squarely made up—McClellan and disunion, or Lincoln and Union. Have you any doubt of the result on that issue? (Cries of "No." "No.") Nor do I have any doubt. Many thanks, my friends, for this visit.

The victories of Gen. Sherman at Atlanta and Rear Admiral Farragut at Mobile were announced on Sept. 2d, and the Administration immediately used them with great effect. On the next day the following orders were issued by the President:

EXECUTIVE MANSION, }
WASHINGTON CITY, Sept. 3, 1864. }

The signal success that Divine Providence has recently vouchsafed to the operations of the United States fleet and army in the harbor of Mobile, and the reduction of Fort Powell, Fort Gaines, and Fort Morgan, and the glorious achievements of the army under Major-General Sherman in the State of Georgia, resulting in the capture of the city of Atlanta, call for devout acknowledgment to the Supreme Being, in whose hands are the destinies of nations. It is therefore requested that on next Sunday, in all places of worship in the United States, thanksgiving be offered to Him for His mercy in preserving our national existence against the insurgent rebels who have been waging a cruel war against the Government of the United States for its overthrow; and also that prayer be made for Divine protection to our brave soldiers and their leaders in the field, who have so often and so gallantly perilled their lives in battling with the enemy, and for blessing and comfort from the Father of Mercies to the sick, wounded, and prisoners, and to the orphans and widows of those who have fallen in the service of their country; and that He will continue to uphold the Government of the United States against all the efforts of public enemies and secret foes. ABRAHAM LINCOLN.

EXECUTIVE MANSION, Sept. 3, 1864.

The national thanks are tendered by the President to Admiral Farragut and Major-General Canby for the skill and harmony with which the recent operations in Mobile harbor and against Fort Powell, Fort Gaines, and Fort Morgan were planned and carried into execution; also to Admiral Farragut and Major-General Granger, under whose immediate command they were conducted, and to the gallant commanders on sea and land, and to the sailors and soldiers engaged in the operations, for their energy and courage, which, under the blessing of Providence, have been crowned with brilliant success, and have won for them the applause and thanks of the nation.

ABRAHAM LINCOLN.

EXECUTIVE MANSION, Sept. 3, 1864.

The national thanks are tendered by the President to Major-General William T. Sherman and the gallant officers and soldiers of his command before Atlanta, for the distinguished ability, courage, and perseverance displayed in the campaign in Georgia, which, under Divine power, resulted in the capture of the city of Atlanta.

The marches, battles, sieges, and other military operations that have signalized this campaign must render it famous in the annals of war, and have entitled those who have participated therein to the applause and thanks of the nation.

ABRAHAM LINCOLN.

EXECUTIVE MANSION, }
WASHINGTON CITY, Sept. 3, 1864. }

Ordered:

1st. That on Monday, the 5th day of September, commencing at the hour of 12 o'clock, noon, there shall be given a salute of one hundred guns at the Arsenal and Navy Yard at Washington, and on Tuesday, the 6th of September, or on the day after the receipt of this order, at each arsenal and navy yard in the United States, for the recent brilliant achievements of the fleet and land forces of the United States in the harbor of Mobile and the reduction of Fort Powell, Fort Gaines, and Fort Morgan. The Secretary of War and the Secretary of the Navy will issue the necessary directions in their respective departments for the execution of this order.

2d. That on Wednesday, the 7th day of September, commencing at the hour of twelve o'clock, noon, there shall be fired a salute of one hundred guns at the Arsenal at Washington, and at New York, Boston, Philadelphia, Baltimore, Pittsburg, Newport, Ky., and St. Louis, and at New Orleans, Mobile, Pensacola, Hilton Head, and Newbern the day after the receipt of this order, for the brilliant achievements of the army under command of Major-General Sherman in the State of Georgia and the capture of Atlanta. The Secretary of War will issue directions for the execution of this order.

ABRAHAM LINCOLN.

On Sept. 17th Gen. Fremont withdrew from the field as a candidate for the Presidency. In his letter he said:

The Presidential question has, in effect, been entered upon in such a way, that the union of the Republican party has become a paramount necessity. The policy of the Democratic party signifies either separation or reestablishment with slavery. The Chicago platform is simply separation. Gen. McClellan's letter of acceptance is reestablishment with slavery. The Republican candidate is, on the contrary, pledged to the reestablishment of the Union without slavery; and, however hesitating his policy may be, the pressure of his party will, we may hope, force him to it. Between these issues, I think that no man of the liberal party can remain in doubt, and I believe I am consistent with my antecedents and my principles in withdrawing—not to aid in the triumph of Mr. Lincoln, but to do my part toward preventing the election of the Democratic candidate. In respect to Mr. Lincoln I continue to hold exactly the sentiments contained in my letter of acceptance. I consider that his administration has been politically, militarily, and financially a failure, and that its necessary continuance is a cause of regret for the country.

A portion of the Democratic party, known as Peace Democrats (*see* CONGRESS, U. S., *Speech of A. Long, of Ohio*), were dissatisfied with the proceedings of the Chicago Convention, and contemplated holding another Convention and making an independent nomination. The following letter from Mr. Long explains this movement:

CINCINNATI, Sept. 29, 1864.

MY DEAR SIR: Your favor of the 22d was duly received, and should have had an earlier answer. Want of time is my excuse, however, for not doing so. I did not go to New York. Amos Green, of Illinois, who was one of the conferees, and present at all the meetings at the St. Nicholas Hotel, was here, and gave me a full detail of all they did.

They had passed a resolution to hold a Convention in this city, during the present week, for the purpose of making an independent nomination, but on the receipt of my despatch of Tuesday night, which was not received by General Singleton until Wednesday, they then rescinded the resolution, concluding that if Ohio would do nothing they would do likewise. And, upon the rescinding of the resolution, the "Metropolitan Record" and "Freeman's Journal" caved in, but Ben Wood determined to stand out alone, and is doing so manfully, at a loss of from \$1,000 to \$1,200 a week.

Singleton is in Washington now, and has not been home since the Convention. His whole soul is in the cause, and he is at this time operating through a channel you would not suspect, but which has been confided to me in confidence.

There is no enthusiasm in the Democracy here, and the election is almost going by default, and I see nothing but defeat; I cannot see it differently. But a short time will determine it now. I hope to see

you at the proposed Peace Convention in this city, on the 18th of next month. Very truly, yours,
ALEXANDER LONG.

No public Convention was held in Cincinnati as contemplated.

The charge was made that Mr. Pendleton, the nominee for the Vice-Presidency, sympathized with the Peace Democrats, and which, united with the charge that the policy of the Chicago Convention tended to separation, caused the publication of the following letter:

CINCINNATI, October 17, 1864.

MY DEAR SIR: I have received your friendly letter. Malignant misrepresentations and falsehoods are so frequent in our political struggles, that I have rarely undertaken to correct or refute them. I make no professions of a new faith, only repeat my reiterated professions of an old one, when I say there is no one who cherishes a greater regard for the Union, who has a higher sense of its inestimable benefits, who would more earnestly labor for its restoration, by all means which will effect that end, than myself. The Union is the guarantee of the peace, the power, the prosperity of this people, and no man would deprecate more heartily, or oppose more persistently, the establishment of another Government over any portion of the territory ever within its limits. I am in favor of extending no conditions, insisting upon no terms not prescribed in the Constitution, and I am opposed to any course of policy which will defeat the reestablishment of the Government upon its old foundations and its territorial integrity.

I am, very truly, yours, etc.

GEO. H. PENDLETON.

To Hon. JOHN B. HASKIN, New York.

On October 19th a number of citizens of Maryland, residing in Washington, accompanied by a delegation of the Lincoln and Johnson Club, serenaded the President in the evening, when he made the following brief address:

FRIENDS AND FELLOW-CITIZENS: I am notified that this is a compliment paid me by the loyal Marylanders resident in this district. I infer that the adoption of the new Constitution for the State furnishes the occasion, and that in your view the extirpation of slavery constitutes the chief merit of the new Constitution.

Most heartily do I congratulate you, and Maryland, and the nation, and the world upon the event. I regret that it did not occur two years sooner, which, I am sure, would have saved to the nation more money than would have met all the private loss incident to the measure. But it has come at last, and I sincerely hope its friends may fully realize all their anticipations of good from it, and that its opponents may, by its effects, be agreeably and profitably disappointed.

A word upon another subject. Something said by the Secretary of State, in his recent speech at Auburn, has been construed by some into a threat that, if I should be beaten at the election, I will, between then and the end of my constitutional term, do what I may be able to ruin the Government. Others regard the fact that the Chicago Convention adjourned, not *sine die*, but to meet again if called to do so by a particular individual, as the intimation of a purpose that if their nominee shall be elected he will at once seize control of the Government.

I hope the good people will permit themselves to suffer no uneasiness on either point. I am struggling to maintain the Government, not to overthrow it. I am struggling especially to prevent others from overthrowing it. I therefore say that, if I shall live, I shall remain President until the fourth of next March, and that whoever shall be constitutionally elected therefore in November shall be duly installed as President on the fourth of March; and that in the interval I shall do my utmost that whoever is to hold the helm

for the next voyage shall start with the best possible chance of saving the ship. This is due to the people, both on principle and under the Constitution. Their will, constitutionally expressed, is the ultimate law for all. If they should deliberately resolve to have immediate peace, even at the loss of their country and their liberties, I know not the power or the right to resist them. It is their own business, and they must do as they please with their own. I believe, however, they are still resolved to preserve their country and their liberties, and in this, in office or out of it, I am resolved to stand by them. I may add that, in this purpose to save the country and its liberties, no classes of people seem so nearly unanimous as the soldiers in the field and the sailors afloat. Do they not have the hardest of it? Who should quail while they do not? God bless the soldiers and seamen, with all their brave commanders!

In order to enable the soldiers absent from a State, and in the service of the United States, to vote at elections, acts had been passed by the Legislatures of several of the States.

In some of these States it had been necessary to amend the Constitution so as to authorize the passage of such an act. On the part of the Government, the following regulations were issued from the Adjutant-General's Office at Washington:

In order to secure a fair distribution of tickets among soldiers in the field, who, by the laws of their respective States, are entitled to vote the approaching elections, the following rules and regulations are prescribed:

1. One agent for each army corps may be designated by the State executive, or by the State committee of each political party, who, on presenting his credentials from the State executive, or the chairman of said committee, shall receive from this department a pass to the headquarters of the corps for which he is designated, with tickets, or proxies when required by State laws, which may be placed by him in the hands of such person or persons as he may select for distribution among officers and soldiers.

2. Civilian inspectors of each political party, not to exceed one for each brigade, may in like manner be designated, who shall receive passes on application to the adjutant-general, to be present on the day of election to see that the elections are fairly conducted.

3. No political speeches, harangues, or canvassing among the troops will be permitted.

4. Commanding officers are enjoined to take such measures as may be essential to secure freedom and fairness in the elections, and that they be conducted with due regard to good order and military discipline.

5. Any officer or private who may wantonly destroy tickets, or prevent their proper distribution among the legal voters, interfere with the freedom of the election, or make any false or fraudulent return, will be deemed guilty of an offence against good order and military discipline, and be punished by summary dismissal or court-martial.

It was charged by one party that some of the agents committed frauds, and they were arrested and tried subsequently by a military commission. It was charged by the opposite party that the votes of soldiers sent through the mails were delayed until after the election, or that the letters were opened and the votes changed by persons in the post-offices.

As the day of election approached the military commanders of Departments considered it to be their duty to take care that rebels did not enter the country from Canada and vote for President, and make raids upon the people.

On Oct. 28 Gen. Dix issued an order stating that satisfactory information had reached him that rebel agents in Canada designed to send into the United States large numbers of refugees, deserters, and enemies of the Government, to vote at the Presidential election, and it was not unlikely that they would subsequently be organized to shoot respectable citizens and plunder public property. He said such persons were liable to punishment, and no efforts would be spared to arrest them. All Provost Marshals and deputies were charged to detect such persons, and electors were recommended to take measures for their own security and to aid the authorities in bringing rebel emissaries to punishment. Effective measures would be taken to prevent their return into Canada. All persons from the rebel States were required to report to the military authorities in New York or to the Provost Marshals in other places for registry by the 3d of November, otherwise they would be treated as spies and emissaries.

At the same time Gen. Couch, commanding the Department of the Susquehanna, issued an order requiring "all refugees, rebel deserters, and citizens of rebel States who were in that department, or who might enter it before the 8th day of November," to report to the nearest district or town Provost Marshal, that they might be registered and description recorded, and receive proper certificates and papers. Persons belonging to any of the classes above mentioned found within the limits of the department on or after the date named, without authority, or who by pillaging, counselling outbreak, destruction of life or property, or in any manner acting as enemies of the Government, would be regarded as spies, and subjected to summary punishment. All military officials were strictly enjoined to guard well the integrity of the ballot-box.

At the same time, also, Gen. Hooker, commanding the Northern Department, with headquarters at Cincinnati, issued an order stating that he had received information that it was the intention of a large body of men on the Northern frontier, on each side of the line, open on one side and in disguise on the other, to organize at the ensuing election, to interfere with the integrity of the election, and, when in their power, to cast illegal votes; in fact, in any way to interfere with the honest expressions of the electors. He accordingly directed all military commanders and provost marshals to adopt measures at once to prevent this interference with the rights of the people, and to bring to punishment all persons who might offend the laws in this particular.

On Nov. 5th Maj.-Gen. Butler, who had arrived at New York a few days previous, issued the following order, which explained his position and duties in that city:

HEADQUARTERS CITY OF NEW YORK, Nov. 5, 1864.

General Orders No. 1. In obedience to the orders of the President, and by the assignment of Maj.-Gen. Dix, commanding Department of the East, Maj.-Gen.

Butler assumes command of the troops arriving and about to arrive, detailed for duty in the State of New York, to meet existing emergencies.

To correct misapprehension, to soothe the fears of the weak and timid, to allay the nervousness of the ill-advised, to silence all false rumors circulated by bad men for wicked purposes, and to contradict once and for all false statements adapted to injure the Government in the respect and confidence of the people—the commanding General takes occasion to declare that troops have been detailed for duty in this district sufficient to preserve the peace of the United States, to protect public property, to prevent and punish incursions into our borders, and to insure calm and quiet.

If it were not within the information of the Government that raids, like in quality and object to that made at St. Albans, were in contemplation, there would have been no necessity for precautionary preparations.

The Commanding General has been pained to see publications by some not too well-informed persons, that the presence of the troops of the United States might, by possibility, have an effect upon the free exercise of the duty of voting at the ensuing election.

Nothing could be further from the truth.

The soldiers of the United States are specially to see to it that there is no interference with the election unless the civil authorities are overcome with force by bad men.

The armies of the United States are "ministers of good and not of evil." They are safeguards of constitutional liberty, which is FREEDOM TO DO RIGHT, NOT WRONG. They can be a terror to evil doers only, and those who fear them are accused by their own consciences.

Let every citizen having a right to vote act according to the inspiration of his own judgment, freely. He will be protected in that right by the whole power of the Government if it shall become necessary.

At the polls it is not possible exactly to separate the illegal from the legal vote—"the tares from the wheat"—but it is possible to detect and punish the fraudulent voter after the election is over.

Fraudulent voting in election of United States officers is an offence against the peace and dignity of the United States.

Every man knows whether he is a duly qualified voter, and he who votes, not being qualified, does a grievous wrong against light and knowledge.

Specially is fraudulent voting a deadly sin and heinous crime, deserving condign punishment in those who have rebelliously seceded from, and repudiated their allegiance to this Government when at their homes in the South, now having fled here for asylum, abuse the hospitality of the State and clemency of the Government by interfering in the election of our rulers.

Such men pile rebellion upon treason, breach of faith upon perjury, and forfeit the amnesty accorded them. It will not be well for them to do so.

There can be no military organization in any State, known to the laws, save the militia and armies of the United States. By command of

Maj.-Gen. BENJ. F. BUTLER.

R. F. PUFFER, Captain, A. D. C., A. A. A. General.

On the evening of Nov. 2d a large meeting of persons called "War Democrats," was held at Cooper Institute, in New York City. Maj.-Gen. Dix was the principal speaker. Without inserting the lengthy resolutions adopted by the meeting, the following extract from a speech of General Dix at Sandusky, Ohio, on Oct. 26th, indicates the general views of the assemblage:

I will say one word, however, on the subject which lies nearest the heart of every loyal man—I mean the rebellion. It has been my conviction from the begin-

ning that we can have no honorable peace until the insurgent armies are dispersed and the leaders of the rebellion expelled from the country. I believe that a cessation of hostilities would lead inevitably and directly to a recognition of the insurgent States; and when I say this I need hardly add that I can have no part in any political movement of which the Chicago platform is the basis. No, fellow-citizens, the only hope of securing an honorable peace—a peace which shall restore the Union and the Constitution, lies in a steady, persistent, and unremitting prosecution of the war; and I believe the judgment of every right-thinking man will soon bring him to this conviction.

The great interest taken by a portion of the clergy of the country in the result of the Presidential election is stated in the "Christian

Register," Nov. 12th, the leading organ of the Unitarian denomination. It says:

Last Sunday, allusion was made to the election, by very many clergymen, and the drift of their remarks were unmistakable. The New York correspondent of the "Boston Journal" says: "Nearly every pulpit yesterday resounded with patriotic appeals. Most of them were draped with the American flag, and flung out the nation's banner from their flagstuffs."

The New York "Tribune" reports Mr. Beecher's discourse on Sunday evening, and characterizes it as the sixth and closing sermon of a remarkable series. From the remotest border of Maine to the rebel line, from the Atlantic to the Pacific, the duties of the hour were made the topic of prayer and sermon.

The election for President took place on November 8th, and the vote was as follows:

STATES.	1864.			1860.				1856.		
	Repub. Lincoln.	Dem. McClellan.	Repub. Majority.	Repub. Lincoln.	Dem. Douglas.	Dem. Breck'ge.	Union. Bell.	Repub. Fremont.	Dem. Buchanan.	Am. Fillmore.
Alabama .....	....	....	....	....	18,651	48,881	27,875	....	46,739	28,552
Arkansas .....	....	....	....	....	5,227	28,732	20,094	....	21,910	10,787
California	58,698	42,255	16,443	39,173	38,516	34,334	6,817	20,691	58,365	36,165
Connecticut	44,691	42,285	2,406	43,792	15,522	14,641	3,291	42,715	34,995	2,615
Delaware	8,115	8,767	*612	3,815	1,023	7,337	3,864	308	8,004	6,175
Florida .....	....	....	....	....	367	8,543	5,437	....	6,358	4,833
Georgia .....	....	....	....	....	11,590	51,889	42,886	....	56,578	42,228
Illinois	189,496	158,730	30,766	172,161	160,215	2,404	4,913	96,200	105,298	37,454
Indiana	150,238	130,233	20,005	139,033	115,509	12,295	5,306	94,375	118,670	22,386
Iowa	89,075	49,596	39,479	70,409	55,111	1,043	1,763	43,954	36,170	9,180
Kansas	16,441	3,691	12,750	....	....	....	....	....	....	....
Kentucky	26,592	61,478	*34,886	1,364	25,651	53,143	66,058	314	74,642	67,416
Louisiana .....	....	....	....	....	7,625	22,681	20,204	....	22,164	20,709
Maine	61,803	44,211	17,592	62,811	26,693	6,368	2,046	67,179	3,980	3,325
Maryland	40,153	32,739	7,414	2,294	5,966	42,482	41,760	281	39,115	47,460
Massachusetts	126,742	48,745	77,997	106,533	34,372	5,939	22,331	108,515	39,287	19,679
Michigan	85,352	67,370	17,982	88,480	65,057	805	405	71,762	52,136	1,660
Minnesota	25,060	17,375	7,685	22,069	11,920	748	62	....	....	....
Mississippi .....	....	....	....	....	3,283	40,797	25,040	....	35,447	24,196
Missouri	71,676	31,626	40,050	17,028	58,801	31,317	58,372	....	58,164	48,524
Nevada	9,826	6,594	3,232	....	....	....	....	....	....	....
New Hampshire	36,400	32,871	3,529	37,519	25,881	2,112	441	38,345	32,739	422
New Jersey	60,723	68,024	*7,301	58,324	62,801	....	....	28,338	46,943	24,115
New York	368,735	361,986	6,749	362,646	312,510	....	....	276,007	195,878	124,604
North Carolina .....	....	....	....	....	2,701	48,539	44,990	....	48,246	36,886
Ohio	264,975	205,557	59,418	231,610	137,232	11,405	12,194	137,497	170,874	28,126
Oregon	9,888	8,457	1,431	5,270	3,951	5,006	183	....	....	....
Pennsylvania	296,391	276,316	20,075	268,030	16,765	178,871	12,776	148,272	230,772	82,202
Rhode Island	13,692	8,470	5,222	12,244	7,707	....	....	11,467	6,680	1,675
South Carolina .....	....	....	....	Elect'rs	chosen	by the	Legis	lature.	....	....
Tennessee .....	....	....	....	....	11,350	64,709	69,274	....	73,638	66,178
Texas .....	....	....	....	....	....	47,548	15,438	....	31,169	15,639
Vermont	42,419	13,321	29,098	33,808	6,849	218	1,969	39,563	10,569	545
Virginia .....	....	....	....	1,929	16,290	74,323	74,681	291	89,706	60,310
West Virginia	23,152	10,438	12,714	....	....	....	....	....	....	....
Wisconsin	83,458	65,884	17,574	86,110	65,021	888	161	66,090	52,843	579
Total	2,203,831	1,797,019	406,812	1,866,452	1,375,157	847,953	590,631	1,342,164	1,803,029	874,625
Per cent.	55.99	44.91	....	39.87	29.37	18.11	12.65	33.36	44.85	21.79

The total vote of the people at the Presidential elections since 1824, has been as follows:

Year.	Vote.	Increase.	Year.	Vote.	Increase.
1828.....	1,162,118	....	1848.....	2,575,284	+127,256
1832.....	1,290,491	128,373	1852.....	3,129,129	553,945
1836.....	1,501,293	210,802	1856.....	3,992,818	863,689
1840.....	2,402,654	901,361	1860.....	4,680,193	687,385
1844.....	2,702,540	299,896	1864	4,000,850	+679,343

In 1864 there were eleven States which did not vote. If the vote which these States cast in 1860, viz., 858,524, is deducted from the vote of that year, there will remain 3,821,669, being the vote in 1860 of those States which voted in 1864.

But the vote of 1864 was increased over that of 1860 by the vote of the Territories Kansas

and Nevada, which had become States, viz., 36,552. With this deduction, the vote of 1864 was 3,964,298. The vote of the twenty-two States in 1860 and 1864 was as follows:

Year.	Vote.	Increase.
1860.....	3,821,669	....
1864.....	3,964,298	142,700

This is the increase of the vote of 1864 over 1860 in the twenty-two Union States, including also the vote of West Virginia, which was 33,590.

The Presidential electors in 1864 were as follows:

In Illinois, the first three named are Electors at Large; in all the other States, the first two. The remainder of the names are placed in the numerical order of the districts they represent. The Electors of Delaware, Kentucky, and New

* Democratic majority.

† Decrease.

Jersey voted for George B. McClellan for President, and George H. Pendleton for Vice-President. The Electors in the remaining States voted for Abraham Lincoln for President, and Andrew Johnson for Vice-President.

CALIFORNIA.—J. G. McCallum, Samuel Brannon, Charles Maclay, W. W. Crane, Jr., Walter Oliver.

CONNECTICUT.—John T. Wait, Oliver F. Winchester,* James G. Batterson, Samuel C. Hubbard, Sabin L. Sayles, Frederick A. Benjamin.

DELAWARE.—Victor Du Pont, Ayers Stockley, Harberson Heinkman.

ILLINOIS.—John Dougherty, Francis A. Hoffman, Benjamin M. Prentiss, John V. Farwell, Hon. Anson S. Miller, John V. Eustace, James S. Pogue, John J. Bennet, W. T. Hopkins, Frank Blade, J. C. Conkling, William Walker, Thos. W. Harris, F. A. McCurdy, A. N. Metcalf, S. Clifford.

INDIANA.—David S. Gooding, Richard W. Thompson, James C. Denny, Cyrus T. Nixon, Henry R. Pritchard, Leonidas Sexton, Benjamin F. Claypool, J. J. Wright, John Osborn, R. P. Davidson, James P. Belford, Timothy R. Dickinson, John M. Wallace.

IOWA.—Charles Ben Darwin, William G. Thompson, John Van Valkenberg, Samuel S. Burdett, Benjamin T. Hunt, Dan. Anderson, Gillman C. Mudgett, Henry Clay Henderson.

KANSAS.—W. F. Cloud, Thomas Moonlight, ———, Robert McBratney.

KENTUCKY.—Frank Wolford, Thornton F. Marshall, T. A. Duke, B. C. Ritter, T. C. Winfrey, J. P. Barbour, W. F. Bullock, A. H. Ward, George S. Shanklin, W. A. Hoskins, Harrison Taylor.

LOUISIANA.—W. T. Stucker, Alfred Shaw, F. A. Woolfley, J. R. Terry, J. E. Shaffer, J. K. Belden, S. G. Hamilton.

MAINE.—John B. Brown, Abner Stetson, Richard M. Chapman, Thos. A. D. Fessenden, Going Hathorn, Benj. P. Gilman, John N. Swazey.

MARYLAND.—Wm. J. Albert, H. H. Goldsborough, W. H. W. Farrow, Wm. S. Reese, R. S. Matthews, Isaac Nesbit, George W. Sands.

MASSACHUSETTS.—Edward Everett, Whiting Griswold, Richard Borden, Artemas Hale, George Putnam, J. M. G. Williams, John G. Whittier, George L. Davis, Stephen M. Weld, Levi Lincoln, William S. Clark, John Wells.

MICHIGAN.—Robert R. Beecher, Thomas D. Gilbert, Frederick Waldorf, Marsh Giddings, Christian Eberbach, Perry Hannah, Omar D. Conger, George W. Pack.

MINNESOTA.—Chas. H. Lindsley, John G. Betz, J. N. Murdoch, J. W. Morford.

MISSOURI.—S. O. Scofield, C. D. Drake, Lucien Eaton, Barnabas Smith, James C. Killian, H. J. Lindenbower, George R. Smith, Charles Carpenter, I. C. Parker, W. Smith Ingham, J. T. C. Fagg.

NEVADA.—S. T. Gage, A. S. Peck, A. W. Baldwin.

NEW HAMPSHIRE.—William H. Y. Hackett, Daniel M. Christie, Archibald H. Dunlap, Allen Giffin, Henry O. Kent.

NEW JERSEY.—William Patterson, Furman L. Mulford, Thomas McKeon, William P. McMichael, Charles R. Cornwell, Francis S. Lathrop, John McGregor.

NEW YORK.—Horace Greeley, Preston King, Obadiah Bowne, James S. T. Stranahan, George Ricard, Abram J. Dittenhoefer, Wm. H. McKinney, Thos. B. Asten, Isaac T. Smith, George Opdyke, Guy R. Pelton, Alexander Davidson, James W. Taylor, Charles L. Beale, Thaddeus Hait, John Tweddle, Cornelius L. Allen, Alonzo W. Morgan, Hiram Horton, Allen C. Churchill, Ebenezer Blakeley, John Clarke, John J. Knox, Thomas Kingsford, George W. Bradford,

John E. Seeley, Jedediah Dewey, Myron H. Weaver, James Alley, John W. Stebbins, William Bristol, Joseph Candee, John P. Darling.

OHIO.—John M. Connell, John P. Biehn, John K. Green, Stanley Matthews, Lewis P. Gunckel, Stephen Johnston, William L. Walker, Miles Gardner, Henry W. Smith, Ozias Bowen, Jacob Scroggs, William Sheffield, George A. Waller, Henry P. Page, James R. Stanberry, John H. McCombs, Frederick W. Wood, Lorenzo Danford, John McCook, Seth Marshall, Abner Kellogg.

OREGON.—George L. Woods, H. N. George, J. F. Gazley.

PENNSYLVANIA.—Morton McMichael, Thomas Cunningham, Robert P. King, G. Morrison Coates, Henry Bumm, Wm. H. Kern, Barton H. Jenks, Charles M. Runk, Robert Parke, William Taylor, John A. Hiestano, Richard H. Corryell, Edward Halliday, Charles F. Reed, Elias W. Hale, Charles H. Shriner, John B. Clark,* David McConaughy, David W. Woods, Isaac Benson, John Patton, Samuel B. Dick, Everard Bierer, John P. Penney, Ebenezer McJunkin, John W. Blanchard.

RHODE ISLAND.—Robert B. Cranston, William S. Slater, Rowse Babcock, Simon Henry Greene.

TENNESSEE.—Horace Maynard, William H. Wiscner, Robert A. Crawford, Leonidas C. Hook, John C. Everett, William B. Stokes, J. O. Shackelford, Theodore H. Gibbs, Almon Case, William H. Fitch.

VERMONT.—Daniel Kellogg, Albert L. Catlin, Seneca M. Dorr, Ryland Fletcher, James W. Simpson.

WEST VIRGINIA.—Ellery R. Hall, W. E. Stevenson, John H. Atkinson, Edward C. Bunker, R. S. Brown.

WISCONSIN.—Wm. W. Field, Henry L. Blood, Geo. C. Northrop, Jonathan Bowman, Allen Worden, Henry J. Turner, Henry F. Belitz, Alexander S. McDill.

On the evening after the election, when sufficient telegraphic despatches had been received to indicate the result, Mr. Lincoln was serenaded by a body of Pennsylvanians, when he said:

Friends and Fellow-Citizens: Even before I had been informed by you that this compliment was paid me by loyal citizens of Pennsylvania, friendly to me, I had inferred that you were of that portion of my countrymen who think that the best interests of the nation are to be subserved by the support of the present administration. I do not pretend to say that you, who think so, embrace all the patriotism and loyalty of the country, but I do believe, and I trust without personal interest, that the welfare of the country does require that such support and endorsement should be given. I earnestly believe that the consequences of this day's work, if it be as you assure and as now seems probable, will be to the lasting advantage, if not to the very salvation of the country.

I cannot at this hour say what has been the result of the election; but whatever it may be I have no desire to modify this opinion, that all who have labored to-day in behalf of the Union have wrought for the best interests of the country and the world, not only for the present, but for all future ages. I am thankful to God for this approval of the people; but while deeply grateful for this mark of their confidence in me, if I know my heart, my gratitude is free from any taint of personal triumph. I do not impugn the motives of any one opposed to me. It is no pleasure to me to triumph over any one, but I give thanks to the Almighty for this evidence of the people's resolution to stand by free government and the rights of humanity.

* Chosen by college in place of John P. Elton, who died in Waterbury, Conn., November 10th, 1864.

* Chosen by college in place of John Wister, absent from the country.

On October 3d, a National Convention of colored people was held in Syracuse, N. Y., to take into consideration the future of the colored race in America. The delegates were respectable in numbers, and their proceedings highly creditable. The following was adopted as the sense of the Convention :

1st. As a branch of the human family, we have for long ages been deeply and cruelly wronged by people whose might constituted their right; we have been subdued, not by the power of ideas, but by brute force, and have been unjustly deprived not only of many of our natural rights, but debarred the privileges and advantages freely accorded to other men.

2d. We have been made to suffer well-nigh every cruelty and indignity possible to be heaped upon human beings, and for no fault of our own.

3d. We have been taunted with our inferiority by people whose statute books contain laws inflicting the severest penalties on whomsoever dared teach us the art of reading God's word; we have been denounced as incurably ignorant, and, at the same time, have been, by stern enactments, debarred from taking even the first step toward self-enlightenment and personal and national elevation; we have been declared incapable of self-government by those who refused us the right of experiment in that direction, and we have been denounced as cowards by men who refused at first to trust us with a musket on the battle-field.

4th. As a people we have been denied the ownership of our bodies, our wives, homes, children, and the products of our own labor; we have been compelled, under pain of death, to submit to wrongs deeper and darker than the earth ever witnessed in the case of any other people; we have been forced to silence and inaction in full presence of the infernal spectacle of our sons groaning under the lash, our daughters ravished, our wives violated, and our fire-sides desolated, while we ourselves have been led to the shambles and sold like beasts of the field.

5th. When the nation in her trial hour called her sable sons to arms, we gladly went to fight her battles, but were denied the pay accorded to others, until public opinion demanded it, and then it was tardily granted. We have fought and conquered, but have been denied the laurels of victory. We have fought where victory gave us no glory, and where captivity meant cool murder on the field by fire, sword, and halter, and yet no black man ever flinched.

6th. We are taxed, but denied the right of representation. We are practically debarred the right of trial by jury. And institutions of learning which we help to support are closed against us.

We submit to the American people and the world the following declaration of our rights, asking a calm consideration thereof:

1st. We declare that all men are born free and equal; that no man or government has a right to annul, repeal, abrogate, contravene, or render inoperative this fundamental principle, except it be for crime; therefore we demand the immediate and unconditional abolition of slavery.

2d. That as natives of the American soil we claim the right to remain upon it, and that any attempt to deport, remove, expatriate, or colonize us to any other land, or to mass us here against our will, is unjust, for here were we born, for this country our fathers and our brothers have fought, and here we hope to remain in the full enjoyment of enfranchised manhood and its dignities.

3d. That as citizens of the Republic we claim the rights of other citizens; we claim that we are, by right, entitled to respect, that due attention should be given to our needs, that proper rewards should be given for our services, and that the immunities and

privileges of all other citizens and defenders of the nation's honor should be conceded to us; we claim the right to be heard in the halls of Congress; and we claim our fair share of the public domain, whether acquired by purchase, treaty, confiscation, or military conquest.

4th. That emerging as we are from the long night of gloom and sorrow, we are entitled to and claim the sympathy and aid of the entire Christian world, and we invoke the considerate aid of mankind in this crisis of our history, and in this hour of sacrifice, suffering, and trial.

These are our wrongs—these a portion of what we deem to be our rights as men, as patriots, as citizens, and as children of the Common Father. To realize and attain these rights and their practical recognition, is our purpose. We confide our cause to the just God, whose benign aid we solemnly invoke. To Him we appeal.

The progress of public opinion in the free States relative to the social and political condition of the African race, is too important to be overlooked.

The following letter is from the most highly educated and prominent man of that race in the Northern States :

ROCHESTER, May 23, 1864.

SIR: I mean the complete abolition of every vestige, form, and modification of slavery in every part of the United States; perfect equality for the black man in every State before the law, in the jury-box, at the ballot-box, and on the battle-field; ample and salutary retaliation for every instance of enslavement or slaughter of prisoners of any color. I mean that in the distribution of offices and honors under this Government, no discrimination shall be made in favor of or against any class of citizens, whether black or white, of native or foreign birth. And, supposing that the convention which is to meet at Cleveland means the same thing, I cheerfully give my name as one of the signers of the call.

Yours, respectfully,

FREDERICK DOUGLASS.

E. GILBERT, Esq.

On June 3d Mr. Chase, then Secretary of the Treasury, in reply to an invitation to be present at a public meeting in New York, to celebrate Gen. Grant's victories, said :

Permit me to add that, while we rejoice in the success of our armies, and give thanks to God for them, we should not forget that there is one class of defenders of the flag—one class of men loyal to the Union—to whom we yet fail to do complete justice. It will be the marvel of future historians that statesmen of this day were willing to risk the success of rebellion, rather than entrust to black loyalists bullets and ballots.

Very truly yours,

S. P. CHASE.

At a later day, when Chief Justice, and presiding at the third anniversary of the Freedmen's Relief Association in Washington, he said :

And now comes another question. Shall the loyal blacks of rebel States be permitted to protect themselves and protect white loyalists also by their votes, from new oppression by amnestied but still vindictive rebels? I cannot doubt what a just and magnanimous people will determine. They will say, "Let ballots go with bullets: let freedom be defended by suffrage," and again legislation and administration will bow to the majesty of the people.

While the bill to organize Montana Territory was before Congress, the question of negro suf-

frage came before that body. For the debates on the occasion, *see* CONGRESS U. S.

The question was discussed in Missouri, and strongly urged by Senator Brown, as necessary to be acted upon by the State Constitutional Convention, which assembled in January, 1865. It was earnestly pressed by the Radical Abolitionists, and somewhat discussed in various parts of the country. A joint resolution passed the Senate of Michigan, to submit to the people, in Nov., 1866, an amendment to the Constitution to allow colored men to vote.

At the January, 1865, term of the United States Supreme Court, held at Washington, Chief Justice Chase presiding; on motion of Senator Charles Sumner, John S. Rock, a citizen of Massachusetts, of African descent, was admitted to practise as a member of the Court. A few weeks later the Rev. Dr. Garnett, a colored Virginian and native of Norfolk, conducted the religious services, and preached in the Representatives' Chamber of Congress on the Sabbath. The choir was composed of white and colored singers, and more colored people than ordinary were present in the congregation. At the Presidential reception on New Year's day, 1865, the colored people hung round the doors until the crowd of white visitors sensibly diminished. They then summoned up courage, and began timidly to approach the hall. Some of them were richly and gaily dressed, some were in tattered garments, and some of them in the most fanciful and grotesque costume. All pressed eagerly forward. When they came into the presence of the President, doubting as to their reception, the feelings of the poor creatures overcame them. What followed is thus narrated by a spectator:

For nearly two weary hours Mr. Lincoln had been shaking the hands of the "sovereigns," and had become excessively weary and his grasp became languid; but here his nerves rallied at the unwonted sight, and he welcomed this motley crowd with a heartiness that made them wild with exceeding joy. They laughed and wept, and wept and laughed, exclaiming, through their blinding tears, "God bless you!" "God bless Abraham Lincoln!" "God bless Massa Linkum!"

On June 30th Mr. Chase resigned the office of Secretary of the Treasury, and ex-Gov. Tod, of Ohio, was nominated to fill the vacancy. He immediately declined, and Senator Fessenden, of Maine, was nominated and accepted. On Sept. 23d Postmaster Gen. Blair resigned, in compliance with the request of the following letter:

EXECUTIVE MANSION, WASHINGTON, Sept. 23, 1864.

Hon Montgomery Blair.

MY DEAR SIR: You have generously said to me more than once, that whenever your resignation could be a relief to me it was at my disposal. The time has come. You very well know that this proceeds from no dissatisfaction of mine with you personally or officially. Your uniform kindness has been unsurpassed by that of any friend; and while it is true that the war does not so greatly add to the difficulties of your department as to those of some others, it is yet much to say, as I most truly can, that in the three years and a half during which you have

administered the General Post-office, I remember no single complaint against you in connection therewith.

Yours as ever, ABRAHAM LINCOLN.

Ex-Gov. William Dennison, of Ohio, was appointed to the vacancy. About the same time Mr. J. Speed, of Kentucky, became Attorney-General, to fill the vacancy occasioned by the resignation of Mr. Bates.

A colony of emigrants, who left Fortress Monroe in the spring of 1863 for Hayti, became the victims of misfortune from the day of their departure. They were attacked with the small-pox, and landed on the houseless island of A'Vache. A vessel was sent for them in February, which soon brought the remnant to Alexandria, in a state of great destitution.

UNITED STATES CHRISTIAN COMMISSION. From the commencement of the war the Young Men's Christian Associations, in most of the larger cities and towns of the loyal States, had contributed largely, not only in money and supplies, to the relief and comfort of the soldiers, but in personal service. Many of their members were in the army, and the sympathy felt for them by those who remained at home prompted to efficient action for the spiritual as well as physical needs of the army. After every considerable battle, members of these associations were despatched with money, sanitary stores, and supplies, and religious and moral reading matter for free distribution to the sufferers.

At a convention of these Christian Associations, held in New York, November 16, 1861, it was resolved to organize from the representatives of these bodies a United States Christian Commission, and the following persons were appointed: Rev. Rollin H. Neale, D. D., Boston; George H. Stuart, Esq., Philadelphia; Rev. Bishop E. S. Janes, D. D., New York; Rev. M. L. R. P. Thompson, D. D., Cincinnati; Hon. Benjamin F. Manierre, New York; General Clinton B. Fisk, St. Louis; Rev. Benjamin C. Cutler, D. D., Brooklyn; Hon. John V. Farwell, Chicago; Mitchell H. Miller, Esq., Washington; John D. Hill, M. D., Buffalo. During the succeeding year Mr. Manierre and Rev. Dr. Cutler resigned, and their places were filled by the appointment of Jay Cooke, Esq., of Philadelphia, and Rev. James Eells, D. D., of Brooklyn. To these were subsequently added John P. Crozer, of Philadelphia; Charles Durand, of Boston; Rev. W. E. Boardman, Ex. Off. Philadelphia; Hon. George F. Patton, Bath, Me.; Rev. James Pike, Sanbornton Bridge, N. H.; Edward S. Tobey, Boston; Rev. Francis Wayland, D. D., Providence, R. I.; Rev. Heman Dyer, D. D., New York; Hon. William E. Dodge, New York; Nathan Bishop, LL.D., New York; Morris K. Jesup, New York; Joseph Patterson, Philadelphia; Rev. Bishop M. Simpson, D. D., Philadelphia; Hon. J. G. Smith, Gov. of Vt.; G. S. Griffith, Baltimore; Hon. W. T. Willey, Morgantown, W. V.; A. E. Chamberlain, Cincinnati; Rev. R. J. Breckinridge, D. D., Lexington.

ton, Ky.; Rev. S. D. Storrs, Atchison, Kansas; J. B. Roberts, San Francisco; Hon. James W. Nye, Carson City, Nevada; Hon. W. A. Buckingham, Norwich, Conn.; Walter S. Griffith, Brooklyn, N. Y.; Samuel B. Caldwell, Brooklyn, N. Y.; Rev. Charles Hodge, D. D., Princeton, N. S.; Stephen Colwell, Philadelphia; Horatio G. Jones, Philadelphia; William Frew, Pittsburg; Prof. M. L. Stoeber, Gettysburg; Rt. Rev. Alfred Lee, D. D., Wilmington, Del.; Hon. Francis H. Pierpont, Alexandria, Va.; Rt. Rev. C. P. Mellvaine, D. D., Cincinnati, Ohio; Hon. Schuyler Colfax, South Bend, Ind.; Hon. John Owen, Detroit; Walter S. Carter, Milwaukee; Hon. Hiram Price, Davenport, Iowa; Rev. E. Lehman, Chaska, Minn.; Rev. S. Cornelius, Portland, Oregon; Hon. John Evans, Denver City, Col.

Mr. George H. Stuart, of Philadelphia, was elected its President, and has served in that capacity up to the present time. Three or four months were consumed in arranging its plan of operations, in obtaining the approval of the President of the United States, the Secretary of War, the Secretary of the Navy, the General in command, and the Surgeon General. It was then deemed best to remove its headquarters to Philadelphia, and Rev. William E. Boardman was appointed General Secretary. There were added, in 1864, a Secretary of the Home organization, and a Secretary of the Field organization.

The general character of the duties of the Commission was defined at the meeting that brought it into existence; its grand object as avowed was to promote the physical comfort and the spiritual welfare of the brave men of the army and navy, in the field, in the hospital, the prison, or wherever they may be found. Like the Government it embraces within the range of its influence the whole Union, and provides for the material and spiritual necessities of suffering humanity without regard to race, creed, or position. It aims to save life in the hour of peril, to ameliorate the condition of our soldiers and seamen, to perform in the midst of the war the office of a kind friend, to supply, as far as possible, the place of home, to furnish opportune and substantial relief when required, to bind up the wounds, to pour in the wine and the oil of love and peace, to speak a word of sympathy and encouragement to the suffering and depressed, to bring the influences of the Gospel to bear upon those who are far from home and its privileges, exposed to the dangers and temptations peculiar to the camp, to arrest the thoughtless in their course and reclaim the wayward, to send forth the living, practical teacher, to whisper Christian consolation to the dying, the wounded, and heavy-laden in heart.

In addition to the general executive committee and its central office in Philadelphia, the Commission has its agencies, its branch organizations in the principal cities and towns of the land, engaged in collecting stores and procur-

ing funds to carry on the work in the field. It has its extensive bases of supplies for the different armies, and its carefully-organized corps of permanent agents, thoroughly acquainted with the wants of the soldiers and prepared to forward stores upon a requisition given by those in proximity to the scene of action. It maintains a constant supervision over the camp and field-hospitals, and when special emergencies arise demanding extraordinary activity and energy, during and after every battle, its representatives are present dispensing with a bountiful hand whatever may contribute to the comfort and immediate relief of the wounded. It sends forth ministers and laymen, voluntary agents, who labor without compensation to distribute with their own hands, under the direction of the surgeons, the stores gathered together, to circulate the Scriptures, religious newspapers and tracts, reading of a moral and instructive character, and lead men to repentance and a Christian life. It aids the surgeon, helps the chaplain, follows the army in its marches, goes into the trenches, courses along the picket-line, and ministers personally to the suffering and the distressed. Its influence is felt wherever the dying, the wounded, the sick, and the afflicted are to be found. It furnishes clothing to the destitute, nutritious food to the sick, books for military hospitals, posts, and gunboats, a supply of paper, envelopes, ink, pens, pencils, and the thousand comforts which are gratefully appreciated by the soldier, and which the Government cannot provide. It cheers with the consolations of religion those appointed to die; and as the soul passes from the body it receives its dying words, and communicates the sad record to the bereaved at home. It administers Christian burial when practicable, and marks the place of interment for the satisfaction of distant friends. Besides the more private appeals and personal instructions given by the delegates in the tent and the hospital, public services are held from day to day, especially during the winter campaigns, chapels are erected, and meetings for prayer, conference, and preaching organized. The Secretary of the Commission has compendiously but clearly set forth its system and work as follows:

I. DIVISION OF THE ARMY FIELD.

GENERAL.—1. Armies near Richmond. 2. Army in the Shenandoah Valley. 3. Army of the Cumberland, etc. 4. Armies along the Southern Mississippi. 5. Armies in Missouri, Arkansas, and Kansas. 6. The navy, southern coast, and gulf supplied from New York.

SPECIAL.—Stations and corps organizations.

A station in each great army centre when the army is at rest, and a moving organization in each corps when the army moves.

Out-stations to meet wants of various sections.

Permanent stations in all great permanent centres.

II. MEN AND WOMEN FOR THE FIELD.

1. *Agents*.—Permanent—paid.

One field agent for each general division, five in all, with assistants in the larger fields.

One station agent or corps captain for each station or corps organization, with teamsters.

2. *Delegates* for six weeks, or longer, unpaid; from

two to ten at each station, as needed; and at City Point, forty to fifty. Three hundred the full corps. Over three thousand in all have served.

3. *Managers of Diet Kitchens.*—About sixty ladies employed.

III. APPLIANCES.

1. Barrack chapels, store, and subsistence rooms, at permanent camps.
2. Chapel, store, and subsistence tents, at all movable stations.
3. Churches, houses, etc., detailed by Government, at most permanent stations.
4. Wagons and teams, four horse, for each moving organization; two-horse for such stations as require them.
5. Special diet kitchens in field-hospitals, managed under direction of the surgeons, by Christian Commission lady managers.

IV. LABORS.

1. *Hospital.*—Preaching; prayer-meetings; personal intercourse with soldiers; and distribution.
2. *Field.*—The same—at all stations, and along the lines; at all out-stations, isolated posts, batteries, etc.
3. Battle-field work.
4. Individual relief, aid, and information, at special request.
5. Forwarding home money for soldiers in service, and effects of deceased soldiers.
6. Managing special diet kitchens, under medical authorities.

V. WHAT IS DISTRIBUTED.

Battle-field, hospital, and special diet kitchen stores; such as shirts, drawers, socks, handkerchiefs, towels, bandages, lint, farina, corn-starch, crackers, cordials, dried fruits, canned fruits, fresh apples, grapes, peaches, etc., onions, potatoes, ice, syrups, jellies, pickles, etc., Jamaica ginger, condensed milk. Bibles for hospitals and Bible-classes; Testaments to all soldiers. Scriptures in German, French, and other foreign languages. Gunboat libraries, hospital libraries, soldiers' books, weekly and monthly religious papers, over four hundred thousand a month; tracts, Silent Comforters, etc.

The General Government has cheerfully furnished the free transportation of men and supplies over all military railways, and generously granted many privileges and accommodations, restricted only by absolute military necessity. Railroad and steamboat companies have, under proper regulations, very generally given passes for the delegates of the Commission and for the transportation of their stores. The telegraph wires, without charge, have been used for the transmission of despatches on business with the Institution, and every information and opportunity afforded to enable the Commission to carry forward its appropriate and benevolent work intelligently and successfully. The whole army is accessible to the labors of the Commission. Its delegates are welcomed at all points, its authority regarded and its influence felt. Its voluntary, unpaid delegates, have been men of the highest position and character, bishops and pastors of the largest and most influential churches in city and country, lawyers and physicians of eminence, merchants and manufacturers, students of colleges and theological seminaries, etc. The American Bible Society has granted largely of Bibles and Testaments in different languages; the Tract and Publication Societies, and publishers of religious and moral books, periodicals, and newspapers, of

their several issues; and ladies of the highest respectability have given themselves to the work, under its auspices, of providing for the necessities of the suffering soldier.

The expenditures as well as the receipts of the Commission have increased each year in a rapidly-expanding rate. In 1862, the first year of its existence, its entire receipts were \$231,256.29, of which only \$50,000 or \$60,000 were in cash, the remainder being in supplies and facilities of transportation, etc., granted to it. In 1863 the total receipts of the central and branch offices of the Commission were estimated at \$916,837.65: of which \$358,239.29 was in money, and the remainder in stores, grants, and railroad and telegraph facilities, and the estimated value of the services of delegates. In 1864 the total estimated receipts were \$2,882,347.86: of which \$1,297,755.28 was in money; \$1,160,508.37 in hospital stores; \$33,084.38 in publications donated; \$72,114.83 in Bibles and Testaments from the American Bible Society. The estimated value of volunteer delegates services was \$169,920; the value of railroad, steamboat, and other transportation facilities, \$106,765; value of telegraphic facilities, \$26,450; rents of warehouses and offices donated, \$6,750.

The total aggregate of receipts for the three years ending Jan. 1, 1865, was \$4,030,441.80. Since that period not far from \$400,000 in money has been received, and very large amounts of hospital supplies.

The following general summary of the work and distribution of the Commission for the year 1864, will give some idea of its activity and usefulness:

Boxes of hospital stores and publications distributed during the year.....	47,103	
Value of stores distributed.....		\$1,714,261 85
Value of publications distributed.....		446,574 26
Value of stationery distributed.....		24,534 71
Value of 265 chapels and chapel tents erected during last winter and the present, in the various armies....		114,359 78
Copies of Bibles and Testaments and portions of Scriptures distributed during the year.....	569,594	
Copies of Hymn and Psalm-books distributed during the year.....	4,815,923	
Copies of bound library books distributed during the year.....	33,872	
Copies of magazines and pamphlets distributed during the year.....	346,536	
Copies of religious, weekly, and monthly newspapers distributed during the year.....	7,990,758	
Copies of pages of tracts.....	13,651,342	
Copies of "Silent Comforter," &c....	3,691	
Delegates commissioned during the year.....	2,217	
Aggregate number of days of delegate service.....	78,869	
Average number of delegates constantly in field during the year...	217	
Number of delegates now in the field	276	
Balance of cash on hand at the central office, January 1st, 1865.....		\$5,420 12

UNITED STATES UNION COMMISSION. This, like the Sanitary and Christian Commissions, was called into existence by the exigencies of the war. The contending armies surging to

and fro over extensive regions of country had desolated them completely, seizing not only garnered but growing crops, cattle, horses, and mules, and destroying ruthlessly dwellings, barns, and fences, often applying the torch to those edifices which shot and shell had spared. From these desolated regions, often infested with guerrillas, whose murderous malignity spared neither age nor sex, fled their wretched inhabitants, mostly women and children, homeless and penniless, nearly naked and often starving, wearied, sick, and dying, seeking shelter and sustenance within the Union lines, at Nashville, Vicksburg, and Memphis. Military necessity forbade their remaining in these advanced posts of the Union armies; and rendering them what assistance could be spared in the way of food, the Government shipped them to Cairo, Louisville, St. Louis, Cincinnati, and other points. Here they were landed, sick, helpless, and friendless. Neither State nor municipal charity could legally be bestowed upon them, but that they might not perish benevolent societies were organized which did what they could to shelter, clothe, and feed them, and provide places for them in the country. These organizations were local, called into existence by the emergency, and had not any central organization or means of mutual co-operation. Meanwhile the demand for help was increasing with fearful rapidity. In June, 1864, the present President of the American Union Commission, visiting the West with other gentlemen as a delegate of the United States Christian Commission, became deeply affected with the sufferings and necessities of these poor refugees, and after free conference with other patriotic and benevolent men, east and west, it was resolved to organize a Commission, having for its object the care and welfare of these refugees, and their eventual restoration, so far as was possible, to homes and home comforts. Most of these people were the wives and children of Unionists, who had either been killed or imprisoned for their loyalty, or were serving in the Union armies as soldiers of the nation. To leave their families to perish would have been unworthy of a great and noble people. A small portion, under the teachings of southern demagogues, were, in spite of their sufferings, still disloyal; but they, too, were starving, and Christianity forbade refusing succor to them. It was foreseen, too, that with the close of the war would arise other needs no less imperious, and demanding an enlarged and national charity. Industry must be revived in the regions wasted by war; desolated homes must be rebuilt, and farms stocked anew and supplied with the implements of husbandry and with seeds for crops. The confiscated lands must be made accessible to settlers, and emigration of the right character guided and stimulated. Free schools must be organized and sustained for a time in part by northern capital. Loyal presses, too, must be established, and the social structure renovated and placed upon its new basis

of freedom, order, and law. While this change was going on, though superintended mainly, and supported in part by persons who had previously resided in the regions to be reclaimed, aid would be required for some time from those sections which had not been despoiled by the ravages of war. To the various local refugee societies letters were addressed and their co-operation, counsel, and suggestions sought. These organizations welcomed with great cordiality the new movement, and united with it as branches, or entered into harmonious co-operation with it. The American Union Commission, as thus organized, has its headquarters in New York City, but includes auxiliaries in Boston, Baltimore, Pittsburg, Cincinnati, Chicago, Cairo, Memphis, Nashville, Charleston, and other points. Its present officers are Rev. Joseph P. Thompson, D.D., President; Rev. Lyman Abbott, Corresponding Secretary; H. G. Odiorne, Esq., of Cincinnati, Western Secretary; H. M. Pierce, LL.D., Recording Secretary; A. V. Stout, Esq. (President of Shoe and Leather Bank), Treasurer; and an Executive Committee of six members. Its fundamental article, approved, as is the whole work and purpose of the Commission, by the Government, states that it "is constituted for the purpose of aiding and coöperating with the people of those portions of the United States which have been desolated and impoverished by the war, in the restoration of their civil and social condition upon the basis of industry, education, freedom, and Christian morality."

About the 1st of October, 1864, the Commission was fully organized for its work, and found at first abundant occupation in relieving the immediate necessities of homeless refugees, who were brought from the South in Government transports and landed upon the wharves in the most destitute condition. Nearly 100,000 have thus been thrown upon the charity of the benevolent during the past seven or eight months. The Commission has gathered them into barracks or "homes" at St. Louis, Cairo, Louisville, Cincinnati, Indianapolis, New York, and other points in the North, fed, clothed, and provided them with medical care, and where it was possible procured for them places, where, by their own industry, they could obtain a livelihood. Experience in other organizations has proved that the retention of large numbers in camps and barracks in a state of idleness, was injurious alike to their health, their morals, and their subsequent efficiency, and hence the Commission has sought as speedily as possible to place all who were able to work in situations where they might obtain their bread by their labor. The extraordinary campaigns of General Sherman, and the sudden collapse of the rebellion, rendered a different system necessary in the Seaboard States. It was neither practicable nor desirable to bring the thousands who flocked into Savannah, Charleston, Wilmington, Newbern, Goldsborough, Petersburg, and Richmond, to the North. They must be aided

in their dire necessity at home, and as soon as practicable assisted to sustain themselves. Provisions were accordingly shipped to Savannah, Charleston, Newbern, Richmond, and other points, and careful and trustworthy agents despatched with them to see to their honest and faithful distribution. Pauperism, or the dependence upon charity without effort at self-help, was sternly discouraged; the cities were distrusted, and the applicants visited at their homes.

The Commission has disbursed in money and clothing from its New York office in the past six months, \$70,000, and the various auxiliary boards probably fully as much more. (The Boston Branch has expended \$32,000.)

It has already commenced its arrangements for opening schools in Richmond and other cities of the South, and furnishing seeds and agricultural implements to the impoverished people of the Southern States, that they may be able to resume their long interrupted industry. It will be its aim to do whatever it can to aid in the work of restoration and social reorganization, while carefully avoiding interference with the military and political operations of the Government on the one hand, and the missionary and Sunday school operations of the various religious denominations on the other. A wide scope is opened for its beneficent labors, and conducted as they are, and are likely to be, by men of sound judgment, ardent benevolence, and great practical ability, they can hardly fail to exert a powerful influence for good in the future of the nation.

UNITARIANS. The "Monthly Journal," published by the American Unitarian Association, gives the following information of the number of Unitarian ministers and societies in the United States, in the year 1864: The whole number of societies is 250, an increase of three over last year. In 1830 there were 193 societies; the increase for thirty-five years has been about thirty per cent. Of these 250 societies, 67 have no pastors. The whole number of ministers is 326; this includes professors in colleges, chaplains, &c. 136 of these are unsettled, 193 settled. The year before there were 343 ministers; loss 17. There are two theological schools in the denomination; one in Cambridge, and one in Meadville, Pennsylvania.

The English Unitarians, embracing Unitarian seceders from the Baptists ("General Baptists"), Presbyterians ("Presbytery of Antrim," "Remonstrant Synod of Ulster," and the "Synod of Munster"), and Methodists ("The Christian Brethren"), number about 270 ministers, who have charge of congregations, and about 300 places which have chapels, 140 Sabbath schools, with 15,279 scholars.

Toward the close of the year 1864 an important movement commenced among the American Unitarians toward a more compact denominational organization. On Dec. 7 a special meeting of the American Unitarian Association was held at Boston to discuss the need of increased funds in order to make use of "mani-

fest openings for planting Unitarian churches in towns at the North, working in the army, and entering into the recivilization of the South." Hitherto the receipts of the association, which is now forty years old, had been altogether too small for such an object, those of the preceding year only amounting to \$6,000, and those of the year before to only half that sum. The meeting, with great unanimity, resolved to raise, during the coming year, \$100,000 for denominational purposes. As the existing organization of the denomination was deemed insufficient, it was, upon motion of Dr. Bellows, resolved to appoint "a committee of three ministers and seven laymen, to call a national convention, to consist of the pastor and two delegates from each church or parish in the Unitarian denomination, to meet in the city of New York, to consider the cause of the denomination, and to institute measures for its good." Rev. Dr. Bellows, of New York; Rev. Edward E. Hale, of Boston; and Rev. Charles H. Brigham, of Taunton, were the ministerial members.

UNIVERSALISTS. The General Convention of the Universalists held its session for the year 1864 in Concord, N. H., on Tuesday, Sept. 20th, and organized by the election of the Rev. G. L. Demarest, of Ohio, as President. Communications were read from several State conventions, from which it appeared that Ohio, Indiana, Pennsylvania, and New York, had approved the plan for denominational organization submitted by the last General Convention; that Rhode Island, Iowa, and Illinois had rejected it, while other States had deferred action. It accordingly appeared that the plan was not accepted. The general tenor of the communications was, however, favorable to the plan as a whole; and the pains, industry, and skill of the committee who had prepared it, were duly acknowledged. The principal complaint was that the plan had too many details, that it did not leave enough to the discretion of the States and Associations. The following resolutions on the state of the country were adopted by a unanimous report:

Whereas, The fearful war with which our nation has been scourged for years still continues, and makes additional demands on our courage, energy, patience, and faith, therefore

Resolved, That we recognize in it the punishment of our people for their persistent arrogance and oppression. We cannot, therefore, hope for the return of peace through efforts to rivet anew the chains of the bondman, or to perpetuate the former glaring inconsistencies between our professions of love for liberty, and the support of slavery.

Resolved, That while we deplore the bloodshed, costliness, and agonies of war, and earnestly pray for peace, we yet deem a cessation of hostilities which leaves it unsettled whether treason is to be rebuked, or petted and fondled, a delusion and a snare. If followed by attempts to bribe traitors to return to a nominal allegiance by the promise of surrendering to their vengeance two hundred thousand colored men, who are now bravely battling in our armies for union and order, it would show such dastardly perfidy in our Government as would call down on our nation the stern displeasure of a righteous

God, and condemnation from all good men. Such attempts would sound the knell of our Union, the shipwreck of our country.

URUGUAY. The Oriental Republic of Uruguay, a republic in South America. Its area is about 3,375 geographical square miles, and the population in 1860, 240,965 inhabitants. The city of Montevideo had, in 1860, 37,787 inhabitants; and, in 1862, in consequence of the annexation of Cordon and Aguada, 45,765. According to the estimate of the budget for the eighteen months from July 1, 1860, to Dec. 31, 1861, the receipts amounted to 3,579,802 piastres. The amount of the importations was, in 1861, 9,642,522 piastres, and that of exportations, 7,576,257 piastres.

The republic of Uruguay has been frequently a prey to civil war between the party of the "colorados," and the "blancos" or "blanquillos." On April 19, 1860, a former President of Uruguay, General Venancio Flores, who was regarded as the head of the party of the "colorados," and who, having been exiled, had taken service in the Argentine army, raised again the standard of insurrection. The Legislature, at Montevideo, declared him guilty of high treason, and sent a small force against him, which, however, proved insufficient to expel him from the territory of the republic. In August, 1863, Flores advanced as far as three leagues from Montevideo, but on Aug. 16th he was defeated at Las Piedras by General Medina. Soon after Flores, in turn, defeated General Diego Lamas. In January, 1864, a new President, Mr. Aguirre, assumed the reins of government at Montevideo, and negotiations for terminating the civil war were carried on between the two belligerent parties, but they led to no result.

The war between them assumed larger dimensions and a greater importance, when, toward the close of the year, the neighboring States of Brazil and Paraguay began to take part in it. At the beginning of the insurrection, the Brazilian residents in Uruguay, as well as the people of the adjoining Brazilian province of Rio Grande do Sul, had openly supported the chief of the insurgents, General Flores. This naturally produced a great irritation on the part of the people of Uruguay against the Brazilians. The complaints of the latter induced the government of Brazil to ask for indemnification and guarantees as to the future, and when the government of Montevideo hesitated to comply with these demands, Vice-Admiral Baron de Tamandaré, the commander of

the Brazilian squadron in the Rio de la Plata, on Oct. 11, addressed a circular note to the representatives of the foreign powers at Montevideo, informing them that in consequence of the non-acceptance of the Brazilian ultimatum by Uruguay, he would immediately exercise reprisals by sea, while at the same time the imperial army would be marched into the northern provinces of Uruguay. The representatives of England, France, Italy, Spain, and Portugal, strongly protested against the conduct of Brazil, denied her right to declare a blockade without a previous declaration of war, and declared that they could not allow the search of their vessels by Brazilians.

The sympathies shown by Brazil with the insurrection, called forth a protest from the President of Paraguay, General Lopez. Brazil was suspected by Paraguay, as well as by the northern provinces of the Argentine republic, of an intention to annex the entire territory of Uruguay to herself, and thus to obtain the sole control of the mouth of the river La Plata. The President of Paraguay, therefore, notified Brazil that an armed Brazilian intervention in Uruguay, would be regarded by Paraguay as a case of war; and when this protest was not heeded, war was declared against Brazil.

The government of the Argentine republic sympathized with Brazil and Gen. Flores, but the provinces of Corrientes and Entre Rios declared that they could not oppose the march of a Paraguaian army through their territory to the aid of Uruguay.

The march of the Brazilian army into the territory of Uruguay commenced in November. At the beginning of December, the Brazilian forces, conjointly with those of Gen. Flores, began to lay siege to the Urugaian fortress of Paysandú, which, after the resistance of a few days and after some bloody engagements, fell into the hands of Flores. Both Flores and the Brazilians then advanced against the capital of Uruguay, and it was expected it would soon fall into their hands, and that the war would be brought to a close early in 1865.

While the Brazilians were advancing in Uruguay, a strong force from Paraguay invaded the adjacent provinces of Brazil, when, from want of communication with Rio de Janeiro, no resistance could be offered to them. As the war operations only commenced in December, 1864, and continued in 1865, we postpone a fuller account of them to the next volume of the ANNUAL CYCLOPEDIA.

V

VERMONT. The number of troops furnished by Vermont to the army from the commencement of the war to October 1st, 1864, was 22,710, which showed an enlistment during the first nine months of 1864 of 14,486 men. The

infantry and cavalry regiments of the State, though proportionally few, have borne an honorable part in the war, and proved among the most staunch and trustworthy troops in the service.

The annual State election took place in September, and resulted in the choice of John Gregory Smith, Union Republican, by a majority of 19,415 over Timothy P. Redfield, Democrat, in a popular vote of 44,689. The remainder of the Republican State ticket was elected by similar majorities. In 1863 the majority for Governor Smith was 17,751. The following was the result of the election for members of the Thirty-ninth Congress:

Union Republican.	Democratic.
Dist. 1—F. E. Woodbridge, 9,449.....	S. M. Wells,.....3,667
“ 2—J. S. Morrill,.....12,409.....	R. McK. Ormsby, 4,793
“ 3—P. Baxter,.....9,408.....	G. Harrington,....3,231

In the succeeding November the Union Republican electors for President were chosen by a majority of 29,097 in a vote of 55,741, and cast the vote of the State for Abraham Lincoln and Andrew Johnson.

From a report of the Senate Committee on Finance of the Vermont Legislature, it appears that the debt of Vermont amounts to \$1,640,845, or \$5.21 for each person in the State. A claim of \$90,000 against the General Government, if collected and paid, will reduce the debt by that sum. The debt is principally funded, and is payable in 1871, 1874, and 1876. The total expenditures for 1864, including interest on the debt and war expenses, were \$1,228,993, and the receipts were \$931,853, making the increase of the State debt for the year \$233,447. Upon an examination of the financial resources of the State, it appears that, in increase of population and in many of the branches of industry, Vermont is behind the other New England States. The last census shows that the ratio of increase in population is only 0.31 per cent., while the other New England States range from 2.65 to 42.10 per cent. In manufactures Vermont also compares unfavorably with the other New England States, but makes a better record in flour, meal, and lumber. The valuation of the State was increased but 32.83 per cent. In the other States the increase has been from 42 to 185 per cent. The committee attribute this unfavorable condition of affairs to the laws of Vermont, which do not encourage business enterprise. They allow the seizure of property by attachment, and afford no relief to the unsuccessful man of business by laws of insolvency. Hence many of the enterprising business men of the State have sought homes elsewhere.

On November 1st the Legislature reelected the following board of judges of the Supreme Court: Chief Justice, Luke P. Polard; Assistant Justices, Asa O. Aldis, John Pierpont, James Barrett, L. C. Kellogg, and Asahel Peck; W. G. Veavey, of Rutland, was elected reporter of the decisions of the Supreme Court.

On October 19th the town of St. Albans, on the Vermont Central Railroad, about 15 miles from the Canada frontier, was the scene of a raid, accompanied by wanton bloodshed, by

Southern refugees from Canada, under the leadership of one Young, a rebel officer, which for a time filled the northern part of the State with alarm. At 3½ p. m. a body of between 30 and 40 rebels, well organized and armed, who had been quietly assembling during the previous week, made a combined attack on the St. Albans, Franklin County, and First National Banks. Not more than one or two persons were in any one of these institutions at the time; and these being easily overpowered, the raiders were enabled to abstract a sum in bank notes amounting in the aggregate to \$211,150. They then seized upon all the horses they could find, either in the streets or in livery stables, and mounting, rode off toward Canada. The whole affair occupied less than twenty minutes. Previously to their departure they wantonly fired upon a number of unoffending and unarmed citizens, of whom several were wounded, one fatally. While robbing the banks, they stated that they were acting under orders from the rebel General Early, and were retaliating for acts committed by Federal troops in the valley of the Shenandoah. The robbery was skilfully planned for the day succeeding the market day, when the town was unusually dull; and to the unexpectedness with which it came must be attributed its success. Secret attempts had also been made to fire the town, which fortunately failed.

As soon as the inhabitants had recovered from their surprise, a body of men was at once organized to pursue the raiders, who, however, being well mounted, had a considerable start. The authorities of the State were also promptly notified, and men and arms arrived in large numbers in St. Albans within a day or two. The neighboring border towns immediately took every precaution to guard against similar attacks, and for several days an active system of patrols was maintained. As a further means of arousing the vigilance of the country, the St. Albans' banks offered a reward of \$10,000 for the recovery of the plunder and the capture of the raiders. These were vigorously pursued by the armed citizens, dropping by the way a considerable number of the purloined bank notes, but succeeded in escaping over the frontier into Canada, where nearly the whole gang were eventually captured either by the armed citizens of Vermont, who started in pursuit, or by the Canadian authorities. The latter, in accordance with instructions from the Governor General, Lord Monck, showed considerable activity in procuring the arrest of the raiders. Those of the latter arrested by American citizens were at once turned over to the local authorities. The legal proceedings to which the raid gave rise in Canada are described under the head of FOREIGN RELATIONS.

VINTON, Mrs. CALESTA HOLMAN, an American missionary. She was born in Union, Conn., in 1809, died in Rangoon, Burmah, Dec. 20, 1864. She married Rev. Justus H. Vinton,

then under appointment as a missionary to the Karens in Burmah, April 9, 1834. Her early education was obtained at the Wilbraham (Mass.) Academy, but for some months previous to sailing for Burmah, she had been studying the Karen language with a native teacher at Hamilton, N. Y., and on arriving at her field of labor she could converse intelligibly in Karen. She possessed decided talent as a writer and teacher, was a poet of fair ability, as her Karen hymn books gives evidence. Her energy, zeal, and perseverance enabled her to accomplish more than most female missionaries in the instruction of the Karens. She was very successful in teaching the Karen women, who, under her instruction, adopted the habits, dress, and refinement of manners of civilized life, and have done honor to their instructress. Mrs. Vinton visited the United States in 1848 for the restoration of her health, and remained two years, when she returned to her field of labor. In 1862 she again returned to the United States for a few months, but returned with renewed energy to her work.

VIRGINIA. The questions which engrossed the attention of the authorities of Virginia related exclusively to the war; its success absorbed all their thoughts. The Legislature was urged to pass such laws as would bring into the field all the able-bodied men not necessary to the State Government. Thus far every officer had been exempt, although without any duties to perform. Between forty and fifty counties of the State were within the Federal lines, and the original State officers in these counties had fled to Richmond. The average number of officers in these counties was about sixty, and it was estimated that they would form a force of two thousand men. By the decisions of the courts they were exempt from military service, notwithstanding they had no civil duties to perform. The Governor thus viewed the subject:

If all officers designated in the Constitution, and in the laws made in pursuance thereof, are to be exempted because they are State officers; if Justices of the Peace, who, by-the-by, were never exempted until the 1st of October, 1862, having from the revolution to that period been required to perform military duty; if all sheriffs and clerks and their deputies, all commissioners of the revenue, all surveyors and Commonwealth attorneys, all constables and overseers of the poor, all county agents for supplying soldiers' families, all salt agents, commercial agents, etc., all employes of banks, cities, towns, etc., are to be exempt, indiscriminately and without reference to their necessity, then, indeed, in the language of the decision so frequently quoted, the spectacle might be presented of a nation subjugated and destroyed at a time when it had within its limits citizens amply sufficient to defend it against all the assaults of the enemy, but whose services could not be commanded because, forsooth, Government had contracted with them that they should not be required to serve in the army.

The Governor further recommended the passage of a law authorizing the issue of a proclamation warning all citizens of Virginia in foreign parts to return without delay to the State;

failing in which, beside personal penalties their property of every description should be confiscated, and their families sent into the Federal lines.

The free negroes became quite disorderly, and in the towns, especially Richmond, they were guilty of many outrages on persons and property. It was said: "They are found coöperating with the enemy, and occasionally indulging in the utterance of treasonable sentiments and threats against their fellow-citizens."

The question of arming the slaves created great discussion. It was said that the North had exhausted all her floating population, and openly recruited her armies on the continent of Europe. Not content with this she had seized their slaves, and in violation of all civilization had armed them against their masters. Under every disadvantage the war had been protracted deep into its fourth year, and the Southern people found themselves looking around for material to enlarge their armies. Whence was it to come? The laws of natural accretion would not furnish a sufficient supply of men. Foreign countries were in effect closed. Recruiting from the prisoners would not, except to a limited extent, supply the wants, and public attention naturally turned to the slaves as a ready and abundant stock from which to draw.

Some considered this policy as giving up the institution of slavery; others declared that if the slaves were put into the ranks it would drive out the whites from them, and diffuse dissatisfaction throughout the Confederacy. In reply it was said that the policy would effectually silence the clamor of the poor man about this being the rich man's war; and that there was no purpose to mingle the two races in the same ranks, and that there could not be a reasonable objection to fighting the enemy's negroes with their slaves.

As to the abandonment of slavery, it was said that it had been already proclaimed to be at an end by the North, and would undoubtedly be so if the South was subjugated, and that by making it aid in the southern defence, it would improve the chance of preserving it.

There was a unanimous opinion in favor of using the slaves in the various menial employments of the army, and as sappers and miners and pioneers, but much diversity as to using them as soldiers.

The measure was finally approved by the Legislature of Virginia, and adopted by the Congress at Richmond, but too late to be of any advantage.

A comparison of the census of Virginia, taken in 1860, with the census of 1863, showed that of the number of slaves in the whole State in 1860, only 3,803 had been lost above the natural propagation and other increase. Of horses in that portion of the State under Confederate control the loss was 25,201. In 1860 the number of cattle returned for taxation in the entire State was 1,021,132, or ninety-seven for every

one hundred white persons. In 1863 the number of cattle within the territory, free from the occupation and incursions of the Federal army, was 507,152, to which add 8 per cent., the usual difference between the actual and taxable numbers, and there were 547,724 cattle within Confederate control in the last-mentioned year, which is one hundred and five head of cattle to every one hundred white inhabitants.

The returns show an increase of 72,336 sheep, and a loss of 156,970 hogs in the counties and corporations under the rebels.

At an election for State officers William Smith was chosen as the successor of Gov. John Letcher.

An address was issued to the soldiers of Virginia by the Legislature in March, urging to extreme sacrifices and efforts of bravery as certain to be followed with triumphant success.

The desolation which followed the track of the armies is very graphically described by one who beheld them, as follows:

When we get to Hamilton Crossing the desolation of war breaks upon you. A few trees remain upon the hills near the side of the depot; but there is not a fence or an inhabited house all the way to Fredericksburg. A few cattle may be seen grazing on the rich plains, which bear now but crops of luxuriant weeds. These cattle belong to the people of Fredericksburg, who club together and hire a poor old man to attend them while grazing.

There are no hands to work in the fenceless fields, no signs of animated life about the deserted houses. The drowsy crow of the cock, the neighing of horses, the cawing of crows, and the laughter of children in the yard, and the "wo-haw" of the plough-driver, are no longer heard in the blasted region. All is still as death for miles and miles under the sweet autumnal sun.

Fredericksburg itself is torn by a hurricane. Much of it has been burnt, and the tall chimneys standing all alone tell a woeful tale of ruin. Part of the town is destroyed by fire caused by shell, and part by the torch. All the lower and upper portions of the town have been so shattered as to be uninhabitable; the stores have been gutted of their shelving and counters to make dry places for the countless thousands wounded at the Wilderness and Spottsylvania to lie on.

The churches have been repeatedly struck, and so have most of the private dwellings. I counted thirty holes in the fine mansion of Douglas Gordon, which was nearly complete before the war broke out. A shell has passed diagonally through the house in which I stayed, and one had exploded in the parlor over which I slept. Looking out of my bedroom window I saw naked chimneys and deserted homes in every direction.

I went to Marye's Hill, and saw the famous stone fence which served as a rampart for our men. I walked over the wide fields which the enemy had to pass before they got within range of our rifles, and stood under the tree which Cobb leaned against when he was killed. This tree is just behind the house of a Mr. Stephens—a small frame building—which must have at least a thousand bullet holes through and through it.

The stone fence is at the bottom of a hill, and on that hill is the fine old homestead of the Maryes, now gone to wreck, with countless apertures made by shot and shell, and open to all the winds that blow. Ah, it was a sad thing to tread the deserted halls and chambers of the old house, and hear only the echo of your own footsteps.

I went over into Stafford County, opposite Freder-

icksburg, and there is a wide, wild scene of devastation—neither fences nor trees for leagues on leagues, houses deserted and burnt, and so many roads to the enormous camps of Hooker, which extended nineteen square miles, that the oldest inhabitants are in danger of losing themselves in their own country. The Lacy House is a baronial pile in the extent of its buildings, and its terraced grounds and gardeus are in keeping.

Ruin reigns there also. The walls of the large old-fashioned rooms, and even the pillars of the porches, are scrawled and bescribbled with obscure names and obscene phrases and pictures. Further back on high hills, commanding the whole country, are the walls of the Phillips House, which was burnt by Stoneman. What a picture of ravaged beauty is to be seen from the heights on which this house stands!

Strange to tell, Stafford County, naturally sterile and sparsely peopled, is now richer and more thickly settled than it has been since the colonial days. It is a debatable land, in which neither Confederate nor Federal rule is acknowledged, and it is filled with deserters who have grown rich by gathering and selling the immense debris of Hooker's camps to Washington or to Richmond purchasers, as happened to be most convenient; for these lawless people care little for either side.

I saw in Fredericksburg, and at Hamilton Crossing, great piles of old iron and fragments of tents, blankets, and overcoats, which were just ready to be sent to Richmond. A number of refugees have returned to Fredericksburg, which contains now some 600 or 700 souls, principally women and old men.

VIRGINIA, EAST. The Convention called in 1863 to assemble at Alexandria on February 13th, 1864, to amend the Constitution of the State of Virginia, was duly held. The following is a list of the members representing all the counties of Old Virginia under Federal control, but not included in West Virginia:

Alexandria County—Walter L. Penn.

Alexandria and Fairfax Counties—S. Ferguson Beach.

Fairfax County—John Hawxhurst.

Norfolk City and County—Dr. L. W. Webb and W. W. Wing.

Portsmouth City, County, and Senatorial District—G. R. Boush, P. G. Thomas, and LeRoy G. Edwards.

Loudoun County—Dr. J. J. Henshaw, James M. Downey, and Lieut. E. R. Gover.

York, Warwick, and Elizabeth City Counties and City of Williamsburg, Charles City, James City, and New Kent Counties—T. S. Tennis and Robert Wood.

Accomac County—Dr. A. Watson and W. Dix.

Northampton County—Wm. P. Moore.

An organization was effected and committees appointed, as usual with such assemblages. The Committee on Emancipation duly reported the following amendment to the Constitution of the State of Virginia, as sections to be incorporated in that instrument:

1. Slavery and involuntary servitude, except for crime, is hereby abolished and prohibited in the State forever.

2. Courts of competent jurisdiction may apprentice minors of African descent, on like conditions provided by the law apprenticing white children.

3. The General Assembly shall make no law establishing slavery or recognizing property in human beings.

4. This ordinance to take effect and be enforced from its passage.

This was adopted, and comprised the most important business before the Convention.

A session of the Legislature was held pre-

viously. On the evening of February 4th both Houses met in joint session to elect a Secretary of State and Treasurer. L. A. Hagans was chosen Secretary, and J. J. Henshaw, Treasurer. The total vote on joint ballot was 14, of which Henshaw received 8 and his opponent 6.

Notwithstanding the election of a Governor (Pierpont) and other State officers, and the organization of a Legislature, the authority of the Government appears to have been very little respected by the military officials. The following protest of Gov. Pierpont explains one of the difficulties which occurred:

EXECUTIVE DEPARTMENT, }
ALEXANDRIA, VA., June 22, 1864. }

To the Loyal People of Norfolk, Virginia:

I have received reliable information that General Shepley, commanding at Norfolk, acting under the orders of General Butler, intends ordering the opening of a poll in that city on the 24th instant, to take a vote of the people as to whether they desire the continuance of civil government, and that, should a majority of the votes cast be against the same, it is the intention of the commandant of the post to prevent, by military force, the trial in the Circuit Court of said city some thirty odd indictments against liquor vendors for violations of the license law of the State.

I know of no authority in the State or Federal laws authorizing the people to abrogate the civil laws of the State in any city or county, and such act can only be considered revolutionary. The Constitution of the United States guarantees to each State a republican form of government. That form of government exists in Norfolk at this time, and to break it up would only be to substitute military government or rule in its stead, which would clearly be a violation of the Constitution of the United States and its guarantees to the people. No loyal citizen, therefore, is expected to vote on the proposed question.

F. H. PIERPONT, Governor.

The election was duly held, and its result announced in an official order of Gen. Butler, as follows:

HEADQUARTERS DEPARTMENT VIRGINIA AND NORTH }
CAROLINA, IN THE FIELD, June 30, 1864. }

The loyal citizens of Norfolk determined, with a unanimity almost unexampled, by a vote of three hundred and thirty to sixteen, against the further trial of the experiment of a municipal government which gave as results to them only taxes and salaried officers, without any corresponding benefits.

It will be observed that this vote was more than three times as large as that by which the experiment of civil government was set on foot. Some doubts upon the legal formality of this vote were attempted to be cast by interested parties, and proclamation was made that the adherents and salaried officers of the restored Government should not vote upon the question submitted. Yet that it was an overwhelming expression of the opinion of the citizens is seen from the fact that three hundred and fifty votes were cast upon the questions, while only one hundred and nine were cast by all parties for their respective candidates to fill the several civil offices.

Now, as there were at least two sets of candidates voted for, containing a list of some forty-five officers who would have place in the civil government in each set, it would seem that but twenty votes were cast for city officers except by those who were interested in being elected—assuming always that the men running for office in a city vote for each other.

It is the duty and province of the Government of the United States to afford protection to all its citizens in the manner most effectual and beneficial to them, and, so far as consistent with the Constitution and laws, in such manner as they desire; and all experience has shown that, in a disorganized state of society, incident upon a state of war, and especially civil war, a military government, properly administered, affords the best protection to property, liberty, and life.

Whether that military government has been properly administered in the city of Norfolk, during the two years that it has been under military rule, and especially whether that military government has been properly administered during the past eight months, and has secured the substantial benefits of good government in the city of Norfolk, it is not proper for this order to state.

The citizens of Norfolk have spoken upon that subject with sufficient distinctness to inform the judgment of the Commanding General.

Therefore, it is ordered, That all attempts to exercise civil office and power under any supposed city election, within the city of Norfolk and its environs, must cease, and the persons pretending to be elected to civil offices at the late election, and those heretofore elected to municipal offices since the rebellion, must no longer attempt to exercise such functions; and upon any pretence or attempt so to do, the Military Commandant at Norfolk will see to it that the persons so acting are stayed and quieted.

The Judge of the Circuit Court, before whom the cases alluded to by Gov. Pierpont were to be tried, made a lengthy statement of the difficulty, with the opinion of Attorney-General Bates against the action of the military, and the promise of the President to decide the matter. But the military authorities prevailed. Many other difficulties also occurred.

VIRGINIA, WEST. The vote cast in West Virginia at the Presidential election was 33,590; of which Mr. Lincoln received 23,152, and Gen. McClellan 10,438. In the Legislature there is no division of parties. The regular State election took place in October: Gov. Boreman was reelected without opposition, having received 19,098. The Republican members of Congress were also chosen with very little opposition. The State fortunately escaped from the alarming military invasions under which it had suffered in previous years, and remained comparatively settled and undisturbed. The most interesting event in its history was the development of vast supplies of Petroleum. (*See PETROLEUM.*)

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WADSWORTH, JAMES SAMUEL, a Brigadier-General of United States volunteers, born in Geneseo, Livingston County, N. Y., October 30th, 1807, killed in the battle of the Wilderness, May 6th, 1864. He was the son of James

Wadsworth, an extensive landowner and philanthropist of Geneseo, under whose care he received a thorough rudimentary education, after which he was sent to Harvard College, and thence to Yale College, where he completed his

studies. Soon after graduating he entered upon the study of law in Albany, finishing his course in the office of the great statesman and lawyer, Daniel Webster, and was admitted to the bar in 1833, but did not practise his profession, as the charge of his immense estate required his whole attention. A few years later Mr. Wadsworth turned his attention somewhat to local politics. A Federalist by education and a Democrat by conviction, he early took part in the "Free Soil" movement that divided the Democracy of the State, and gave a zealous support to the Presidential candidate of that party in 1848, and to the Republican candidates of 1856 and 1860. Like his father, he manifested a deep and active interest in the cause of education. He founded a public library at Geneseo; was a liberal subscriber to the endowment of Geneseo College; aided in the establishment of the school district library system, and in every way did what lay in his power to relieve suffering and diffuse the benefits of our free institutions. Acting as a commissioner to the Peace Convention held in Washington, in 1861, under an appointment from the Legislature of New York, when it became evident that war was inevitable, he was prompt to offer his services to the Government. When communication with the capital was cut off, he chartered two ships upon his own responsibility, loaded them with provisions, and proceeded with them to Annapolis, where they arrived most opportunely to supply the pressing necessities of the Government. Commencing his military career as a volunteer aide to Gen. McDowell at the first battle of Bull Run, upon the recommendation of that General, Wadsworth was appointed Brig.-Gen. of volunteers August, 1861, and in March, 1862, became Military Governor of the District of Columbia. In the election of Governor of New York, in November, 1862, Gen. Wadsworth was the Republican candidate, but was defeated by Mr. Seymour. In the following December he was assigned to the command of a division in the Army of the Potomac. At Fredericksburg and Chancellorsville he displayed great military skill, and at Gettysburg his division saved the first day. Upon the reorganization of the Army of the Potomac for the campaign of 1864, Gen. Wadsworth was assigned to the command of the fourth division of the fifth corps, at the head of which he bravely met his death.

WALDO, DANIEL, an American clergyman, born in Windham, Conn., September 10, 1762, died at Syracuse, N. Y., July 30, 1864. His early years were spent in laboring upon his father's farm, and attending a district school in the neighborhood. He remained at home till the year 1778, when, at the age of sixteen, he was drafted as a soldier for a month's service during a time of imminent peril at New London, and soon after enlisted as a volunteer in the service of the State. At the battle of Horse-neck he was captured, taken to New York, and

imprisoned in the "Sugar House," then the grand depot for prisoners, but after a confinement of two months was exchanged. Subsequently he resumed his labors on the farm, continuing there until he was twenty-one. At the close of the war he commenced study, and graduated at Yale College in the class of 1788. On leaving college he entered upon the study of theology under Dr. Levi Hart, of Preston, Conn. After prosecuting his studies for about a year, he was licensed to preach by the Association of Windham County. In May, 1792, he was ordained and installed pastor of the church at West Suffield, Conn., where he remained, with an interval of a few months of missionary labor, until 1809, when he resigned his charge, and after preaching at Colchester, Salem, and Cambridgeport, Mass., went to Rhode Island, under the patronage of the Society for Promoting Christian Knowledge, visiting schools and laboring in the cause of education. Subsequently he preached at Harvard, Mass., and finally at Exeter, R. I., where he labored twelve years, resigning at the end of that period on account of the inability of the parish to pay his salary. He then retired from any stated charge, frequently preaching, however, for various ministers. In 1856 Mr. Waldo, then ninety-four years of age, was elected Chaplain of the House of Representatives, discharging the duties of that position with general acceptance. His mind seemed to operate with a freedom little, if at all, diminished; and he died not from a decay of physical powers, but from the effects of a fall, leaving a record bright with patriotism, generosity, and purity of life.

WALLACK, JAMES WILLIAM, an English actor, born in London, August 24, 1795, died at New York, December 25, 1864. He inherited his theatrical vocation from his parents, both of whom had attained distinction upon the stage. His father, William Wallack, was a comedian of excellent reputation, and his mother, Elizabeth Field, had played for many years with Garrick. It was intended that he should enter the navy, but the fondness for his father's profession so strongly manifested itself in childhood that the effort to overcome it was abandoned. He joined the "Academicals" in the establishment in Leicester Street, where juvenile performances were regularly given. His talent was observed by Sheridan, who transferred him, at the age of twelve, to the regular company of Drury Lane Theatre, where he remained until the destruction of that house by fire, steadily rising in public favor. He then visited Ireland; but, on the opening of the new Drury Lane, returned to play Laertes to the Hamlet of Elliston. He was then eighteen years old. Not long after, during the engagement of Kean, he was given the characters of Macduff, Edgar, Richmond, Iago, and others second only in importance to those of the great tragedian of that day. In 1817 he was married to the daughter of Mr. John Johnstone, a celebrated Irish actor, shortly after which he visited America for the

first time. He appeared in "Macbeth," at the Park Theatre in New York, on the 7th of September, 1818, and achieved an immediate and remarkable success. For two years he acted in this country, and in 1820 returned for a single season to Drury Lane. The popularity and prosperity he had experienced in America led him to adventure a second visit in 1822, when he again met with a brilliant New York reception. While journeying to Philadelphia, the stage coach in which he travelled was overturned, and he suffered a compound fracture of the leg, which interrupted his professional labors for eighteen months, and the effect of which was always partially discernible throughout his life. This recess was passed in England, but his reappearance took place in New York, where he had left his wardrobe and personal effects. The New York public had shown great regret at his misfortune, and assembled in overflowing numbers to welcome him, all the more heartily because of a general conviction that his thorough recovery was impossible, and that his future career must be limited to the representation of a few exceptional parts. He came forward in the character of Captain Bertram, an old sailor on crutches, and the apprehensions of his friends thus seemed to be realized; but in the second piece, "My Aunt," he electrified the audience by bounding upon the stage with an elasticity and vigor hardly surpassed in his earlier engagements. After the close of this visit Mr. Wallack became stage manager of Drury Lane Theatre, where he remained for a considerable number of years, making only occasional appearances on this side of the Atlantic. His popularity was such, however, that in certain cities he was enabled to play four long and brilliant engagements in a single season. In 1852 he ceased to travel as a "star," and became manager of the theatre which now stands near the corner of Broome Street and Broadway, to the advancement and improvement of which he honorably devoted nine years. During this period he was the acknowledged leader of dramatic art in America, and his theatre rose to a rank which no other had ever held in this community, and which, we are disposed to believe, no other had ever merited. In 1861 he built a new theatre, at the corner of Broadway and Thirteenth Street, the success of which has been deservedly uninterrupted. The same conscientious adherence to the most refined purposes of the drama, and the same strict care, delicate taste, and sound judgment which were conspicuous in his administration of the old establishment, have been exhibited in perhaps even a greater degree in the new. His eminence as an actor was a well-established fact. His reputation was highest in dramas of a romantic and picturesque order, in which his vigor and energy produced extraordinary effects. His Shakespearian personations, although striking, and popularly successful, were not remarkable for breadth and majesty, but seemed rather to be composed of a series of delicate, carefully

studied, and elaborately wrought points, worked together with exquisite skill, like a piece of intellectual mosaic work. His *Rolla*, in "Pizarro," is universally pronounced to have been an unrivalled performance of its kind. The last representations in which he took part were at his theatre near Broome Street, where, in 1859, he played most of his principal parts, besides sustaining for upward of a hundred nights the leading character in "The Veteran." His last appearance in any public capacity was at the close of the season of 1862, at the new theatre, when he delivered a brief address to the audience. Since that time he has only been seen on special occasions in his box, from which it was his habit, when not prevented by illness, to overlook the representations of all "first-nights." To the last, his mind was intent upon the practical supervision of his theatre. His death will be a serious and almost irreparable loss to the dramatic interests of the community, no matter how powerfully his influence and teaching may continue to guide the destinies of his theatre.

WATSON, WILLIAM R., died at Providence, R. I., Aug. 29, 1864, aged 64 years. He was born in South Kingstown, in Rhode Island, Dec. 14, 1799. He pursued his early classical studies at the Plainfield (Ct.) Academy, and was graduated at Brown University in 1823, in the same class with Chief Justice Ames of R. I., George D. Prentice, the distinguished editor of the "Louisville Journal," and Judge Mellen, of Mass. He studied law with Samuel W. Bridgham, in Providence, and was admitted to the bar, but engaged only to a very limited extent in the practice of his profession. His life was devoted preëminently and almost exclusively to politics. For nearly forty years he was one of the most active and prominent politicians in Rhode Island, and probably no individual ever exerted a greater influence in its local politics. In June, 1827, he was chosen by the General Assembly, then controlled by the National Republicans, to the office of Clerk of the Court of Common Pleas for the County of Providence, at that time the most lucrative office in the State, and in consequence a place much contended for by political parties and their rising favorites. This office he held until May, 1833, when he was displaced by a combination of opposing parties. He, however, regained the office in 1835, but held it only for a single year. In 1841, on the accession of President Harrison, he was appointed Collector of the port of Providence, which office he held till the beginning of President Polk's administration in 1845. In 1849 he was again appointed to the same office by President Tyler, and retained it four years, till he was removed by President Pierce. Through his influence while Collector of the port of Providence, a construction is now given to a provision of the tariff of 1833, relating to the compensation of certain collectors, adverse to the written opinions of John J. Crittenden and Reverdy John-

son, both given while those eminent lawyers were holding the office of Attorney-General of the United States. In 1854 he was chosen Secretary of State in Rhode Island, but lost his election the following year, when the "Know Nothing" or Native American Party, of which order he was not a member, swept the State by such immense majorities. In 1856 he was chosen by the General Assembly State Auditor, and continued in that office until May, 1863.

Mr. Watson was also, during much of his life, a writer for the political press, and in several instances, usually at seasons of election, for brief periods, conducted as editor certain papers with which he was politically connected. The most elaborate of his writings were a series of papers, first published in the "Providence Daily Journal" in 1844, over the signature of "Hamilton," which were afterwards collected and printed in a pamphlet form. The doctrines then held by the Whig party, of which he was ever the devoted champion in Rhode Island, were there explained and vindicated with remarkable force and vigor. Amidst the personalities of local politics he did not fail to make many enemies, but none ever questioned the integrity or the ability with which he discharged the duties of the varied public offices which he held. Mr. Watson married a daughter of Caleb Earle, of Providence.

WEST, REV. NATHANIEL, D. D., an American Presbyterian clergyman, born in the north of Ireland, September, 1794, died in Philadelphia, Penn., Sept. 2, 1864. His father was of English and his mother of Scottish descent. Though not favored with a collegiate or university education, he was an excellent scholar, and thoroughly versed in English studies and literature. He received his theological training under the immediate instruction of Dr. Chalmers and Dr. Turner, of Edinburgh, and after receiving ordination labored for several years in that city as a missionary, and was one of the founders of the first temperance society there. In 1834 he came to the United States, and was installed as pastor of the Presbyterian Church in Meadville, Penn., and subsequently was a pastor successively of Presbyterian churches in Monroe, Mich., North East, Pittsburg, McKeesport, and Philadelphia, Penn. In 1853 he received the degree of D. D. from Jefferson College, Penn., and was also honored by being elected a corresponding member of numerous literary and scientific societies. At the outbreak of the rebellion he resigned his pastoral charge in Philadelphia, and devoted himself to the service of his adopted country. In May, 1862, he was appointed by the President chaplain of the Satterlee United States General Hospital at West Philadelphia, one of the largest military hospitals in the United States, and the thorough manner in which he performed his arduous and exhausting duties at this hospital it is believed hastened his death. Dr. West's published works were: "The Ark of God the

Safeguard of the Nation," 1850; "Popery, the Prop of European Despotisms," 1852; "Babylon the Great," 1852; "Right and Left Hand Blessings of God; or a Cure for Covetousness," 1852; "Complete Analysis of the Holy Bible," royal 8vo, 958 pp., 1853, and four subsequent editions; "The Overturning of Tyrannical Governments," preached before and published at the request of Louis Kossuth when in this country, and by his order and at his cost translated into Magyar; "The Causes of the Ruin of Republican Liberty," 1862.

WINSLOW, HUBBARD, D. D., an American author and educator, born in Williston, Vt., Oct. 30, 1799, died at Williston, August 13, 1864. He prepared for college at Phillips Academy, Andover, Mass., and graduated at Yale College in the class of 1825, standing among the first three of his class in both institutions. He studied theology at New Haven, under Dr. Taylor, and preached a short time at Litchfield, Conn. Receiving various calls, he was settled at Dover, N. H., Dec. 4, 1828. Married May 21, 1829, the daughter of Hon. Pliny Cutter, Boston, Mass. During his settlement at Dover, where his ministry was very prosperous, he published his first volume, entitled, "Doctrine of the Trinity," which gained him extensive reputation, exciting interest abroad, and provoking a letter from Dr. Chalmers of Edinburgh, who pronounced it the ablest treatise in his judgment on that topic. In 1832 Mr. Winslow succeeded Lyman Beecher as pastor of the Bowdoin Street Church, Boston, where he remained twelve years. During this period he visited Europe and spent some time perfecting himself in the languages, and cultivating the acquaintance of leading men in England and on the continent. He delivered numerous addresses on scientific, literary, and religious topics, in various parts of the country. Among his published efforts were an oration before the city authorities of Boston, July 4, 1838; before the "Ancient and Honorable Artillery Company," 1853; address before the Boston Society of Natural History, 1839. He interested himself largely for the welfare of young men, delivering lectures on practical topics, and publishing the "Young Man's Aid," which was republished in several languages, and received a sale of over one hundred thousand copies in England alone. A very successful pastorate was a result of his labors. Over one thousand additions were made to his communion, and the records of the Massachusetts Association show that no Congregational church in that State has ever exceeded the prosperity of Bowdoin Street Church under Mr. Winslow. As a controversialist in theology and philosophy he ranked high. His defence of Dr. Taylor against Bennett Tyler, his "Philosophical Tracts," "Controversial Theology," etc., placed him among the foremost of the New England thinkers. His published addresses on the various duties of citizens, pertaining to Church and State, appeared during his pastorate, attracting

attention abroad. During this period he published, among other works, the following: "Christian Doctrines;" "Design and Mode of Baptism;" "Natural Science and Revelation;" "Appropriate Sphere of Woman;" "Aids to Self-Examination;" "Christianity Applied to our Social and Civil Duties;" "Educational Addresses," etc.

In 1844 Dr. Winslow's health failing, he resigned pulpit labors, and for nine years conducted the Mount Vernon Institute for young ladies, Boston, succeeding Jacob Abbott and E. A. Andrews, LL.D. During this period he delivered numerous addresses on educational topics, contributed to the Educational Journal under Horace Mann, edited the Religious Magazine, and furnished articles to various reviews. For many years he was a prominent member of the Boston School Committee, was associated with the Board of Examiners of Harvard University, and acted as trustee in various colleges and seminaries. The "Intellectual Philosophy" appeared in 1851, and received the encomiums of thinkers, and favor from the public. In 1853 he again visited Europe, spending ten months in examining the various institutions of learning. Returning, he delivered various lectures on Europe and the matters of State and religion. The "Moral Philosophy" (published by Appleton) appeared in 1856, and soon became a standard text-book in our colleges and high schools. Fourteen editions of his philosophies have already appeared. In 1857 he assumed the pastorate of the Presbyterian Church, Geneva, N. Y. During two years, nearly two hundred additions were made to his parish. He wrote the "History of the Geneva Presbyterian Church." His health failing, he removed, in 1859, to New York, where he resided at the time of his death. He became a constant contributor to the leading journals, and wrote a number of the prominent articles in our reviews on philosophical subjects. "The Hidden Life," appeared in 1862, and was at once classed among devotional volumes of a high order.

The mind of Dr. Winslow was vigorous and comprehensive, discriminating and evenly balanced, very active and penetrative. His attainments were quite universal in their character, but he excelled in the domain of philosophy and theology. His pulpit gifts were of the persuasive and didactic as well as the argumentative order; and a deep, earnest spirituality, pervaded all his utterances. He led a life of singular purity and simplicity of character; and he possessed pleasing gifts of a social nature.

WINSLOW MYRON, D.D., LL.D. An American Missionary and Oriental scholar. Was born at Villiston, Vt., Dec. 11, 1789, and died at Cape of Good Hope, October 22, 1864, while returning home from India. He graduated with the valedictory at Middlebury College (Vt.) in 1815, and at Andover Theological Seminary in 1818. In 1819 he sailed as a missionary of the A. B. C. F. M., to Ceylon, where he established a mission at Oodooville, founded a Seminary,

and after seventeen years of toil removed to Madras, where he established the chief mission of the Madras Presidency, containing a population of 30,000,000. Dr. Winslow acted as General Secretary of that and other missions, and financial agent of the American Board. He also supervised and superintended the printing and editing of various educational and religious works in the Tarnil tongue. Among his chief labors was the translation of the Bible into Tarnil. He also wrote the "History of Missions," "Memoir of Mrs. Harriet L. Winslow," "Hints on Missions," and carried on a large correspondence with European and American journals. The "Missionary Herald" and other religious periodicals contain a continuous correspondence from him of over forty years. Dr. Winslow interested himself largely in educating the natives of his mission. To this end he founded the Madras College and was President of it. It has a course of study similar to the first-class English and American colleges, and numbers between three hundred and four hundred students. But the chief work of Dr. Winslow was his great *Tarnil-English Lexicon*, which he recently completed, and is published in the finest style of typography at Madras. This work has received the encomiums of native, English, and American scholars, and ranks second to no other philological achievement of the age. Not merely for the profound scholarship and extensive learning displayed in its pages, but for the vast influence it exerts in civilizing and christianizing India, has it called forth the thanks of the religious world. In the preparation and completion of this work, Dr. Winslow spent upwards of twenty years of continuous toil. It is a quarto of one thousand pages, three columns to a page, and contains sixty-eight thousand words and definitions. Of these, nearly half owe their lexicographic birth and position to the author. Not merely are definitions given, but shades of meaning and expressions unknown to our language. The dictionary contains the mythological, scientific, and poetic terms of the Tarnil; names of heroes, gods, authors, poets, &c.; geographical and historical information. The work is a complete and comprehensive dictionary, admitting the learner into a careful and discriminating knowledge of the Tarnil. Dr. Winslow adopted an entirely original method and arrangement in regard to the verb, the most difficult part of speech in all lexicography. He gives the root of the verb, as of other parts of speech, for the leading word. He says that this is the *imperative singular*, and that all the parts of the verb flow naturally from that. He informs us that "this arrangement, though the most simple as well as most philosophical, has not been adopted in any dictionary." This work is most truly a thesaurus of oriental learning. Dr. Winslow devoted more study to the Eastern languages than any other American. The Reformed Dutch Church Mission, in their resolutions of thanks, said: "We regard this work as a noble contribution to oriental litera-

ture, a boon to all students and laborers in the Tarnil field, and a crown of honor to its author."

Dr. Winslow received the degree of D.D. from Harvard College in 1858, and that of LL.D. from Middlebury College in 1864. He was brother of Rev. Dr. Hubbard Winslow, the author, and of Rev. Dr. Gordon Winslow of the Episcopal Church.

WISCONSIN. This agricultural State engaged in the war with ardor, and has vigorously responded to all the calls for troops which have been made since its commencement. Wisconsin has sent to the field twenty-four regiments of infantry, four regiments and one company of cavalry, one regiment of heavy artillery, thirteen batteries of light artillery, and one company of sharpshooters, making an aggregate of seventy-five thousand one hundred and thirty-three men. Of this number thirty-two thousand nine hundred and seventy have been lost to the service by deaths, discharges, and desertions, leaving in the service, at the close of 1864, forty-two thousand one hundred and sixty-three men. To this number should be added three regiments of one hundred days' men, furnished during the year. Two drafts for men were made in the State. In 1863 the enrolment was 121,202 and the number drafted was 14,935. Of this number 880 were held to service in person or by substitute; 2,689 failed to report; 6,285 were exempts, and 5,081 paid commutation, amounting to \$1,524,300. In November, 1864, under the corrected enrolment, the number subject to draft was 96,068. Of these there were drafted 17,534, of whom 3,439 were held to service in person or by substitute; 6,724 were discharged after draft, and 7,367 failed to report. Great contributions were made by the women in almost every town and village of the State to the welfare of the soldiers, and generally through aid societies.

The amount of the State debt is two million five hundred thousand dollars. With the exception of one hundred thousand dollars, this debt was created for war purposes, and is a legitimate charge against the Federal Government. The balance in the Treasury at the close of 1864 was \$107,620. The disbursements during the year from the War Fund for the families of volunteers, were \$615,693. The taxable property in the State was estimated in 1863 at \$153,000,000, exclusive of \$30,000,000 railroad property. The State tax is about five and one-half mills on each dollar of the taxable property. Of the total revenue—\$802,196—paid into the Treasury during the year, the tax on banks produced \$52,016, and the tax on railroads, \$128,003. During the year there was paid \$42,500.00 for the Hospital for the Insane; \$41,371.55 for the State Prison; \$16,175.00 for the Deaf and Dumb Institute; \$19,250.00 for the Institute for the Blind; \$12,004.50 for the State Reform School. The whole amount of the productive school fund is \$2,052,353; and of the income, \$151,010 were appropriated to public schools. The amount of the productive

fund of the State University is \$157,170. The National Bank Law produced serious results upon the banks of the State. Their circulation at the end of the year was about \$2,500,000. This was secured by deposits with the Comptroller of stock amounting to \$2,700,000. About one-half of these securities consisted of Wisconsin war bonds. The circulation of eighteen or twenty banks was secured entirely by these bonds. It was necessary to throw these on the market to substitute the national bonds for them.

At the election for President the total vote of the State was 149,342: of which Mr. Lincoln received 83,458; Gen. McClellan 65,884. Majority for Mr. Lincoln 17,574. The Legislature was divided as follows:

	Senate.	House.
Republicans	25	67
Democrats	8	33
	33	100

In some parts of the State the popular vote was less than in 1860. This diminution was ascribed to the war.

Jason Downer was appointed a judge of the Supreme Court of the State to fill a vacancy occasioned by the resignation of Byron Paine.

One of the oldest men in the world is a resident of Wisconsin, having reached the age of one hundred and thirty-nine years. He is thus described in the "State Journal:"

Joseph Crele was born in Detroit, of French parents. The record of his baptism in the Catholic Church of that city shows that he is now one hundred and thirty-nine years of age. He has been a resident of Wisconsin for about a century. He was first married in New Orleans one hundred and nine years ago. Some years after he settled at Prairie du Chien, while Wisconsin was yet a province of France. Before the revolutionary war, he was employed to carry letters between Prairie du Chien and Green Bay. It is but a few years ago that he was called as a witness in the Circuit Court, in a case involving the title to certain real estate at Prairie du Chien, to give testimony in relation to events that transpired eighty years before. He now resides with a daughter, by his third wife, who is over seventy years of age.

The residence of the family is only four or five miles out of Portage City. From citizens of that place we learn that the old man is still active, is able to chop wood, and to walk several miles. He speaks English quite imperfectly, but converses fluently in the French language. He goes to elections, and, like a sensible old gentleman, votes the Union ticket. Stoops a little under the burden of years, but not more than many men of seventy. In person he is rather above the medium height, spare in flesh, but showing evidences of having been in his prime a man of sinewy strength. Concerning his habits, a subject of much interest in connection with an instance of such extraordinary longevity, we have been able to learn but a little, except that he is an inveterate smoker.

A very good daguerreotype picture of him, taken in 1856, may be seen at the rooms of the State Historical Society.

Three score years and ten ordinarily constitute the full span of a vigorous human life. This man's existence has been prolonged for almost twice that period. Those who began the journey of life with him are dead and their very bones are dust. Babies that he might have dandled on his knee at an age when most men are bowed with decrepitude, have grown into manhood, passed through the ordinary vicissi-

tudes of life, become gray and feeble and sunk into old men's graves, and this man still lives! He walks about among a generation whose grandsires were unborn after he had passed the usual period of manly pride. All his contemporaries are gone. No wonder if at times, as we understand is the case, a haunting sense of loneliness overwhelms him. Though he has led a rude border life, and probably has little of sentiment in his composition, yet, in some dim way at least, he experiences the feeling, so touchingly expressed by Wordsworth, writing under the shadow of more than seventy years, of

"One to whom Heaven assigns that mournful part,
That utmost solitude of age to face."

And with his simple and unsophisticated conceptions respecting a Deity, this feeling of solitariness; of remaining thus long the sole survivor of a generation; of walking about in this latter half of the nineteenth century, and in these days of telegraphic despatches, monitors, steam presses, and religion—he was a man capable of bearing arms in the days of Braddock's defeat!—the sense, we repeat, of this exceptional and anomalous lot, joined with his crude and untutored notions upon religious subjects, has induced in his mind the curious fancy that perhaps God has overlooked him.

WÜRTEMBERG, WILHELM FRIEDRICH KARL, king of, born in Silesia, September 27, 1781, died at the Castle of Rosenstein, June 25, 1864. He was the son of Duke Friedrich of Würtemberg (afterwards the first king), and was educated principally at St. Petersburg and Geneva. In 1797 his father became the reigning duke, and the young prince, disliking his subserviency

to France, entered the Austrian service, and remained in it until 1806, when a positive command from his imperious parent compelled him to leave it and to marry the Princess Carolina Augusta of Bavaria. The union, however, was merely nominal, having been forcibly imposed upon both parties; and some years later, upon a reconciliation between the king and his son, it was dissolved by mutual consent. In 1812 the Prince accompanied Napoleon in his invasion of Russia as commander of the Würtemberg contingent, and greatly distinguished himself by his vigor and success. In 1815 he drove a French corps under Rapp behind the walls of Strasbourg. In 1816 he married the grand duchess Katarina Pavlovna of Russia, who died in 1819, leaving him two daughters, one of whom is the present queen of the Netherlands. He subsequently married his cousin Pauline, daughter of Duke Ludwig of Würtemberg. Prince Wilhelm ascended the throne on the sudden death of his father in 1816, and at once granted a Constitution to his people, which is still in force. In 1848 he opposed, like all the German princes, the Federal Constitution. More recently his Government gained some popularity by its attitude in the question of a reconstruction of Germany, and in the Schleswig-Holstein question. He is succeeded by his son, Karl Friedrich Alexander.

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